

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

**MAY 1, 2017**

A public meeting was held by the School Reform Commission on May 1, 2017 in the Auditorium of the School District of Philadelphia Education Center, 440 North Broad Street. The meeting was convened at 3:04 p.m. by Chair Wilkerson.

Miles Shore, Interim General Counsel stated that notice of today's Special Meeting of the School Reform Commission was published on April 26, 2017 in the *Philadelphia Inquirer*, and posted on the School District of Philadelphia website. Mr. Shore also announced that prior to today's special public meeting, the School Reform Commission met in Executive Session to discuss quasi-judicial proceedings.

**Members present:** Mr. Green, Dr. McGinley, Ms. Jimenez, Chair Wilkerson – 4

**Members absent:** 0

Chair Wilkerson introduced DawnLynne Kacer, Executive Director, Charter Schools Office, who provided an overview of the Charter School Renewal Process. Ms. Kacer stated that the recommendation to renew a charter for a subsequent five-year period is based on a comprehensive review of three domains: Academic Success, Organizational Viability and Compliance, and Financial Health and Sustainability. She stated that each of the three domains is rated as Meets Standards, Approaches Standard or Does not Meet Standard. Academic Success is a primary consideration for charter renewal. Ms. Kacer stated that a charter school that does not meet the standard for academic success will be considered for nonrenewal regardless of ratings in the other two domains. Ms. Kacer also provided an overview of Renewal Conditions. She stated that Conditions are recommended based on the performance of each charter school in the three domains evaluated: academic success; organizational compliance and viability, and financial health and sustainability. She stated that three categories of conditions are recommended by the Charter Schools Office: Conditions for performance prior to finalization of charter; Conditions for performance during the charter term; and Renaissance Charter Conditions. Ms. Kacer also provided an overview of Charter School Amendments. She stated that Amendments are modifications to a Charter and that amendment requests can be during the charter term or at renewal. She stated that amendment request commonly are made to propose changes in the educational program, enrollment, location, school name, operations or charter management organization, and that amendments may be material or non-material. Material amendment requests receive a comprehensive review by the Charter Schools Office. Material amendments include: change to grade levels and/or number of students authorized to enroll; change in building location or addition of new facility; name change of a charter; significant change to charter school's mission, program, or educational plan; or change of charter school's management organization.

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 also 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](http://www.philasd.org/live) and can be seen on PSTV's Comcast Channel 52 and Verizon Fios Channel 20. He stated that the proceedings are also being recorded by The School District of Philadelphia and 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.

Chair Wilkerson stated that this afternoon's agenda will be different from the SRC's regular voting meetings. She stated that the SRC will start by hearing testimony of registered speakers on this year's renewal charter schools and then Ms. Kacer will present an overview of each of the Charter School Office's charter renewal recommendations. She stated that the SRC will then hear from registered speakers on general topics, and finally vote on the recommendations.

Chair Wilkerson stated that the SRC April 27, 2017 Action Meeting, the SRC voted to modify tonight's speakers' policy to accommodate this agenda. She stated that the SRC will hear from no more than 24 registered speakers on general topics.

Mr. Shore announced the applicable provisions of the SRC's public participation policy.

The following individuals expressed support of their respective charter school:

- Dr. Debbera People-Lee, CEO, West Oak Lane Charter School
- Antoinette Powell, CEO, Memphis Street Academy Charter School at J. P. Jones
- Michael Karp, Founder and Board President of Belmont Elementary Charter School
- Thomas O'Connell, parent, Inquiry Charter School
- Stacey Cruise, CEO, Laboratory Charter School of Communications and Languages
- Dr. Ayesha Imani, CEO, Sankofa Freedom Academy Charter School

Ms. Kacer provided an overview of each charter school being considered for renewal/amendment. Her overview included a review of the three domains: Academic Success, Organizational Viability and Compliance, and Financial Health and Sustainability.

