

SCHOOL CLOSURES, CONSOLIDATIONS, & RECONFIGURATION OF SCHOOL BUILDINGS

August 2026

Under state law, school districts may seek to permanently close schools, consolidate them, or reconfigure their school buildings. To implement such changes, school districts must follow specific procedures that require public input, state notification or approval, and compliance with limitations on the timing of building changes. In addition, school districts must continue to follow applicable state and federal education laws when closing or reconfiguring schools. These types of changes can significantly impact students and the continuity of education they receive. School closures can also have lasting consequences for neighborhoods and communities. Families and communities have opportunities to voice their opinions to their school board about potential school closures and reconfigurations, and they can work with their school district to minimize disruptions to education and to support students, both when decisions are made and when plans are being implemented. This fact sheet explains the important role of parents in this process.

WHAT IS THE IMPACT OF SCHOOL CLOSURES ON STUDENTS, FAMILIES, AND COMMUNITIES?

Public schools not only provide academic and social education, but they are an essential pathway to economic mobility for students and a resource hub for communities. Schools provide community mental health resources, opportunities for social and educational engagement, and the distribution of valuable services, like books and food.¹ Families often have deep connections to schools where multiple children in their family or generations of relatives have received an education. Communities may feel a sense of loss and disconnectedness when their school closes.² In the 2021-22 school year, nationwide, there were 755 school closures, which included 571 regular schools, 71 special education schools, and 7 vocational schools.³

DO SCHOOL CLOSURES IMPROVE STUDENTS' ACADEMIC PERFORMANCE?

Research is mixed on whether closing schools improves academic and social outcomes for students.⁴ For example, reviews of school closures in Chicago and Philadelphia suggest that students who were reassigned to a higher-performing school saw gains in their academic performance.⁵ On the other hand, the Philadelphia study also found that students who had a longer travel distance to the reassigned school had a higher number of absences and suspensions from school.⁶ School closures may result in students needing to travel farther to get to school and participate in academic activities. Students may not be able to join as many clubs or sports, and parents may not be able to attend school events, athletic competitions, or parent-teacher meetings.

Lessons learned from past school closures can be helpful when school districts are developing transition plans. Districts must create a plan that is intentionally designed to mitigate the negative consequences of school closures by transferring students to higher-performing, well-resourced schools; ensuring continuity for students with regard to teachers and programs; avoiding transitions that impose long commutes on students; and addressing the needs of students with disabilities. See e.g., [Education Law Center-PA's comments to School District of Philadelphia Board of Education re: Facilities Master Plan](#).

CAN A SCHOOL DISTRICT CLOSE A SCHOOL BUILDING FOR ANY REASON?

Yes, with certain limitations. Under Pennsylvania law, a school board may close one or more of the schools in its district “on account of the small number of pupils in attendance, or the condition of the then existing school building, or for the purpose of better graduation and classification, or other reasons.”¹⁷ Based on this broad law, courts have held that school districts may close a school building for any reason, unless the decision to close the school is “arbitrary, capricious, or fraudulent.”¹⁸ To meet this standard, evidence must be presented to a court showing that the school district acted outside its

WHO IS MOST IMPACTED BY SCHOOL CLOSURES AND WHY?

Research shows that schools with higher concentrations of Black students and higher poverty rates among students are more likely to be closed than other schools.⁷ This occurs due to systemic and structural racism. As a result, Black students have historically been denied access to well-funded quality schools due to housing discrimination and redlining.

The term “redlining” refers to the longstanding illegal and discriminatory practice of denying financial services such as mortgages and insurance loans to residents of certain areas, based on their race or ethnicity.⁸ These and other forms of racial discrimination have left many high-poverty school districts in predominantly Black communities with not only greater needs, but also less access to resources.⁹ These inequities continue today: “Redlining has assured that racial and urban disparities in wealth, homeownership, and housing value prevail. This has bled into all aspects of affected communities, including school funding.”¹⁰ Chronic lack of investment significantly limits Black students’ access to educational opportunities across Pennsylvania.¹¹

