

**THE SCHOOL DISTRICT OF PHILADELPHIA
MEETING OF THE SCHOOL REFORM COMMISSION**

FEBRUARY 8, 2017

A special public meeting was held by the School Reform Commission on February 8, 2017 in the Auditorium of the School District of Philadelphia Education Center, 440 North Broad Street.

The meeting was convened at 4:10 p.m. by Chair Wilkerson.

Miles H. Shore, Interim General Counsel stated that notice of today's special public meeting was published January 18, 2017 in the *Philadelphia Daily News*, *Philly.com*, and on the School District's website. Mr. Shore also stated that the School Reform Commission met in Executive Session on February 1, 2017 to discuss quasi-judicial proceedings and met prior to today's public meeting to discuss and deliberate on quasi-judicial proceedings.

Chair Wilkerson stated that this is a special meeting of the School Reform Commission. She stated that at this meeting, the SRC presides as a quasi-judicial body to grant or deny charter applications. In accordance, there is a proposal for a modified speakers' policy.

Miles Shore presented a proposal to modify the speaker's policy under SRC Policy No. 6. He stated that we do so because the SRC held public hearings, recorded 4 hours of public testimony, and received written comments from the public. Mr. Shore stated that this afternoon we will first hear from up to three representatives for each of our new charter school applications. Following this we will hear from no more than 12 speakers on general topics. Mr. Shore stated that these speakers were registered in advance of this afternoon's action meeting. Registration for today's meeting was closed at 4:00 p.m. on Tuesday, February 7th. He stated that every speaker will have 3 minutes to share their testimony.

Chair Wilkerson asked for a motion to approve the revisions to the speakers' policy in Board Policy #6 for this meeting only.

The vote on the motion to approve the revisions to the speakers' policy was as follows:

Yeas: Mr. Green, Ms. Jimenez, Dr. McGinley, Chair Wilkerson – 4

Nays: 0

Chair Wilkerson introduced DawnLynne Kacer, Executive Director, Charter Schools Office, who provided a presentation on the charter school application process. Ms. Kacer's presentation included an overview of the PA Charter School Law (CSL) Requirements and the Philadelphia 2016-2017 New Charter Application Cycle. Ms. Kacer stated that CSL specifies guidelines for reviewing charter applications and specifies rigid timelines for the application review process. Ms. Kacer stated that five (5) applications were received by the November 15, 2016 deadline. However, two (2) applications were withdrawn by the applicants after submission. Ms. Kacer stated that the Charter Schools Office utilized regional and national expert evaluators in addition to the expertise of internal District staff. She stated that the initial public hearings were held in December 2016 and a second round was held in January 2017. She stated that written public comment was accepted through January 9, 2017.

**A complete copy of Ms. Kacer's powerpoint presentation is on file with the Minutes of the School Reform Commission.*

Zachary Epps, Office of the Superintendent, stated that at every School Reform Commission meeting, a representative from the Deaf-Hearing Communication Center is here to provide sign language interpretation of the proceedings. He stated that representatives from the Office of Family and Community Engagement are stationed in the lobby to help with interpretation services. Mr. Epps stated that the proceedings of this SRC meeting are being streamed live on the Internet at www.philasd.org/live and can be seen on PSTV's Comcast Channel 52 and Verizon Fios Channel 20, and that the proceedings are also being recorded by The School District of Philadelphia. He stated that The School District's recordings are protected by the Copyright Laws of the United States and may not be

used in any manner without the express written consent of The School District. Mr. Epps stated that by participating in tonight's meeting, members of the public acknowledge that the School District may use its recordings for any purpose without obtaining permission or paying any compensation.

The meeting was opened to the public for presentation of statements.

The following individuals expressed support of Deep Roots Charter School:

- Brandyn Campbell, Board Member
- Kileo Wideman, Deacon, RealLife Church

The following individuals expressed support of Friendship Whittier Charter School:

- Joe Harris, Founding Team Member
- James Waller, Board Member

The following individuals expressed support of KIPP – Parkside:

- Christopher Johnson, External Affairs Associate at KIPP Philadelphia School District of Philadelphia
- Toya Algarin, KIPP Parent Board Member

The following individuals expressed opposition to the approval of all new charter school applications:

- Lynda Rubin
- Lisa Haver
- Deborah Grill
- Karel Kilimnik

Susan DeJarnett, Professor of Law, Temple University, stated that it is a myth that the SRC cannot consider the financial impact of charter growth in its consideration of applications. She stated that the myth seems to come from many Charter Appeal Board decisions that assert, with little analysis, that financial impact doesn't count because it is an educational ground and it is speculative whether new charters will impose costs on the authorizing school districts.