- Alliance for Progress Charter School – 5-year Renewal and approval of Amendment to increase authorized enrollment by 225 seats
- Belmont Elementary Charter School – 5-year Renewal with Conditions
- Boys Latin of Philadelphia Charter School – 5-year Renewal with Conditions
- First Philadelphia Preparatory Charter School – 5-year Renewal with Conditions and approval of Amendment to change lottery preference
- Franklin Towne Charter Elementary School – 5-year Renewal with Conditions and denial of Amendment to increase authorized enrollment by 375 seats and add additional authorized facility/location
- General David B. Birney Charter School – 5-year Renewal with Conditions and approval of Amendment to change name of school
- Green Woods Charter School – 5-year Renewal with Conditions
- Inquiry Charter School – 5-year Renewal with Conditions and denial of Amendment to increase authorized enrollment by 200 seats
- Keystone Academy Charter School – 5-year Renewal with Conditions and denial of amendment to increase authorized enrollment by 900 seats
- KIPP West Philadelphia Preparatory Charter School – 5-year Renewal with Conditions
- Laboratory Charter School of Communication & Languages – Non-Renewal and denial of Amendment to change facility/location
- Mastery Charter School Cleveland Elementary – 5-year Renewal with Conditions
- Mastery Charter School – Pickett Campus – 5 year Renewal with Conditions
- Memphis Street Academy Charter School at J. P. Jones – Non-Renewal
- Multicultural Academy Charter School – 5-year Renewal with Conditions
- Preparatory Charter School of Mathematics, Science, Technology & Careers Charter School – 5-year Renewal with Conditions
- Sankofa Freedom Academy Charter School – 5-year Renewal with Conditions
- Southwest Leadership Academy Charter School – 5-year Renewal with Conditions and approval of Amendment to increase authorized enrollment by 560 seats (not the 608 requested)
- Tacony Academy Charter School – 5-year Renewal with Conditions and denial of Amendment to increase authorized enrollment by 125 seats and approval of lottery preference
- The Philadelphia Charter School for the Arts & Sciences at H. R. Edmunds – 5-year Renewal with Conditions
- Universal Creighton Charter School – 5-year Renewal with Conditions
- West Oak Lane Charter School – 5-year Renewal with Conditions

- Wissahickon Charter School – 5-year Renewal with Conditions and approval of Amendment to increase enrollment by 12 seats
- Russell Byers Charter School – Approval of Amendment to change facility/location (temporary)

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

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

The following individuals expressed support of Laboratory Charter School of Communication & Languages:

- Imani Wooten, student
- Isaac Wooten, former student
- Ajanae Hall-Callaway, former student

Lisa Haver expressed concerns about some of the recommendations for renewal, and stated that the charter terms and conditions should be made public.

Deborah Grill expressed concerns about enrollment and admission barriers, and the Code of Conduct.

Diane Payne expressed concerns about transparency, citing that charter conditions are not available to public view.

Lynda Rubin expressed concerns about the posting of information for public review.

Ilene Poses stated that charter renewals need public oversight.

Barbara McDowell Dowdall recommended two additional conditions be imposed on Wissahickon Charter School: the school investigate a means for putting the traffic light on flashing mode when the school is not in session, and check on the date for the annual citywide Love Your Park Saturday so that they may participate. She also expressed the hope that the SRC would provide its own traditional public schools the extensions and conditions for continued operation that charter receive.

The following individuals expressed support of Memphis Street Academy Charter School at J. P. Jones

- Lisa Forrest-Schultz, parent
- Richard Traska, CEO, American Paradigm Schools

Tashia Fauntroy, parent, expressed support of Mastery Charter School at Cleveland Elementary

William Jackson, parent, expressed support of Mastery Charter School – Pickett Campus

The following individuals expressed support of Laboratory Charter School of Communication & Languages:

- Pierre McCall, parent
- Ronnesha Boone, parent
- Adrienne Oliphant, parent
- Vanessa Wooten, parent
- Kirby Smith
- Charita Hall, parent
- John Goulding, former Principal
- Nicole McIntosh, parent
- Mia Hailey, parent

- Rodney Gaymon, parent

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

Prior to the vote on each Resolution, Ms. Kacer restated the Charter School Office's Recommendation and provided a review of the Conditions.

## **I. SCHOOL REFORM COMMISSION**

### **SRC-1**

#### **Application for Charter Renewal – Alliance for Progress Charter School**

WHEREAS, pursuant to the Charter School Law, 24 P.S. § 17-1701-A, *et seq.*, the School Reform Commission ("SRC") granted a charter ("Charter") to ALIANCE FOR PROGRESS CHARTER SCHOOL ("Charter School") to operate a charter school for a term of five years in 2002; and

WHEREAS, the SRC renewed the Charter School's Charter for five-year terms in 2007 and 2012; and

WHEREAS, the Charter School seeks renewal of its Charter and has submitted an Application for Charter Renewal to the Charter Schools Office ("CSO"); and

WHEREAS, the Charter School has agreed to certain terms and conditions in connection with the renewal of the Charter and has submitted a charter agreement signed by the Charter School ("Charter Agreement") to the CSO of the School District setting forth the agreed terms and conditions of renewal; and