Disproportionately closing majority-Black schools exacerbates inequities and perpetuates anti-Black racism. A recent scholarly review of rationales often used to justify the closure of schools, such as declining enrollment, high rates of poverty, and low academic achievement, found that these cited justifications do not account for the disproportionate impact of school closures on majority-Black schools.¹² Black students are “about twice as likely as their white peers to attend school in a district with below-adequate funding.”¹³ As reflected in a report from 2024, school districts in Pennsylvania with the highest share of Black students have an “adequacy gap” of \$3,347 per student, while the school districts with the lowest share of Black students have an adequacy gap of \$1,284 per student.¹⁴ Chronic underfunding constrains the resources that schools can devote to raising student achievement and frequently compels districts to defer building maintenance and infrastructure upgrades.¹⁵ These conditions lead to districts closing schools that purport to demonstrate inadequate academic performance or have deteriorating facilities – conditions created by sustained disinvestment.¹⁶

authority, acted in bad faith, or made a decision without looking into the facts necessary to make an informed decision.¹⁹

School districts must also comply with notice and parent-input requirements when closing or reconfiguring schools. In addition, school districts may not violate state and federal anti-discrimination laws by targeting or otherwise discriminating against a student population on the basis of a protected class status, such as race or disability.²⁰

WHAT DOES MY SCHOOL DISTRICT NEED TO DO BEFORE CLOSING OR RECONFIGURING A SCHOOL?

Under Pennsylvania law, a school district must take certain steps before it can change the organization of a school, including opening or closing a school, changing the grade structure of a school or its name, or closing a school building.²¹ If a school district seeks to permanently close a school or substantially all of a school's facilities, the school board must hold a public hearing on the school closure **at least three months** before the school board votes on the closure.²² At least 15 days before the public hearing date, notice of this hearing must be provided in a newspaper of general circulation within the school district.²³ Although the law requires school boards to hear public input on potential school closures, only the school board votes on whether to move forward with the closures.²⁴

In addition, before closing a school building to educational use, a school district must provide notification to the Pennsylvania Department of Education (PDE) with the reasons for the closing and a description of how the closing “contributes to the orderly development of attendance areas.”²⁵ Attendance-area plans determine which school building students will attend. A school district must obtain approval from the PDE before establishing a new school or changing a school's organization.²⁶ Similarly, a school may not close any building or department during the school year unless the closure will benefit the development of attendance areas and the PDE provides approval.²⁷ Department approval will be based on the closure's “conformance to a long-range attendance area plan.”²⁸ To apply for PDE approval, a school district must give the department a signed letter on letterhead from the Superintendent or Chief School Administrator describing the school district's intent to reconfigure schools, the current and proposed configuration for each school that will be affected by the reconfiguration, and a Board Affirmation Statement or minutes from a school board meeting demonstrating the board's support for the reconfiguration.²⁹ This information must be received by the PDE by July 31 in order to reconfigure schools for the coming school year.³⁰

School districts must also file a Special Education Plan Revision Notice (SEPRN) with PDE's Bureau of Special Education if the closure or reconfiguration will modify the school's facilities profile, such as adding or closing a special education classroom.³¹ The SEPRN requires information such as the name of the building, description of the proposed reconfiguration, classroom measurements, and an assurance checklist with requirements related to accessibility, size, location, and external noise.³² The SEPRN should be submitted to the Bureau at least 30 calendar days prior to the change.³³

Students who are currently attending a school slated for closure must be assigned by the school district to other schools, or in some cases, may be permitted to attend schools in other districts.³⁴ In some situations, Pennsylvania law also requires timely notice to professional school employees before closing a school or department and outlines their terms of employment and payment if reorganizations move forward.³⁵

ARE THERE ANY LAWS THAT APPLY IN SITUATIONS WHERE A SCHOOL DISTRICT CLOSES ITS HIGH SCHOOLS?

Yes. When a school district eliminates its high schools, the Secretary of Education is empowered to designate two or more adjacent school districts to accept, on a tuition basis, high school students from third-class school districts that are declared distressed.³⁶

Under a new law called Act 47, if a school district has completely closed or eliminated its high schools, the Pennsylvania Department of Education is authorized to conduct a feasibility study to evaluate a potential merger with another school district. Under this law, PDE must analyze consolidation with no fewer than three school districts identified by PDE whose borders are no more than seven miles from the school district's border.³⁷

The first phase of the study assesses the education, financial, administrative and community impacts of potentially consolidating the district with another school district. This phase includes a community survey of staff, families, and community members in the four school districts identified as potential consolidation partners. In the second phase, PDE must review educational program offerings and services; facilities utilization and capital planning; fiscal analyses, governance and leadership structures; operational efficiencies; and stakeholder considerations. The project team must submit a report, including its findings and recommendations, to the Secretary of Education, the Education Committee of the Senate, and the Education Committee of the House of Representatives before implementing the recommendation.³⁸

As an example, Duquesne City School District, which has remained financially distressed for more than a decade, closed its only high school in 2007 and was placed under receivership in 2013. Under this new law, PDE has completed the first phase of the feasibility study, and the PDE and the district are now exploring a potential merger with McKeesport School District.³⁹

WHAT CAN I DO IF MY SCHOOL DISTRICT IS CONSIDERING CLOSING OR RECONFIGURING SCHOOLS?

