

HOUSE CONCURRENT REGULATORY REVIEW RESOLUTION

1 Disapproving the Department of Education regulations on charter
2 schools and cyber charter schools.

3 WHEREAS, The Department of Education proposed at 51 Pa.B.
4 6032 (September 18, 2021) regulations on charter schools and
5 cyber charter schools in accordance with sections 1732-A and
6 1751-A of the act of March 10, 1949 (P.L.30, No.14), known as
7 the Public School Code of 1949; and

8 WHEREAS, On February 10, 2022, the Department of Education
9 submitted a Notice of Final Rulemaking for "Regulations for
10 Charter Schools and Cyber Charter Schools" (Department of
11 Education Regulation #6-349 and Independent Regulatory Review
12 Commission #3315) (Regulations); and

13 WHEREAS, On March 15, 2022, the Education Committee of the
14 House of Representatives, in accordance with section 5.1(j.2) of
15 the act of June 25, 1982 (P.L.633, No.181), known as the
16 Regulatory Review Act, voted to disapprove the Regulations; and

17 WHEREAS, On March 15, 2022, the Education Committee of the

1 Senate, in accordance with section 5.1(j.2) of the Regulatory
2 Review Act, voted to disapprove the Regulations; and

3 WHEREAS, On March 21, 2022, notwithstanding the disapprovals
4 of the House of Representatives and the Senate oversight
5 committees, the Independent Regulatory Review Commission (IRRC)
6 voted to approve the Regulations; and

7 WHEREAS, On March 24, 2022, IRRC notified the Education
8 Committee of the House of Representatives that IRRC had adopted
9 an order approving the Regulations; and

10 WHEREAS, The Education Committee of the House of
11 Representatives has determined that the Regulations should be
12 disapproved by the General Assembly; and

13 WHEREAS, The Education Committee of the House of
14 Representatives is reporting this resolution under section 7(d)
15 of the Regulatory Review Act for action by the House of
16 Representatives, which shall have 30 calendar days or 10
17 legislative days, whichever is longer, from the date on which
18 the concurrent resolution has been reported to adopt the
19 concurrent resolution; and

20 WHEREAS, The Senate shall have 30 calendar days or 10
21 legislative days, whichever is longer, from the date on which
22 the concurrent resolution has been adopted by the House of
23 Representatives to adopt the concurrent resolution; therefore be
24 it

25 RESOLVED (the Senate concurring), That the General Assembly
26 disapprove the Department of Education regulations on charter
27 schools and cyber charter schools; and be it further

28 RESOLVED, That, in accordance with section 7(d) of the
29 Regulatory Review Act, this resolution constitute a bar to the
30 promulgation of the Regulations.