WHEREAS, members of the CSO staff have reviewed the Charter School's Application for Charter Renewal and the academic performance, organizational compliance and viability, and fiscal health and sustainability of the Charter School during the term of the current Charter and have recommended to the SRC that the SRC renew the Charter School's Charter based on the materials and documents submitted and representations made by the Charter School, as presented in the Renewal Recommendation Report for the Charter School, and on the terms and conditions of the Charter Agreement signed by the Charter School; and

WHEREAS, the SRC has reviewed the Charter Agreement, the information received during the comprehensive renewal evaluation process, and the Renewal Recommendation Report for the Charter School; now be it

**RESOLVED**, that the Charter is RENEWED, subject to the terms and conditions agreed to by the Charter School as set forth below, for a five-year period commencing on July 1, 2017 and ending on June 30, 2022, effective upon the full execution of the Charter Agreement by the School District and by the Chair of the Board of Trustees of the Charter School or another member of the Board duly designated by the Board; and be it

**FURTHER RESOLVED**, that the Charter School has agreed to comply with certain performance requirements (the "Performance Requirements") as set forth below. Failure to comply with the Performance Requirements may be a basis for revocation or nonrenewal of the Charter School's Charter.

1. The Board of Trustees shall ensure that all trustees, officers, administrators, and relatives of trustees, officers and administrators of the Charter School comply with the Pennsylvania Public Official and Employee Ethics Act ("Ethics Act") and the Pennsylvania Nonprofit Corporation Law of 1988 ("Nonprofit Law"). The Board of Trustees shall adopt a Conflicts of Interest policy that complies with the Ethics Act and the Nonprofit Law.
2. The Board of Trustees shall elect Board officers, shall hold Board members to established term lengths and limits, shall ensure that the Board has the minimum required number of Board members, and shall fill open Board seats in a timely fashion, in accordance with the Charter School's Bylaws.
3. The Board of Trustees shall meet at least once during each full month when the Charter School is in session during the Term of this Charter. Failure to meet this requirement shall not in and of itself constitute grounds for nonrenewal or revocation of this Charter.

4. The Board of Trustees shall adopt an Admissions Policy and Process which complies with the Public School Code and Charter School Law. Additionally, the Admissions Policy and Process:
  - (a) shall include provisions on: (i) application deadlines; (ii) enrollment preferences, order and allocation of preferences, and methods by which preferences would be identified; (iii) student recruitment procedures and communications, including details on methods to be used to recruit students Citywide or in an applicable attendance zone, and to monitor any specified enrollment targets; (iv) lottery dates, and (v) communication of lottery results, in a form and with provisions that are acceptable to the Charter Schools Office;
  - (b) shall provide that the application will be available both on the Charter School's website and in hard copy at the school in English, Spanish, and any additional language the Charter School deems appropriate;
  - (c) shall provide that families have at least six weeks to complete and return enrollment packets post-lottery acceptance;
  - (d) shall provide that an ordered, up-to-date waitlist be continuously maintained, reflecting at any given time the next eligible student to be offered admission in each grade served by the Charter School, identifying any applicable preference(s) for each student, and indicating the date any student is removed from the waitlist with the reason for removal;
  - (e) shall provide that if seats open during the school year for any grade served by the school or between school years for grades served other than the initial grade, the Charter School 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; and
  - (f) 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 request by the Charter Schools Office.
5. The Board of Trustees shall submit to the School District by August 1st of each year during the Term of the Charter as part of the Charter School's Annual Report, or separately if not included in the Charter School's Annual Report, evidence that all professional staff providing educational services at the Charter School have all necessary licenses, certifications, qualifications and credentials required by this Charter and Applicable Laws, including without limitation the seventy-five percent (75%) certification requirement in accordance with the Charter School Law, and identify the number of all certified special education and English as a Second Language personnel with direct instruction responsibilities.
6. The Board of Trustees shall ensure that (i) all employees have required federal and state criminal and child abuse background checks during the term of the Charter; and (ii) copies of such background checks are kept in each employee's personnel file, along with each employee's complete timesheet records. Preferably, the annual financial audit will include an annual review of a sample of employee files for appropriate clearances and background checks. In the absence of such an annual audit identified in the annual financial audit, the Board of Trustees shall submit a signed affidavit to the Charter Schools Office annually upon request, pursuant to guidelines established by the Charter Schools Office, as evidence that the Charter School has complied with this requirement.
7. The Board of Trustees shall ensure that required payments to the Public School Employees' Retirement System ("PSERS") are made timely. If the Charter School fails to make timely payments to PSERS and that results in a reduction of the School District's basic education subsidy, the School District shall withhold such reduction in a future monthly per-pupil payment to the Charter School. Additionally, any failure to make required PSERS payments above a

threshold established by the Charter Schools Office or in any amount repeatedly shall result in the issuance of a Notice of Deficiency to the Charter School.