If your school district is considering closures or reconfigurations, you should exercise your right to speak at the public hearing that the school board must schedule before it takes a vote on whether to close schools. The public hearing information must be published in a local newspaper, and school districts usually post this information on their websites as well. In many districts, you may need to sign up in advance of the hearing, and there may be limits on the length of your testimony. You can also submit written testimony or comments and raise questions for the board to answer. For more information on how to advocate at public hearings, see ELC-PA's fact sheet on [The School Board, Its Power, and How to Advocate](#).

If your school district is hosting listening sessions outside of public hearings, you should attend to share your opinion and any concerns. You should also familiarize yourself with the data and reports, often called “feasibility studies” or “facility utilization reports or plans” that the school district is using to decide which schools will be closing or reconfiguring. You could also organize a community campaign or join an existing community campaign to amplify your voice and make other members of your community aware of the potential changes.

WHAT CAN I DO IF MY NEIGHBORHOOD SCHOOL’S CLOSURE OR RECONFIGURATION HAS ALREADY BEEN APPROVED?

If your school board has already voted to close or reconfigure a school, you can still take steps to support your school community and your student during the transition. You have the right to attend school board meetings and share your thoughts throughout the transition process. You can talk about any suggestions you have to ease transitions for students, welcome them into their new school, and ensure that families are given opportunities to learn about and be engaged in the new school.

If your child is moving to a new school, you could attend an open house at the new school to familiarize your family with its resources, teachers, and extracurricular opportunities. You will also need to understand what transportation, if any, will be offered by the school to the new building. The School District of Philadelphia and Pittsburgh Public School District have both voted to close and reconfigure schools and have information on the plans available on their websites. See [*Accelerating Opportunity: The School District of Philadelphia Facilities Master Plan*](#) and [*Pittsburgh Public Schools’ Future Ready Plan Dashboard*](#).

WHAT CAN I DO IF MY CHILD HAS A DISABILITY AND THEIR SCHOOL IS CLOSING OR BEING RECONFIGURED?

If your child is a student with a disability and has an Individualized Education Program (IEP) or a Section 504 Accommodation Plan, you should participate in an IEP or 504 meeting to discuss how a school closure or other changes will impact your child. You should ask how your child’s individual supports and services will be implemented in a new building and consider whether your child will need additional supports or services to address the transition. For example, your student may require specialized transportation to the new building or may need to use an elevator in the new building because their classes are now on multiple floors. Your IEP team must address how the transition will impact your child and how the new school will fully implement your child’s IEP or 504 Accommodations Plan.

Your student’s IEP must be updated with any changes, and you must be given an opportunity to review and disagree with any of these changes.⁴⁰ Importantly, your child must continue in the same school placement (e.g., full-time autism support classroom) and receive the same supports and services detailed in their IEP in their new school. Moreover, a child with a disability continues to be entitled to a free, appropriate public education in the least restrictive environment.⁴¹ For more information on IEP meetings, see ELC-PA’s [fact sheet on navigating IEP meetings](#).

DOES A SCHOOL CLOSURE CONSTITUTE A CHANGE IN PLACEMENT FOR A CHILD WITH AN INDIVIDUALIZED EDUCATION PROGRAM (IEP)?

It depends on each student's IEP and the impact of the school closure on the child's education program. In general, if a school district makes changes in the physical or geographic location of your child's program and it does *not* significantly affect the student's individual program, it will not constitute a change in placement.⁴² In addition, courts have concluded that an order of general applicability (such as a change to remote learning during COVID) does not constitute a change in placement for students with disabilities, in part because the change impacted all students.⁴³

However, although districts may exercise discretion as to where they implement a student's IEP, "their primary obligation to implement the IEP remains."⁴⁴ Thus, for example, if a new school cannot implement your child's IEP or moving to the new school changes your child's placement from full-time emotional support classroom to part-time emotional support, such changes would constitute a change in placement and require notice of the proposed change and an opportunity to consent to or challenge it. As the U.S. Court of Appeals for the Third Circuit has emphasized, a change in educational placement "should be given an expansive reading, at least where changes affecting only an individual child's program are at issue."⁴⁵ A unilateral change in placement without notice and without an opportunity to challenge the new placement violates the IDEA.⁴⁶ Accordingly, it is important to discuss how a new school will fully implement your child's IEP.

