
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 321 Session of
2015

INTRODUCED BY BREWSTER, FONTANA AND SCHWANK, JANUARY 23, 2015

REFERRED TO EDUCATION, JANUARY 23, 2015

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 moratorium; and further providing for applicability of other
7 provisions of act and regulations.

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

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

13 Section 1733-A. Moratorium.--(a) Notwithstanding any other
14 provision of law to the contrary, a moratorium is established on
15 the effective date of this section for the review of the
16 following applications submitted after the effective date of
17 this section:

18 (1) Review of an application for a new charter school by the
19 State Charter School Appeal Board.

20 (2) Review of an application for a new cyber charter school
21 by the department.

1 (3) Review of an application for a new cyber charter school
2 by the State Charter School Appeal Board.

3 (b) The moratorium established in subsection (a) shall not
4 apply to any application for the renewal of a charter for a
5 charter school or a cyber charter school.

6 (c) (1) The moratorium established in subsection (a) shall
7 expire upon the earlier of the following:

8 (i) June 30, 2016; or

9 (ii) June 30 of the school year where the following have
10 been implemented to more fairly and accurately measure the
11 academic performance of students, schools, school districts and
12 educators:

13 (A) Replacement of the Commonwealth's State Assessment
14 System, including the Pennsylvania System of School Assessment,
15 the Pennsylvania System of School Assessment-Modified and the
16 Pennsylvania Alternate System of Assessment.

17 (B) Replacement or revision of the Pennsylvania
18 Accountability System and the Pennsylvania Value-Added
19 Assessment System.

20 (2) Replacement and revision under paragraph (1)(ii)(A) and
21 (B) shall incorporate the following:

22 (i) Utilization of multiple measures of student performance
23 that can be used to guide and inform educational practice and
24 for accountability purposes to include, but not be limited to,
25 the following:

26 (A) Student achievement.

27 (B) Gains in student achievement.

28 (C) Reductions in the student achievement gap.

29 (D) School attendance rates.

30 (E) Graduation rates.

1 (ii) Utilization of at least five (5) classifications of
2 academic performance to recognize a range of academic
3 performance from a high level through a continuous range to a
4 low-level to provide improved targeting of rewards for high-
5 performing schools and school districts and assistance for low-
6 performing schools and school districts.

7 (iii) Incentives for schools to assist students to improve
8 their performance.

9 (iv) Utilization of differentiated systems of support to the
10 lowest-performing schools and school districts, including
11 professional development that is targeted to the deficits of
12 each school and school district.

13 (v) Utilization of reasonable and realistic implementation
14 goals that ensure that the Commonwealth, the school districts
15 and schools have the capacity to fully implement the
16 accountability system and act on the results.

17 (vi) Application of the replacement assessment systems to
18 each public school, charter school, regional charter school,
19 cyber charter school, area vocational-technical school and
20 nonpublic school in this Commonwealth to provide for the
21 assessment of every student in the tested grades.

22 (3) Replacement and revision under paragraph (1)(ii)(A) and
23 (B) must receive approval from the United States Department of
24 Education.

25 Section 2. Section 1749-A(a)(1) of the act, added June 29,
26 2002 (P.L.524, No.88), is amended to read:

27 Section 1749-A. Applicability of other provisions of this act
28 and of other acts and regulations.

29 (a) General requirements.--Cyber charter schools shall be
30 subject to the following:

1 (1) Sections 108, 110, 111, 321, 325, 326, 327, 431,
2 436, 443, 510, 518, 527, 708, 752, 753, [755,] 771, 776, 777,
3 808, 809, 810, 1109, 1111, 1112(a), 1205.1, 1205.2, 1301,
4 1302, 1310, 1317.2, 1318, 1330, 1332, 1303-A, 1518, 1521,
5 1523, 1531, 1547, 1702-A, 1703-A, 1714-A, 1715-A, 1716-A,
6 1719-A, 1721-A, 1722-A, 1723-A(a) and (b), 1724-A, 1725-A,
7 1727-A, 1729-A, 1730-A, 1731-A(a) (1) and (b), 1733-A and
8 2014-A and Articles XII-A, XIII-A and XIV.

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10 Section 3. This act shall take effect in 60 days.