Diane Payne expressed opposition to the approval of all new charter school applications. She also questioned why does the Charter School Office make recommendations on charter renewals but not new applications.

Barbara McDowell Dowdall expressed opposition to the approval of all new charter school applications. She expressed a commitment in the belief in the talents and dedication of our school staff to make every traditional public school in your system of care a school that any family would choose for their child.

Richard Migliore expressed opposition to the approval of all new charter school applications.

Chair Wilkerson made a few comments about this process. She stated that this process is a fundamental component of our work to increase quality options that bring innovation and expanded choices to Philadelphia students. Chair Wilkerson stated that this is also a moment where she would like to express pride in the work of our Charter Schools Office which has developed and overseen a rigorous review process to ensure that each of these applications has been thoroughly reviewed to determine whether they are prepared to be quality options. She stated that as has been noted, this year the review process included: 2 rounds of public hearings amounting in 13 hours of public hearings, an additional 4 hours of open public testimony, letters offering public comment, and 3 comprehensive evaluation reports – one for each applicant – reviewed by a team of internal and external evaluators. These reports are public and available on the Charter Schools Office's website. Chair Wilkerson also expressed thanks to the families and community members who participated in this process, offering their comments and

testimony both in support and opposition to these applications. She also expressed thanks on behalf of the SRC, to the staff of the Charter Schools Office and School District of Philadelphia for their hard and thoughtful work, as well as a special acknowledgement to the Charter Schools Office DawnLynne Kacer, Megan Reamer, Assistant General Counsel, Liz Gutman and our hearing officer, Allison Petersen for their leadership in this process.

Chair Wilkerson stated that the School Reform Commission will vote on each application. Each application will receive either a vote to approve or a vote to deny and adopt an adjudication reviewing the cause for denial of the application.

The following resolutions were presented for formal action by the School Reform Commission:

I. SCHOOL REFORM COMMISSION

SRC-1

Proposed Action on New Charter Application – Deep Roots Charter School

WHEREAS, on or about November 15, 2016, the applicant for Deep Roots Charter School ("Applicant") submitted an application ("Application") to the Charter Schools Office of The School District of Philadelphia ("School District") to start a charter school, and public hearings were held on the Application on December 8, 2016 and January 5, 2017; and

WHEREAS, Applicant is seeking a charter from the School Reform Commission ("SRC") to operate as a school with K-Grade 8 starting in the 2018-2019 school year with a maximum enrollment of 540 students in the final year of the charter; so be it

RESOLVED, that, pursuant to the representations, statements and materials contained in the charter school application and concluding document submitted by Applicant and made during the public hearings by representatives for Applicant, a Charter is hereby DENIED; and be it

FURTHER RESOLVED, that the SRC adopts the attached Adjudication as the reasons for its decision; and be it

FURTHER RESOLVED, that the Applicant may appeal or take other action with respect to this decision in accordance with the procedures set forth in 24 P.S. § 17-1717-A(f)-(i).

Megan Reamer, Program Manager, Charter Schools Office, provided a presentation on the Deep Roots Charter School Application. Ms. Reamer's presentation included an overview of grade range, total enrollment, location, proposed opening year, targeted students, and academic program.

**A complete copy of Ms. Reamer's presentation is on file with the minutes of the School Reform Commission.*

Commissioner McGinley introduced a motion to deny the Charter and adopt an Adjudication. The motion was seconded by Commissioner Jimenez.

Commissioner Green stated that it has been the goal of the Charter School Office and many members of the SRC to have new applicants so that we have more options than the traditional people that seek new charter schools. He stated that he thought the academic portion of the application was excellent, but that the application lacks evidence of ground work in Kensington. He encouraged that the applicant resolve the issues in the adjudication and resubmit the application. Commissioner Jimenez stated that there is much uncertainty in the way that charter schools are funded. She stated that it is important that charter schools maintain a strong fund balance and expressed concerns about how the charter plans to maintain its fund balance.

Chair Wilkerson shared the concerns of the other Commissioners as well as the charter addressing the demographics of the community, namely the English Language Learners and the English as a second Language (ESL) students. She stated that budget has little capacity to address the needs of these students. Commissioner McGinley also expressed concerns about ELL support. He also expressed concerns about elements of martial arts as

a key curriculum, social and emotional needs not be addressed in the application, and Restorative Practices and No Excuses models which are inconsistent with each other.