WHAT CAN DISTRICTS DO TO SUPPORT STUDENTS AND FAMILIES DURING A SCHOOL CLOSURE OR RECONFIGURATION PROCESS?

First, school districts should engage in *transparent* communication and provide multiple opportunities for meaningful community engagement to build trust throughout the process as they evaluate whether to close or reconfigure a school. School boards should schedule multiple listening sessions within the community, at dates and times that accommodate different schedules of constituents. In addition, school district parents should have access to all information the school board is reviewing and considering such as enrollment and budget data. This information should be posted on the school district's website and be accessible to everyone, along with other pertinent information.

Second, school boards should consider district-wide equity issues when weighing the costs and benefits of closing or reconfiguring specific schools and ensure that school closures do not disproportionately impact Black and Brown students and students living in poverty. School boards should also consider the impact of proposed school closures on communities.

Third, if a school board votes in favor of closing or reconfiguring a school, a school district should take steps to ensure that students, families, and staff are supported during the transition process. School districts should continue to be transparent about the transition and engage in proactive transition planning to honor the legacy and history of closing schools while preparing students and staff for new, welcoming school environments. Schools should invest in the new school buildings and be clear about staffing and resources available to students. Information regarding school reassignments, open houses, and transportation should be sent to families *as soon as possible* and

far in advance of the transition. Schools should take the lead in organizing building tours for students and open houses for families.

Schools can also involve students in the transition process by issuing surveys and obtaining student feedback and addressing student concerns by establishing student-led committees to identify programming and supports that students would find beneficial. Transitioning students to new schools is an ongoing process, and school districts should regularly review academic and social outcomes of students within each school to determine whether additional responsive programming or supports are necessary.

HOW SHOULD SCHOOLS SUPPORT STUDENTS WHO ARE UNDERSERVED BY OUR EDUCATION SYSTEM DURING SCHOOL CLOSURES OR RECONFIGURATIONS?

When developing a transition plan, school districts should center the legal rights and needs of students who are most marginalized by our education system, including students with disabilities, multilingual learners, highly mobile students, and other underserved students.

To ensure that students with disabilities continue to receive a free, appropriate education in the least restrictive environment and that they are not segregated from other students and continue to receive the supports and services they need, IEP Teams should meet to determine how the new school will provide the same interventions, services, and classroom placement. In addition, a student may need more or different supports to navigate and make progress in the new school. The length and mode of transportation to and from school should be reviewed by the IEP team in light of the student's disabilities. In all cases, decisions regarding programming and supports must be individualized for each student and must include parent participation.

School districts must also consider the needs of multilingual students who are receiving English Language Development programming to ensure that each multilingual learner receives an appropriate classroom placement and effective English language instruction, including sufficient English instruction hours as required by law.⁴⁷ Schools must also comply with federal and state laws prohibiting segregating or otherwise discriminating against students based on English language proficiency.⁴⁸ Importantly, school districts must also ensure that information regarding school closures and transitions are provided to parents in their preferred language.⁴⁹

Finally, school districts should consider the impact of school closures on highly mobile students, including students experiencing homelessness and those in foster care, or in the juvenile justice system. Appropriate transition planning should include ensuring continuity for these students, including that school buildings continue to use Act 1 to support students who are changing schools.⁵⁰ For more information, see ELC-PA's [fact sheet on Act 1](#).

The Education Law Center-PA (ELC-PA) is a nonprofit, legal advocacy organization with offices in Philadelphia and Pittsburgh, dedicated to ensuring that all children in Pennsylvania have access to a quality public education. Through legal representation, impact litigation, community engagement, and policy advocacy, ELC-PA advances the rights of underserved children, including children living in poverty, children of color, children in the foster care and juvenile justice systems, children with disabilities, multilingual learners, LGBTQ+ youth, children experiencing homelessness, and children at the intersection of multiple underserved identities.