8. The Board of Trustees shall submit to the Charter Schools Office signed, complete Statements of Financial Interest, pursuant to guidelines established by the Charter Schools Office. These documents are required by the Ethics Act and the Charter School Law to be completed annually for each trustee on the Board's roster for that school year.
9. The Board of Trustees shall ensure that the dates, times, and locations of scheduled Board meetings are posted on the Charter School's website and that any updates to the Board meeting schedule are posted timely. Furthermore, minutes from Board meetings shall be posted on the Charter School's website within two weeks of approval by the Board of Trustees, but not later than after the conclusion of a second consecutive board meeting after each meeting, and shall remain posted for a minimum of one year from date of Board meeting;

and be it

FURTHER RESOLVED, that the School District and the Charter School acknowledge and agree that the Charter School will enroll students only in the following grades with a maximum number of students as set forth below during the term of the Charter, unless the parties agree in writing to other terms:

<u>Years</u>	<u>Grades Served</u>	<u>Total Student Enrollment</u>
School Year 2017-2018	K-8	471
School Year 2018-2019	K-8	496
School Year 2019-2020	K-8	521
School Year 2020-2021	K-8	546
School Year 2021-2022	K-8	571

and be it;

FURTHER RESOLVED, that the School District and the Charter School acknowledge and agree that if this Charter is renewed by the SRC or any other governing body of the School District at the end of the Term, the Charter School may enroll students only in the following grades with a maximum number of students as set forth below during the term of the renewal Charter, unless the parties agree in writing to other terms:

<u>Years</u>	<u>Grades Served</u>	<u>Total Student Enrollment</u>
School Year 2022-2023	K-8	596
School Year 2023-2024	K-8	621
School Year 2024-2025	K-8	646
School Year 2025-2026	K-8	671

and be it;

FURTHER RESOLVED, that the School District and the Charter School acknowledge and agree that if the Charter is renewed at the end of the Term as a result of an order or other directive by any entity or governmental body other than the SRC or any other governing body of the School District, then the enrollment and grade provisions in the Resolved Paragraph above will not be triggered and will not be enforceable; and be it

FURTHER RESOLVED, that the Charter School acknowledges and agrees that under no circumstances will the Charter School request payment from the School District or the Commonwealth of Pennsylvania for more students than set forth in the Resolved Paragraph above nor enroll students in different grades, without SRC approval by resolution; and be it

FURTHER RESOLVED, that the School District and the Charter School have acknowledged and agreed that the Charter School may not operate a daycare, early childhood or pre-Kindergarten program under this Charter and that Charter School funds may not be used to pay for or support employees, resources, facilities or other expenses related to a daycare, early childhood or pre-Kindergarten program; and be it

FURTHER RESOLVED, that the Charter School has agreed to the following provisions related to the School District's performance framework and monitoring system for charter schools:

1. The Charter School agrees to participate in the School District's charter school performance framework and monitoring system. The charter school performance framework includes an annual assessment of the Charter School's academic, financial, and organizational performance as well as compliance with Applicable Laws. Organizational performance includes, but is not limited to, a review of the Charter School's admissions and enrollment policies and practices, student discipline practices, special education programming, ELL programming, and Board of Trustees governance in order to assess compliance with the Charter and Applicable Laws, federal, state and local guidance, policies, and Charter Schools Office procedures. Financial performance includes, but is not limited to, a review of the Charter School's financial health and long-term sustainability, and generally accepted standards of fiscal management.
2. The Charter School agrees to provide or allow to be provided to the School District and the Charter Schools Office all records, including student level academic performance, necessary to properly assess the academic success, organizational compliance and viability, and financial health and sustainability of the Charter School under the charter school performance framework, timely and pursuant to Charter Schools Office procedures.
3. The Charter School acknowledges that achieving the performance objectives identified in the performance framework is critical to meeting the needs of public school students in Philadelphia. The Charter School shall actively monitor its own progress towards achieving objectives identified in the performance framework. The Charter Schools Office may also evaluate any or all of the performance domains – academic, organizational and financial – on an annual basis formally. If the Charter School continues to fail to meet standards for academic success, organizational compliance and viability, and/or financial health and sustainability, the Charter Schools Office may recommend that the SRC commence revocation or nonrenewal proceedings against the Charter School.
4. The Charter School agrees to adopt and administer the most current version of the PSSA assessments and the Keystone exams or other state-level identified or locally-approved assessment for student performance for grades and students as required by Applicable Laws, including without limitation the ESEA or subsequent laws.
5. The Charter School agrees to timely submit to, or grant permission for release pursuant to a memorandum of understanding or other document, to the School District all student level data required for assessment of academic performance as part of the charter school performance framework.
6. Data sources used by the Charter Schools Office to evaluate academic success may include, but are not limited to, student level data received from (i) the Charter School or from another entity under agreement with the Charter School, (ii) the School District's School Progress Report ("SPR") or its replacement, (iii) the Commonwealth's School Performance Profile ("SPP") or its

replacement, (iv) the federal accountability SEA report card prepared by PDE, or its replacement; and (v) the National Student Clearinghouse.

