

SUPREME COURT OF PENNSYLVANIA

Betty Bell and Propel Schools v. Wilkinsburg School District

Bell v. Wilkinsburg School District · No. 23 WAP 2024 · Decided January 21, 2026

SUMMARY

The Supreme Court of Pennsylvania considers whether Section 1726-A(a) of the Charter School Law permits a school district to provide charter-school students with a different form of free transportation than it provides to students attending district schools. The Court holds that the statute permits different transportation modes, including public bus passes, and affirms the Commonwealth Court. The opinion also addresses the statutory history and the relationship between the Charter School Law and the Public School Code.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
WRITING FOR THE COURT	Justice Dougherty; Chief Justice Todd; Justice Donohue; Justice Wecht; Justice Mundy; Justice Brobson; Justice McCaffery
JURISDICTION	Supreme Court of Pennsylvania
DECIDED	January 21, 2026
DOCKET	23 WAP 2024
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the Commonwealth Court's order affirming the Allegheny County Court of Common Pleas judgment after a nonjury trial.
STANDARD OF REVIEW	Statutory interpretation is reviewed de novo, with a plenary scope of review.
PRECEDENTIAL VALUE	Published precedential opinion
PARTIES	Betty Bell, Propel Schools, d/b/a Propel Charter School-Homestead, Propel Charter School-Sunrise, Propel Braddock Hills, Propel Charter School-Pitcairn, and Propel Charter School-Hazelwood v. Wilkinsburg School District

TOPICS

- statutory interpretation
- plain meaning rule
- legislative history
- constitutional law
- equal protection

PRACTICE AREAS

education law

statutory interpretation

appellate law

constitutional law

QUESTIONS PRESENTED

1. Whether Section 1726-A(a) of the Charter School Law requires a school district to provide charter-school students with the same mode of free transportation provided to students attending the district's traditional public schools.
2. Whether the phrase "under the same conditions" in Section 1726-A(a) requires identical transportation methods or instead refers to the distance, student-grade, and nonhazardous-condition limitations in that sentence.

HOLDINGS

1. Section 1726-A(a) requires a school district to provide qualifying charter-school students with free transportation during the charter school's regular session, but it does not require the district to provide charter-school students the same mode of transportation it provides to students attending district schools.
2. Section 1726-A(a) is clear and unambiguous, and the possibility that its policy consequences may appear undesirable or unreasonable does not make the statute ambiguous.

KEY QUOTATIONS

"Consistent with the unambiguous text of the statute, we hold it does. We therefore affirm." (J-30-2025, at 1)

"That language entitles charter students to "free transportation" to be provided by their school district, but it does not mandate the district afford the same mode of transportation for all students." (J-30-2025, at 20)

FACTUAL BACKGROUND

Before the 2018-2019 school year, Wilkinsburg School District provided school-bus transportation to students attending Propel charter schools within ten miles of the District's boundaries. After a transportation-cost review, the District discontinued that service for charter-school students and instead provided free Allegheny County Port Authority bus passes; Propel separately arranged private bus transportation for its kindergarten-through-fifth-grade students, while older students generally used the passes or other transportation. Bell and Propel challenged the arrangement, arguing that Section 1726-A(a) of the Charter School Law required the District to provide charter-school students the same mode of transportation provided to students attending District schools.

PROCEDURAL HISTORY

Bell and Propel sued Wilkinsburg School District for declaratory and injunctive relief, challenging the District's decision to provide public-transit passes rather than school-bus transportation to certain charter-school students. The Court of Common Pleas ruled for the District. The Commonwealth Court initially reversed on a regulatory issue, but the Supreme Court of Pennsylvania reversed that determination in Bell II and remanded for consideration of the remaining statutory issues. On remand, the Commonwealth Court affirmed in an unpublished en banc memorandum, and the Supreme Court granted allowance of appeal and affirmed.

DISPOSITION

affirmed

CASES CITED

- Bell v. Wilkinsburg School District, 283 A.3d 245 (Pa. 2022)
- Bell v. Wilkinsburg School District, 252 A.3d 708 (Pa. Cmwlth. 2021)
- Bell v. Wilkinsburg School District, 313 A.3d 486, 2024 WL 358515 (Pa. Cmwlth. 2024) (en banc)
- Bell v. Wilkinsburg School District, 323 A.3d 588 (Pa. 2024) (per curiam)
- Mosaica Academy Charter School v. Department of Education, 813 A.2d 813 (Pa. 2002)
- Commonwealth v. Rushing, 99 A.3d 416 (Pa. 2014)
- Commonwealth v. Lehman, 243 A.3d 7 (Pa. 2020)
- Commonwealth v. Strunk, 325 A.3d 530 (Pa. 2024)
- Commonwealth v. Rosario, 294 A.3d 338 (Pa. 2023)
- Commonwealth v. Green, 291 A.3d 317 (Pa. 2023)
- Commonwealth v. Gamby, 283 A.3d 298 (Pa. 2022)
- Springfield School District v. Department of Education, 397 A.2d 1154 (Pa. 1979)
- Danson v. Casey, 399 A.2d 360 (Pa. 1979)
- William Penn School District v. Pennsylvania Department of Education, 294 A.3d 537 (Pa. Cmwlth. 2023)
- Kuchinic v. McCrory, 222 A.2d 897 (Pa. 1966)
- Commonwealth v. McClelland, 233 A.3d 717 (Pa. 2020)
- Commonwealth v. Veon, 150 A.3d 435 (Pa. 2016)
- Warrantech Consumer Products Services, Inc. v. Reliance Insurance Co. in Liquidation, 96 A.3d 346 (Pa. 2014)
- Ursinus College v. Prevailing Wage Appeal Board, 310 A.3d 154 (Pa. 2024)