ELC-PA's publications provide a general statement of the law. However, each situation is different. If questions remain about how the law applies to a particular situation, contact ELC-PA's Helpline for information and advice — visit www.elc-pa.org/contact or call 215-238-6970 (Eastern and Central PA) or 412-258-2120 (Western PA) — or contact another attorney of your choice.

¹ Gary Pierson, *Community Impact of School Closure: Implications for Access to Socially Valued Resources and Services in an Urban Community*, 54 (2025) (Ph.D. dissertation, Claremont Graduate University) (“The perception of many respondents acknowledges a loss of access to previously available resources and services that supported community well-being, mental health, and educational pathways.”).

² Eve L. Ewing, *Ghosts in the Schoolyard*, 127 (2018) (the closure of places of community, particularly for marginalized communities, can lead to “institutional mourning” for the loss of the institution and what it represented).

³ *Digest of Education Statistics*, National Center for Education Statistics (2022), https://nces.ed.gov/programs/digest/d22/tables/dt22_216.95.asp.

⁴ Mary Eddins, Maja Pehrson, Kevin Burgess, *Revisiting Research on School Closings: Key Learnings for District and Community Leaders*, 3 (2024) (compiling research showing school closures have varied impacts on student achievement); Matthew Larson, *Does closing schools close doors? The effect of high school closings on achievement and attainment*, *Economics of Education Review*, Vol. 76 (2020) (arguing that there are mixed results when reviewing short-term and long-term impacts of school closures on student success).

⁵ Eve L. Ewing, *Ghosts in the Schoolyard*, 8-9 (students in Chicago who were reassigned to better-performing schools ended up with better academic outcomes); Matthew P. Steinberg & John M. MacDonald, *The Effects of Closing Urban Schools on Students' Academic and Behavioral Outcomes: Evidence from Philadelphia*, *Economics of Education Review*, Vol. 69, p. 25-60 (April 2019) (students fared better academically if they moved to higher-performing schools), <https://www.sciencedirect.com/science/article/abs/pii/S0272775718302693>.

⁶ *The Effects of Closing Urban Schools on Students' Academic and Behavioral Outcomes: Evidence from Philadelphia*.

⁷ F.A. Pearman, et al., *Examining Racial (In)equity in School-Closure Patterns in California*, Policy Analysis for California Education 10 (2023) (examined national data sets to identify racial disproportionality in school closures, and common justifications for school closures do not account for this result); Mary Eddins et al., *Revisiting Research on School Closings: Key Learnings for District and Community Leaders*, Research for Action, 2 (2024) (reviewing recent research on school closures and finding that disproportionate impact on Black students has been found in urban, suburban, and rural districts), <https://www.researchforaction.org/wp-content/uploads/2024/06/revisiting-research-on-school-closings-key-learnings-for-district-and-community-leaders.pdf>.

⁸ Redlining disregards individual's qualifications and creditworthiness to refuse services and finds its origins in the U.S. Government's 1930s homeownership programs whereby government-insured mortgages were denied to Black and Brown families in communities identified by the color red on maps. Today, redlining also refers to the withholding of essential services such as healthcare and the construction of grocery stores to communities of color.

⁹ U.S. Commission on Civil Rights *Public Education Funding Inequity*, (January 2018), <https://www.usccr.gov/files/pubs/2018/2018-01-10-Education-Inequity.pdf>.

¹⁰ Julia McGarrey, *More Than a Map: Redlining's Enduring Effects on School Funding and Student Outcomes in Philadelphia* (Apr. 23, 2026) National Community Reinvestment Coalition, <https://www.ncrc.org/more-than-a-map-redlinings-enduring-effects-on-school-funding-and-student-outcomes-in-philadelphia/>.

¹¹ Shaw-Amoah, A., & Lapp, D. (2022) *Unequal Access to Educational Opportunity in the United States*, Research for Action, <https://www.researchforaction.org/research-resources/k-12/unequal-access-to-educational-opportunity-in-the-united-states/>.

¹² *Examining Racial (In)equity in School-Closure Patterns in California*, 17-18.

¹³ Bruce Baker et al, *The Adequacy and Fairness of State School Finance Systems*, Albert Shanker Institute et al., 18 (2024), https://www.schoolfinancedata.org/sites/default/files/data/sfid2024_annualreport.pdf.

¹⁴ Stier, M. & Stone, C., *K-12 School Funding in PA Remains Inadequate and Inequitable*, Penn Policy Center (2024) <https://pennpolicy.org/wp-content/uploads/2024/08/school-funding-adequacy-and-equity-2024.pdf>.