Commissioner McGinchy also stated that the students needed clarity in the learning environment. He also expressed concerns about certification and leadership issues.

The vote on the motion to deny the charter and adopt an Adjudication was as follows:

Deny: Ms. Jimenez, Dr. McGinley, Chair Wilkerson – 3

Approve: Mr. Green – 1

SRC-2

Proposed Action on New Charter Application – Friendship Whittier Charter School

WHEREAS, on or before November 15, 2016, the applicant for Friendship Whittier Charter School ("Applicant") submitted an application ("Application") to the Charter Schools Office of The School District of Philadelphia ("School District") to start a charter school, and public hearings were held on the Application on December 8, 2016 and January 9, 2017; and

WHEREAS, Applicant is seeking a charter from the School Reform Commission ("SRC") to operate as a school with PreK-Grade 5 starting in the 2017-2018 school year with a maximum enrollment of 695 students in the final year of the charter; so be it

RESOLVED, that, pursuant to the representations, statements and materials contained in the charter school application and concluding document submitted by Applicant and made during the public hearings by representatives for Applicant, a Charter is hereby DENIED; and be it

FURTHER RESOLVED, that the SRC adopts the attached Adjudication as the reasons for its decision; and be it

FURTHER RESOLVED, that the Applicant may appeal or take other action with respect to this decision in accordance with the procedures set forth in 24 P.S. § 17-1717-A(f)-(i).

Megan Reamer, Program Manager, Charter Schools Office, provided a presentation on the Friendship Whittier Charter School Application. Ms. Reamer's presentation included an overview if grade range, total enrollment, location, proposed opening year, targeted students, and academic program.

**A complete copy of Ms.Reamer's presentation is on file with the minutes of the School Reform Commission.*

Commissioner Jimenez introduced a motion to deny the Charter and adopt an Adjudication. The motion was seconded by Commissioner McGinley.

Chair Wilkerson stated that there were gaping holes in the application, citing location and community support. She stated that this is an application that is not ready. Commissioner Jimenez stated that the applicant needs to submit a thorough application that can be supported and adopted. Commissioner Green encouraged the applicant to come back. Commissioner McGinley expressed concerns about the alignment with Pennsylvania practices and knowledge of the PA School Code and charter law.

The vote on the motion to deny the charter and adopt an Adjudication was as follows:

Deny: Ms. Jimenez, Dr. McGinley, Chair Wilkerson – 3

Approve with Conditions: Mr. Green – 1

SRC-3 (As Amended)

Proposed Action on New Charter Application – KIPP Parkside Charter School

WHEREAS, on or before November 15, 2016, the applicant for KIPP Parkside Charter School ("KIPP Parkside") submitted an Application ("Application") to the Charter Schools Office of The School District of Philadelphia ("School District") to start a charter school, and public hearings were held on the Application on December 8, 2016 and January 9, 2017; now be it

RESOLVED, that, pursuant to the representations, statements and materials contained in the Application and concluding document submitted by KIPP Parkside and made during the public hearings by representatives for KIPP Parkside, the School Reform Commission ("SRC") hereby grants a Charter to "KIPP Parkside Charter School" to operate a public charter school with K-Grade 4 for a five-year period commencing on July 1, 2018 and ending on June 30, 2023, provided that KIPP Parkside submits the following documentation ("Required Documentation") to the Charter Schools Office no later than March 1, 2018:

1. The executed lease or sublease or executed intent to lease or sublease related to KIPP Parkside's use of the facilities at 5070 Parkside Avenue, Philadelphia, PA 19131, in a form acceptable to the Charter Schools Office;
2. A facility and security plan that addresses how the operations of two charter schools will be separated within the 5070 Parkside Avenue, Philadelphia, PA 19131 facility and how appropriate security and safety measures will be put into place to address the mixture of grades and age levels within one facility;
3. The contract between KIPP Parkside and KIPP Administrative Services Corporation ("KASC"), KIPP Parkside's management company, that accurately reflects all of the duties, services, obligations and liabilities of each party to the other with respect to the operation of KIPP Parkside or services to be provided to KIPP Parkside, including specific provisions on management fees, which shall be approved by the respective governing boards of each entity, in a form and with provisions that are acceptable to the Charter Schools Office;
4. An Admissions Policy and Process which complies with the Public School Code and Charter School Law and which includes provisions on application deadlines, recruitment communications, including details on methods to be used to recruit students Citywide or in an applicable attendance zone, lottery dates, and results, in a form that is acceptable to the Charter Schools Office. The Admissions Policy and Process shall provide that if seats open during the school year or between school years, KIPP Parkside shall accept new students from the waiting list in appropriate order for particular grades or new applicants if there are no applicants for that grade on the waiting list. The Admissions Policy and Process also shall provide that the Charter School shall provide a copy of its current waiting list at any time during the Term of the Charter within ten (10) business days after requested by the Charter Schools Office;
5. Bylaws adopted by the KIPP Parkside Board of Trustees at a public meeting which provide: (i) that all meetings, including emergency and special meetings, of the Board and Board committees shall be held and publicly noticed in accordance with the Sunshine Act; (ii) that all meetings of the Board and Board committees shall be open to the public without a requirement that a quorum of the Board is anticipated; (iii) that all employee dismissals and/or terminations shall be approved by the Board at a public meeting; and (iv) that the KIPP Parkside Board shall have the power and authority to amend the Articles of Incorporation and/or Bylaws without the permission or approval of any third party;
6. A list of the names and addresses and complete resumes of the board members of KIPP Parkside which demonstrates that none of the board members of KIPP Parkside serve on the board of KASC, the management company;
7. A certificate of insurance evidencing that insurance coverage has been obtained by KIPP Parkside in the amounts and categories as deemed acceptable by the Charter Schools Office;
8. A resolution duly approved by the Board of Trustees of KIPP Parkside indicating that all teachers, including teachers of English Language Learners, will be employed directly by KIPP Parkside, rather than being engaged as contractors;

and be it

FURTHER RESOLVED, that the Charter shall contain the following terms and conditions:

1. KIPP Parkside shall use the 2018-2019 school year as an additional planning year, shall not open until the 2019-2020 school year, and the term of the Charter shall be for a five-year period commencing on July 1, 2019 and ending on June 30, 2024 under the following terms and conditions:

a. KIPP Parkside shall be authorized to operate only in K-Grade 1 with 200 students during the 2019-2020 school year; in K-Grade 2 with 300 students during the 2020-2021 school year; in K-Grade 3 with 400 students during the 2021-2022 school year; and in K-Grade 4 with 500 students during the 2022-2023 school year and the remainder of the term of the Charter.

b. If KIPP Parkside can demonstrate that performance for middle school grades at charter schools managed by KASC meets the following academic standards (middle school grades are defined as Grades 5-8 and are currently operated at KIPP West Philadelphia Preparatory Charter School and KIPP Philadelphia Charter School): (i) each charter school managed by KASC (each a "KASC Charter School") achieves PSSA proficiency in Math, Science and English Language Arts in Grades 5-8 at or above two of the following three averages: the School District average, the Charter sector average or the KASC Charter School's SPR Peer Group average for two consecutive school years; and (ii) demonstrates growth for two consecutive years above the Pennsylvania State standard (AGI >-1.0), then KIPP Parkside shall be authorized to operate in K-Grade 1 with 200 students during the 2019-2020 school year; in K-Grade 2 and Grade 5 with 390 students during the 2020-2021 school year; in K-Grade 3, and Grades 5-6 with 580 students during the 2021-2022 school year; in K-Grade 7 with 770 students during the 2022-2023 school year; and in K-Grade 8 with 860 students during the 2023-2024 school year;

2. KIPP Parkside shall employ at least one certified English as a Second Language instructor no later than the enrollment of any student identified as an English Language Learner;

3. Under no circumstances will KIPP Parkside request payment from either the School District or the Pennsylvania Department of Education for more students than set forth herein or enroll students in different grades, without authorization by the SRC by resolution approved at a public meeting;

4. KIPP Parkside shall not give an enrollment preference to alumni of any KIPP schools or to children or dependents of staff members employed by other KIPP schools. KIPP Parkside shall limit the enrollment preference given to children of staff of KASC and to children of current and past members of the KASC-managed charter schools' Board of Trustees to the lesser of nine (9) seats at KIPP Parkside or two percent (2%) of the student enrollment at KIPP Parkside. Neither of these requirements shall prevent the ability of students promoting from a terminal grade at KIPP Parkside to attend another charter school operated by KASC;

5. KIPP Parkside shall participate in the School District's charter school performance framework and monitoring system as set forth in the School District charter school policies and procedures and any amendments thereto. The charter school performance framework will include annual evaluations of KIPP Parkside's academic, financial, and organizational performance. KIPP Parkside agrees to submit or allow to be submitted to the Charter Schools Office all student level academic information and any school-level data required for assessment of academic and organizational performance as part of the charter school performance framework and monitoring system;