7. For each year during the Term of this Charter, the Charter School shall achieve academic success as defined in the charter school performance framework, which may be updated annually by the Charter Schools Office. Any revision to the charter performance framework during the Term of this Charter shall be provided to the Charter School in writing and shall be published on the Charter Schools Office website. During the 2016-17 school year, academic success in the charter performance framework is minimally defined as: (i) meeting or exceeding the average proficiency of two of three comparison groups - the School District-operated schools, charter schools, and SPR Peer group schools - in Math, Reading/English Language Arts and Science on the PSSA or relevant Keystone exam for the same grade band, (ii) meeting or exceeding the statewide growth indicator as measured by the Average Growth Index (“AGI”) consistent with PDE’s definitions, (iii) student attendance rates that are at or above the 50<sup>th</sup> percentile and improving during the term of the Charter, and (iv) if serving high school grades, having graduation rates that show evidence of improvement over the Term of the Charter (an increasing trend) and that meet or exceed the average rates of two of three comparison groups - School District-operated schools, charter schools, and SPR Peer group schools. Academic performance of students in historically underserved student subgroups is also evaluated to assess equity of outcomes for these students. Assessment of this is within the overall charter performance framework and may be in academic success and/or organizational compliance and viability.
8. For each year during the Term of this Charter, the Charter School shall achieve a ranking in the top two levels of the School District’s academic accountability performance system. If the Charter School achieves a ranking in the bottom two levels on the School District’s academic accountability performance system for charter schools during any year of the Term of the Charter, the School District may require that the Charter School meet certain specific student achievement targets and participate in ongoing progress monitoring.
9. To the extent that the Charter School must under the provisions of ESEA, ESSA or subsequent law, or any other Applicable Law, submit to any Commonwealth or federal agency an accountability plan (any such plan, a “School Level Plan”), then, not later than the date which is thirty (30) days after the submission of said School Level Plan to the agency requiring it, the Charter Board shall submit to the Charter Schools Office a true, correct and complete copy of its School Level Plan. The Charter School is required to comply with ESEA, ESSA and any other federal or state accountability requirements and must submit to the Charter Schools Office any and all school level plans, comprehensive plans and any other improvement plans.

The vote on the motion to Renew the Charter was as follows:

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

Not Renew: 0

## **SRC-2**

### **Application for Charter Renewal – Laboratory Charter School of Communication and Languages**

WHEREAS, pursuant to the Charter School Law, 24 P.S. § 17-1701-A, *et seq.*, the Board of Education of The School District of Philadelphia (“School District”) granted a charter (“Charter”) to the Board of Trustees of LABORATORY CHARTER SCHOOL OF COMMUNICATION AND LANGUAGES (“Laboratory” or “Charter School”) to operate a charter school for a four-year term commencing in 1998; and

WHEREAS, the School Reform Commission (“SRC”) renewed the Charter for a five-year term in 2002 and 2007, and in 2014, the SRC ratified the renewal for a five-year term beginning in 2012; and

WHEREAS, Laboratory seeks renewal of its Charter; and

WHEREAS, members of the Charter Schools Office (“CSO”) of the School District have reviewed the academic performance, organizational compliance and viability, and fiscal health and sustainability of Laboratory during the existence of the charter school and recommend to the SRC that there are grounds for the SRC not to renew the Charter under Section 1729-A of the Charter School Law; and

WHEREAS, the following are causes for nonrenewal of Laboratory's Charter and termination of the charter agreement, pursuant to Section 1729-A(a) of the Charter School Law:

1. Laboratory's stated mission in its Renewal Application of promoting cultural understanding is inconsistently reflected in school operations and programming. During the renewal site visit in Fall 2016, the CSO did not consistently observe proficiency in technology or instructional methods that connected learning to the real world as stated in the Charter School's mission.
2. Components of Laboratory's educational program as stated in its Renewal Application, such as teacher's classroom expectations and student voice, are inconsistently reflected in school and classroom observations. In only 9% of classroom observations during the renewal site visits in November 2016 was student voice present at least 50% of the time. In only 27% of the same classroom observations did the teacher almost always or always convey high academic expectations for students. In only 11% of classroom observations were virtually all students intellectually engaged in challenging content more than 90% of the time. These findings are based on at least 25 classroom observations during November 2016 at the Charter School sites operated by Laboratory.
3. Laboratory insufficiently documented innovation in its Renewal Application. The question in the Renewal Application requesting information about innovation was not addressed by the Charter School.
4. Laboratory failed to post its Child Find Policy on the Laboratory web site as confirmed by the CSO in November 2016 and again in March 2017, in violation of Chapter 711 of the Pennsylvania Code and the Charter School's Charter.
5. Laboratory did not provide sufficient evidence of a school-wide screening process during the Charter Term, in violation of Chapter 711 of the Pennsylvania Code and the Charter School's Charter. As of the renewal site visit in Fall 2016, there was no school-wide tracking or monitoring system in place to understand how students progress with any implemented interventions. The Charter School could not provide evidence of teachers using a school-wide benchmark to identify student's needs.
6. The Individualized Education Programs (“IEPs”) maintained by Laboratory and reviewed during the onsite visit to the school in November 2016 did not all have evidence of parent participation, in violation of Chapter 711 of the Pennsylvania Code and the Charter School's Charter.
7. Laboratory could not provide documentation or evidence of a school-wide identification and intervention services for referral to special education evaluation, in violation of Chapter 711 of the Pennsylvania Code, the Charter School's Charter and the Charter School's special education policy. At the time of the renewal site visit in Fall 2016, there was no set list of Tier 1 or Tier 2 interventions. Further, the Charter School could not provide evidence that standard expectations existed for the length of time students would receive specific interventions or after which the student would be recommended to move to the next tier of support. At Laboratory, only 1% of the students enrolled in 2012-2013 were special education students; only 4% of the students enrolled in 2013-2014 were special education students; only 3% of the students enrolled in 2014-2015 were special education students; and only 6% of the students enrolled in 2015-2016 were special education students, all significantly below the School District and charter sector averages.
8. Laboratory did not implement compliant English Language Learners (“ELL”) practices in violation of the Pennsylvania Code, Pennsylvania Department of Education (“PDE”) guidance and the Charter School's Charter.
  - a. During the renewal site visit in Fall 2016, there was evidence of thirteen of twenty-five student files which did not contain evidence of ELL identification.

- b. During the renewal site visit, there was evidence of sixteen of twenty-five student files which did not contain notification to the family of placement in an English as Second Language (“ESL”) program.
  - c. During the renewal site visit, the Charter School could not provide any evidence of ACCESS results for students enrolled more than one school year.
  - d. During the renewal site visit, students who had been enrolled since 2013 and were identified as possible eligible for ESL services did not have a WIDA ACCESS Placement Test to assess students for potential placement in the ESL program
  - e. As of the November 2016 renewal site visit, the Charter School employed only one teacher as the ESL instructor across all three sites. This instructor was not ESL certified, was a contractor, and was not at each site daily. At two of the sites, 800 North Orianna and 5339 Lebanon Avenue, this instructor was scheduled only one day per week.
9. Laboratory does not have fully compliant and equitable student admission policies in accordance with the Charter School Law and the Public School Code in that:
- a. Laboratory's student application requests or requires student race, birth certificate, parent employer, eligibility for school lunch and report card, information which may not be requested as part of the application under PDE guidance.
  - b. Laboratory did not hold a compliant lottery process prior to Spring 2016 in violation of the Charter School Law. Prior to 2016, lottery cards were issued to each student and the Charter School could not provide evidence that all lottery cards were entered into the lottery. Additionally, the lottery was not implemented consistently using random selection as required by the Charter School Law. Further, during the onsite review in November 2016, the Charter School’s staff was not able to produce documentation evident of a current, up to date waitlist, and CSO staff determined that students were being enrolled in an order that was not consistent with the lottery-drawn order of students by grade level. The Charter School was unable to produce information requested regarding the next student on the waitlist eligible for a seat in each grade served by the Charter School.
  - c. Laboratory's student enrollment materials do not require submission of immunizations, parent registration statement or home language survey, all required enrollment documents under PDE guidance.
  - d. Laboratory’s student enrollment policy and process reviewed during the 2015-2016 school year did not comply with PDE guidance by requiring attendance at mandatory orientation sessions and submission of photo releases, activities permission forms, and procedural safeguard notices in order to enroll.
  - e. According to the June 27, 2016 Laboratory Board of Trustees meeting finance report, Laboratory would have 69 students enrolled during the 2016-2017 school year who did not reside in the City of Philadelphia. This represents approximately 10% of all enrolled students. During the renewal site visit in fall 2016, the Charter School could not sufficiently explain why there were Philadelphia residents on the waitlist who were not given lottery preference over out-of-School District students.
10. Laboratory’s student Code of Conduct for the 2016-2017 school year does not identify all due process procedures as required by Chapter 12 of the Pennsylvania Code. The following due process rights for formal hearings are not identified in the Charter School’s Code of Conduct: Charter School gives notice of charges by certified mail, gives three days notice of hearing, hearing is private unless public requested, student may be represented by counsel and may bring parents, student has right to names and statements of witnesses, student may confront and question witnesses, student may give testimony and present witnesses, record of hearing is kept and accessible on request, student/parent may appeal an expulsion decision within 30 days to the Court of Common