¹⁵ Alejandro Vazquez-Martinez, Michael Hansen & Diana Quintero, *Unsafe school facilities reinforce educational inequities among marginalized students*, Brookings (Sep. 1, 2020) (“[T]he need for investments in school facilities are unequally distributed, with the greatest need for improvements in schools serving high shares of students in poverty, which, in turn, are often located in communities of color.”); See, e.g., Bruce D. Baker, Learning Pol’y Inst., How

Money Matters 8-9 (2017) (concluding that “improvements in the adequacy and equity of per-pupil spending are positively associated with improved student outcomes...”), <https://learningpolicyinstitute.org/product/how-money-matters-brief>.

¹⁶ Huriya Jabbar & Daniel Espinoza, *The Cycle of Disinvestment in Public Schools: How Public School Criticism Drives Policy and Disinvestment*, National Education Policy Center, 20 (2026) (noting that inadequate funding leads to school closures), <https://nepc.colorado.edu/sites/default/files/publications/PB%20Jabbar-Espinoza.pdf>.

¹⁷ 24 P.S. § 13-1311.

¹⁸ *Save our Saltsburg Schools v. River Valley School District*, 285 A.3d 692, 701 (Pa. Commw. Ct. 2022) (noting that school boards have “significant discretion” when voting to close schools unless the decision is “arbitrary, capricious, or fraudulent.”).

¹⁹ *Borough of Clifton Heights v. Sch. Dist. of Upper Darby*, 377 A.2d 836, 838 (Pa. Commw. Ct. 1977) (finding that a school board’s decision to close a school was not arbitrary or capricious because the school board had reviewed reports and data supporting its decision due to declining enrollment and financial savings) (citing *Landerman v. Churchill Area Sch. Dist.*, 200 A.2d 867, 869 [1964], *Zebra v. Sch. Dist. of City of Pittsburgh*, 269 A.2d 748, 750 [Pa. Sup. Ct. Nov. 17, 1972]).

²⁰ Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (prohibits schools that receive federal financial assistance from discriminating against students based on race, color, or national origin); Pa. Human Relations Act (PHRA), 43 P.S. §§ 951–963 (prohibits discrimination at “public accommodations” based on a current student’s race, color, sex, religion, ancestry, national origin); See e.g. *Advancement Project and 412 Justice v. Pittsburgh Public School District*, Dkt. No. [pending], (Pa. Human Relations Commission, July 26, 2026) (complaint alleging that proposed school closures at Pittsburgh Public Schools are racially discriminatory in violation of the Pa. Human Relations Act),

<https://advancementproject.org/wp-content/uploads/2026/07/JLP-et-al-v-PPS-PHRC-Complaint-Discriminatory-School-Closures-.pdf>; letter from Attorney General of California to Oakland Unified Sch. Dist. Board of Educ. (Jan. 29, 2024) (concluding that the school district’s original closure plan would have disproportionately impacted Black students, low-income students, and students with disabilities in violation of California civil rights laws),

https://oag.ca.gov/system/files/attachments/press-docs/CalDOJ.LettertoOaklandUnifedRePotentialClosures.1.29.24.final_.pdf; *Swan v. Board of Educ. of City of Chicago*, 2013 WL 4401439, * (N.D.Ill. Aug. 15, 2013) (denying a request for a preliminary injunction and finding that plaintiffs failed to show a likelihood of success on the merits of their claim that school closures would disproportionately impact Black students and students with disabilities in violation of the Americans with Disabilities Act and Illinois anti-discrimination laws).

²¹ 22 PA. CODE § 4.41(c); PA Dep’t. of Educ., *School Reconfigurations*, <https://www.pa.gov/agencies/education/programs-and-services/schools/school-construction-improvements-reconfigurations/school-reconfigurations#accordion-70a599890f-item-37ff4a21e4> (last visited July 9, 2026).

²² 24 P.S. § 7-780.

²³ *Id.*

²⁴ *Save Our Saltsburg Schs. v. River Valley Sch. Dist.*, 285 A.3d 692, 695 (Pa. Commw. Ct. 2022).

²⁵ 22 PA. CODE § 349.28(a).

²⁶ 22 PA. CODE § 4.41(c).

²⁷ 24 P.S. § 5-524.

²⁸ 22 PA. CODE § 4.41(c); 22 PA. CODE § 349.28(b).