6. If KIPP Parkside achieves a ranking in the bottom two levels on the School District's School Progress Report during any year of the term of the Charter, the Charter Schools Office may require that KIPP Parkside meet certain specific student achievement targets and participate in ongoing progress reporting;

7. No more than one KASC-managed charter school serving any of the same grade levels may operate in the facility located at 5070 Parkside Avenue, Philadelphia, PA 19131 at any time during the term of the KIPP Parkside Charter. Specifically, if another KASC-managed charter school serving K or Grade 1 is operating at 5070 Parkside Avenue in school year 2018-19 (or the first year of operation of KIPP Parkside), KASC shall forfeit and surrender the KIPP Parkside Charter; and

and be it

FURTHER RESOLVED, that the written Charter shall be issued upon the Charter Schools Office's receipt of satisfactory Required Documentation as set forth above. The SRC hereby delegates authority to determine compliance with the requirements of this Resolution to the Chief of Staff of the SRC. Failure of KIPP Parkside to submit satisfactory Required Documentation by March 1, 2018, or by the end of any extension period granted by the SRC Chief of Staff, shall void this Resolution and shall cause the SRC to re-vote on the Application within thirty (30) days after March 1, 2018, or the expiration of any extension period, whichever is later. Notice of voiding this Resolution for failure to submit the Required Documentation shall be issued to the Board by the Chair of the SRC. Notwithstanding these provisions, the Charter granted herein will not take effect until the written Charter has been signed and delivered by both the Chair of the SRC and the Chair of KIPP Parkside's Board of Trustees, or another duly designated member of the Board.

Megan Reamer, Program Manager, Charter Schools Office, provided a presentation on the KIPP Parkside Charter School Application. Ms. Reamer's presentation included an overview of grade range, total enrollment, location, proposed opening year, targeted students, and academic program.

**A complete copy of Ms. Reamer's presentation is on file with the minutes of the School Reform Commission.*

Commissioner Green introduced a motion to approve the Charter with Conditions. The motion was seconded by Commissioner Jimenez.

At the request of Chair Wilkerson, Ms. Reamer provided an outline of the proposed Conditions which include: approval of the application for grades K-4, with an enrollment of 500 students over the term of the Charter; academic conditions which will allow the school to add middle school grades 5-8, as they had originally proposed to serve those grades if they reach certain academic standards over two consecutive years; KIPP Parkside shall not give an enrollment preference to alumni of any KIPP schools or to children or dependents of staff members employed by other KIPP schools; and an assurance that KIPP shall not operate more than one school serving any of the same grade levels in the facility located at 5057 Parkside Avenue

Commissioner Jimenez expressed concerns about equal access to KIPP schools. She stated that she would be inclined to deny the application had it not been for the inclusion of the condition regarding enrollment preference.

Commissioner Green stated that he did not understand the rationale for this condition and requested an explanation, which was provided by Dawn Lynne Kacer. Commissioner Green stated that he was opposed to the condition, but not the application. He also stated that the alumni condition is a fair point. Commissioner McGinley expressed support of the condition.

Chair Wilkerson expressed concerns with the application as initially introduced with respect to the middle school years, as there are concerns around academic performance in those years. She stated that she supports the condition on academic performance across those grades.

Commissioner McGinley stated that many of his concerns have been addressed by the conditions. However, Commissioner McGinley expressed concerns about the proposed Principal, who currently leads a school that is underperforming. He also expressed concerns around capacity, with KIPP proposing to open two schools at the same time, in the same year.

Commissioner McGinley offered an amendment to resolution SRC-3 that would include a condition to change the school opening year from 2018-2019 to 2019-2020.

The vote on the motion to amend Resolution SRC-3 was as follows:

Yeas: Mr. Green, Ms. Jimenez, Dr. McGinley, Chair Wilkerson – 4

Nays: 0

The vote on the motion to approve with Conditions, as amended was as follows:

Approve: Mr. Green, Ms. Jimenez, Dr. McGinley, Chair Wilkerson – 4

Deny: 0

II. EDUCATION SUPPORT SERVICES

None Submitted

III. EDUCATION SERVICES

None Submitted

Commissioner Green acknowledged the presence of Estelle Richmond.

On motion, the meeting was adjourned at 5:36 p.m.

Joyce S. Wilkerson, Chair
School Reform Commission

William R. Hite, Jr.
Superintendent