Pleas. Laboratory's Code of Conduct for the 2015-2016 school year did not refer to due process rights for students given an expulsion or long-term suspension and did not refer to due process protections for certain special education students.

11. Laboratory's Code of Conduct for the 2016-2017 school year does not refer to a manifestation determination process for special education students in certain circumstances as required by Chapter 711 of the Pennsylvania Code.

12. The Board of Trustees of Laboratory failed to operate in accordance with applicable law, its Charter, and its Bylaws and policies in that:

- a. Minutes for the Board of Trustees during the 2014-2015 and 2015-2016 school years did not identify all individuals who testified nor the subject of their testimony at Board meetings as required by the Pennsylvania Sunshine Act.
- b. During the Charter Term, seven out of forty-one Statements of Financial Interest were not submitted or completed timely in violation of the Charter School's Charter and the Pennsylvania Public Official and Employee Ethics Act.
- c. Statements of Financial Interest submitted for calendar year 2015 were incomplete or incorrectly completed (for example, professions were listed but no source of income, sections were not completed), in violation of the Charter School's Charter and the Pennsylvania Public Official and Employee Ethics Act.
- d. The Statements of Financial Interest were submitted for all years of the Charter Term on August 24, 2016 and not June 1 of each year, in violation of the Charter School's Charter.
- e. During the Charter Term, the Board did not vote on all charter school administrator appointments in violation of the Charter School Law.

13. Laboratory failed to meet the 100% highly qualified teacher ("HQT") requirement during the term of the Charter, as required by the Elementary and Secondary Education Act ("ESEA") and its Charter and as reported by PDE. In the 2012-2013 school year, only 72% of the PDE specified core academic classes taught at Laboratory were taught by highly qualified teachers. In the 2013-2014 school year, only 96% of the PDE specified core academic classes taught at Laboratory were taught by highly qualified teachers. In the 2014-2015 school year, only 96% of the core academic classes at Laboratory were taught by highly qualified teachers. In the 2015-2016 school year, only 77% of the core academic classes at Laboratory were taught by highly qualified teachers.

14. During the 2016-2017 school year, at least one special education teacher at Laboratory did not have a valid, appropriate certification, in violation of Pennsylvania Code provisions.

15. During the 2016-2017 school year, at least one ESL teacher at Laboratory did not have a valid, appropriate certification, in violation of Pennsylvania Code provisions.

16. At the time of the renewal site visit in November 2016, one instructional leader of one of the three Charter School facilities operated by Laboratory did not have a valid, appropriate certification as a school-based leader.

17. During a review of Laboratory's personnel files during the fall 2016 renewal site visit, six of twenty employees were missing a current Pennsylvania Child Abuse Clearance; five of twenty employees were missing a current Pennsylvania Criminal Background Check; six of twenty employees were missing a current FBI Background Check; and three of the ten eligible employees reviewed were missing Act 168 training certifications. The omissions constitute violations of the Public School Code and the Charter School's Charter.

18. Laboratory's student health services policy as reviewed during the 2016-2017 school year does not reference state mandated immunizations and examinations in accordance with Chapter 23 of the Pennsylvania Code.

19. During the 2013-2014 school year, the Pennsylvania Department of Health cited Laboratory for a failure to have a school physician. During the 2014-2015 school year, the Pennsylvania Department of Health cited Laboratory for the low percentage of mandated hearing screenings and scoliosis screenings. These issues were found to persist during the School District's fall of 2016 renewal site visit. Only three of ten student records reviewed had proof of a scoliosis screening in Grades 6 and 7. Only eight of ten student records reviewed had proof of hearing exam in the appropriate grade levels (Kindergarten, Grades 1, 2, 3 and 7). Additionally, only four of nine student records reviewed had proof of a dental exam in Kindergarten/Grade 1, Grade 3 and Grade 7 and two of the four were not for the appropriate grade level.

20. For the 2012-2013 school year, the 2013-2014 school year, the 2014-2015 school year, and the 2015-2016 school year, Laboratory did not complete Form PDE-4101 which certifies the fulfillment of fire drill and school bus evacuation drill requirements.

