
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2289 Session of
2022

INTRODUCED BY KAIL, ORTITAY, BERNSTINE, GLEIM, KEEFER, ROTHMAN,
ROWE, SAYLOR, SMITH AND ZIMMERMAN, JANUARY 27, 2022

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 27, 2022

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 term and form of charter and for multiple charter school
7 organizations.

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

10 Section 1. Section 1720-A of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949, is
12 amended by adding a subsection to read:

13 Section 1720-A. Term and Form of Charter.--* * *

14 (c) A charter school or regional charter school seeking
15 renewal shall provide written notice of intent to renew a
16 charter to the authorizing local board of school directors no
17 later than November 1 of the final year of an existing term. The
18 following shall apply:

19 (1) If the authorizing local board of school directors
20 elects to not renew the charter, the authorizing local board of

1 school directors shall commence proceedings to revoke or not
2 renew a charter within thirty (30) days of receipt of the notice
3 of intent to renew the charter submitted by the charter school
4 or regional charter school seeking renewal.

5 (2) If the authorizing local board of school directors does
6 not commence proceedings under paragraph (1), the charter shall
7 be deemed renewed for a period of five (5) years without further
8 proceedings.

9 Section 2. Section 1729.1-A(a), (b) and (c) of the act are
10 amended and the section is amended by adding a subsection to
11 read:

12 Section 1729.1-A. Multiple Charter School Organizations.--

13 (a) Establishment shall be as follows:

14 (1) Subject to the requirements of this section and 15
15 Pa.C.S. Pt. II Subpt. C (relating to nonprofit corporations),
16 two (2) or more charter schools may consolidate into a multiple
17 charter school organization if [both] either of the following
18 apply:

19 (i) The department approves the consolidation as proposed in
20 the application form submitted to the department pursuant to
21 subsection (c). If the department does not approve or disapprove
22 the proposed consolidation within forty-five (45) days after
23 receipt of the application, the department will be deemed to
24 have approved the consolidation, regardless of action or
25 inaction under subparagraph (ii).

26 (ii) Each school district that granted the initial charter
27 of any charter school included in the proposed consolidation
28 approves, by a majority vote of the local board of school
29 directors, a resolution approving the consolidation as proposed
30 in the application submitted to the local board of school

1 directors pursuant to subsection (c). If a local board of school
2 directors does not adopt a resolution under this clause
3 approving or rejecting the proposed consolidation within forty-
4 five (45) days after receipt of the application, the school
5 district will be deemed to have approved the consolidation,
6 regardless of action or inaction under subparagraph (i).

7 (1.1) The application for formation of a multiple charter
8 school organization may be submitted to the department and the
9 school districts simultaneously.

10 (2) The multiple charter school organization shall be:

11 (i) granted legal authority to operate two (2) or more
12 individual charter schools under the oversight of a single board
13 of trustees and a chief administrator who shall oversee and
14 manage the operation of the individual charter schools under its
15 organization; and

16 (ii) subject to all of the requirements of this article
17 unless otherwise provided for under this section.

18 (3) Nothing under this section shall be construed to affect
19 or change the terms or conditions of any individual charter
20 previously granted that is consolidated under this section,
21 including, but not limited to, any obligation of a school
22 district to provide transportation for students enrolled in an
23 individual charter school within a multiple charter school
24 organization.

25 (b) (1) A charter school that, within either of the most
26 recent two (2) school years prior to the date of application,
27 has failed to meet any of the following shall not be eligible to
28 consolidate with another charter school:

29 (i) Requirements for student performance set forth in 22 Pa.
30 Code Ch. 4 (relating to academic standards and assessment).

1 (ii) Accepted standards of fiscal management or audit
2 requirements.

3 [(iii) A school performance profile score that is among the
4 top twenty-fifth percentile of Pennsylvania charter schools as
5 measured by the school performance profile for the most recent
6 year for which a school performance profile score is available.]

7 (2) A charter school that has failed to meet any of the
8 requirements of paragraph (1) may consolidate if the
9 consolidation includes a charter school demonstrating that it
10 has satisfied such requirements for the most recent two (2)
11 school years.

12 (b.1) The eligibility of a charter school to consolidate
13 with another charter school shall be determined using the
14 following information or data gathered from the charter schools:

15 (1) As of the date of the application; or

16 (2) As indicated by the two most recent school years.

17 (c) Within ninety (90) days of the effective date of this
18 section, the department shall develop and issue a standard
19 application form that multiple charter school organization
20 applicants must submit to the department and to the local board
21 of school directors of each school district that granted the
22 initial charter of any charter school included in the proposed
23 consolidation. The application form shall contain the following
24 information:

25 (1) The name of the multiple charter school organization.

26 (2) The names of the charter schools seeking consolidation
27 under this section.

28 (3) A copy of the approved charter of each charter school
29 seeking to consolidate under this section.

30 (4) An organizational chart clearly presenting the proposed

1 governance structure of the multiple charter school
2 organization, including lines of authority and reporting between
3 the board of trustees, chief administrator, administrators,
4 staff and any educational management service provider that will
5 play a role in providing management services to the charter
6 schools under its jurisdiction.

7 (5) A clear description of the roles and responsibilities
8 for the board of trustees, chief administrator, administrators
9 and any other entities, including a charter school foundation,
10 shown in the organizational chart.

11 (6) A clear description of the method for the appointment or
12 election of members of the board of trustees.

13 (7) Standards for board of trustees performance, including
14 compliance with all applicable laws, regulations and terms of
15 the charter.

16 (8) Enrollment procedures for each individual charter school
17 included in its charter.

18 [(9) Any other information as deemed necessary by the
19 department.]

20 * * *

21 Section 2. This act shall take effect in 90 days.