²⁹ PA Dep’t. of Educ., *School Reconfigurations*.

³⁰ *Id.*

³¹ 22 Pa. Code § 14.104(a)-(f) (requiring school districts to submit special education plans every three years and requiring PDE to approve such plans in accordance with specific criteria); PA Dep’t. of Educ., *Special Education Plan Information*, <https://www.pa.gov/agencies/education/programs-and-services/instruction/elementary-and-secondary-education/special-education/special-education-plan-information>; PA Dep’t. of Educ., SEPRN Training, <https://360.articulate.com/review/content/64424251-370d-4cbd-80ed-8c73f220146e/review>.

³² 22 Pa. Code § 14.144; PA Dep’t. of Educ., *Special Education Plan Information*; PA Dep’t. of Educ., SEPRN Training.

³³ *Id.*

³⁴ 24 P.S. § 13-1311.

³⁵ *Id.*

³⁶ In 2007, the General Assembly enacted Act 123 which amended 24 P.S. § 16-1607(b) of the Public School Code and added Sections 16-1607.1, which authorizes the Secretary of Education to designate two or more adjacent school districts to accept students whose only high school has closed. The amendment also authorizes the Secretary of Education to establish a per-pupil tuition rate to compensate a school district that is assigned students from an adjacent district. 24 P.S. §§1607(b) and 1607.1. See also 24 P.S. § 1113(b.2) (addressing teacher staffing issues).

³⁷ 24 P.S. 16-1607(b.3).

³⁸ *Id.*

³⁹ Feasibility Study Updates, Duquesne City School District (last updated July 15, 2026), <https://www.dukecitysd.org/about-us/feasibility-study-updates>.

⁴⁰ 20 U.S.C. 1415(b)(3); 34 C.F.R. 300.504(c).

⁴¹ 20 U.S.C. § 1401(9); 34 CFR § 300.114.

⁴² *R.B. ex rel. Parent v. Mastery Charter Sch.*, 762 F. Supp. 2d 745, 760 (E.D. Pa. 2010), *aff'd sub nom. R.B. v. Mastery Charter Sch.*, 532 F. App'x 136 (3d Cir. 2013).

⁴³ See e.g., *Carmona v. New Jersey Dep't of Educ.*, No. CV 21-18746, 2022 WL 3646629, at *5 (D.N.J. Aug. 23, 2022) (finding that plaintiffs had not adequately pleaded that the change from in-person to remote instruction resulting from the COVID-19 pandemic constituted a change in educational placement); *J.T. v. de Blasio*, 500 F. Supp. 3d 137 (S.D.N.Y. 2020) (same); *N.D. v. Hawaii Dep't of Educ.*, 600 F.3d 1104, 1108 (9th Cir. 2010) (Hawaii's system-wide decision to shut down all public schools, thus depriving able and disabled students of 17 days of instruction, did not constitute a change in educational placement).

⁴⁴ *R.B. ex rel.* 762 F. Supp. 2d at 760.

⁴⁵ *D.M. v. New Jersey Dep't of Educ.*, 801 F.3d 205, 215 (3d Cir. 2015).

⁴⁶ 20 U.S.C. § 1415(b)(3).

⁴⁷ Equal Educ. Opp. Act, 20 U.S.C. § 1703(f); 22 PA. CODE § 4.26; *Castaneda v. Pickard*, 648 F.2d 989, 1011-14 (5th Cir. 1981) (holding schools must provide multilingual learners English language instruction that is sound in theory and programs must be evaluated for effectiveness); *Lau v. Nichols*, 414 U.S. 563 (1974) (holding the school district's failure to provide English language instruction to Chinese-speaking students was a violation of 42 U.S.C. § 2000d); Basic Educ. Circular: Educating Eng. Learners (ELs), Pa. Dep't of Educ., 2 (2017), <https://www.pa.gov/agencies/education/resources/policies-acts-and-laws/basic-education-circulars-becs/pa-code/educating-english-learners-els>.

⁴⁸ Title VI, 42 U.S.C. § 2000d; Pa. Human Relations Act (PHRA), 43 P.S. §§ 951-963.

⁴⁹ Title VI, 42 U.S.C. § 2000d; In addition, state law requires local education agencies to provide all important information to parents who are not proficient in English in a language or mode of communication that they understand. See 22 Pa. Code § 4.26.

⁵⁰ 24 P.S. § 13-1331.1.