21. According to the City of Philadelphia Department of Licenses and Inspections, Laboratory does not have valid certificates of occupancy on file with the City for any of the Charter School's three facilities: 5901 Woodbine Avenue, Philadelphia, PA 19131 (Grades K-3); 5339 Lebanon Avenue, Philadelphia, PA 19131 (Grades 4-8); and 800 North Orianna Street, Philadelphia, PA 19123 (Grades K-8). Laboratory was not able to produce valid certificates of occupancy upon request of the CSO.

22. Laboratory failed to submit its 2014 Annual Report to PDE in a timely fashion in violation of the Public School Code and its Charter.

23. Laboratory has failed to meet generally accepted standards of fiscal management and audit requirements in that:

a. Laboratory failed to submit audited financial reports by December 31<sup>st</sup> for FY2014 and FY2015 in violation of the Charter School's Charter and applicable law.

b. Laboratory had a negative net position (expenses in excess of revenues for the fiscal year) during three of four fiscal years during the Charter Term for which financial information is available. The change in net position at the end of FY2013 was \$(725,410); the change in net position at the end of FY2014 was \$(513,531); and the change in net position at the end of FY2015 was \$(159,445).

c. Laboratory had a level of average cash days on hand that was significantly below standard for all four fiscal years during the Charter Term for which financial information is available. For FY2013, Laboratory's average cash days on hand was 26.19; for FY2014, Laboratory's average cash days on hand was 6.41; for FY2015, Laboratory's average cash days on hand was 13.68; and for FY2016, Laboratory's average cash days on hand was 14.49.

d. In violation of its Charter, in each FY2013, FY2014 and FY2015, Laboratory had a significant finding in its financial audit management letter related to one or more deficiencies in internal controls. In FY2013, this was a material weakness related to financial reporting. In FY2014, this was material weakness related to timely bank reconciliations, recording of investment income, accounts payable reconciled to the general ledger, and maintaining fixed asset records. In FY2015, this was material weakness related to financial reporting, timely bank reconciliations, accounts payable reconciled to the general ledger, and maintaining fixed asset records.

e. Laboratory failed to issue a total of two Forms 1099 to two different contractors for FY2014, in violation of the Internal Revenue Code.

f. During the Charter Term, Laboratory failed on five separate occasions to make required payments to the Pennsylvania Public School Employees' Retirement System ("PSERS") totaling approximately \$220,000 in violation of the Charter School Law and the Charter School's Charter; so be it

RESOLVED, that there are substantial grounds for nonrenewal of the Laboratory Charter; and be it

FURTHER RESOLVED, that the SRC will conduct a public hearing on nonrenewal of the Charter School's Charter commencing on or about August 15, 2017, subject to rescheduling, at which hearing the School District will present

evidence in support of the grounds for nonrenewal of the Charter School's Charter, and the Charter School will be given the reasonable opportunity to offer testimony and exhibits in support of why the Charter School's Charter should be renewed; and be it

FURTHER RESOLVED, that the SRC hereby delegates its authority to conduct such public hearing either to a single Commissioner, to a Committee of two Commissioners or to a Hearing Officer to be appointed by the Chair of the SRC; and be it

FURTHER RESOLVED, that the SRC will take formal action on the nonrenewal or renewal of the Charter following the hearing at a public meeting, after the public has had thirty (30) days to provide comments to the SRC.

The Commissioners engaged in discussions regarding apparent academic progress made and outstanding organizational compliance and financial issues.

The vote on the motion to not Renew the Charter was as follows:

Not Renew: Mr. Green, Ms. Jimenez, Dr. McGinley, Chair Wilkerson – 4

Renew: 0

Commissioner Green stated that this action represents the beginning of a process. In response to Commissioner McGinley, Ms. Kacer provided an overview of the non-renewal process.

### **SRC-3 (TABLED – NO ACTION TAKEN)**

#### **Application for Charter Renewal – Memphis Street Academy Charter School at J. P. Jones**

Chair Wilkerson stated that resolution SRC-3 is being tabled while additional information is gathered and reviewed.

### **SRC-4**

#### **Application for Charter Renewal – Multicultural Academy Charter School**

WHEREAS, pursuant to the Charter School Law, 24 P.S. § 17-1701-A, *et seq.*, the Board of Education of The School District of Philadelphia (“School District”) granted a charter (“Charter”) to MULTICULTURAL ACADEMY CHARTER SCHOOL (“Charter School”) to operate a charter school for a term of four years in 1998; and

WHEREAS, the School Reform Commission (“SRC”) renewed the Charter School’s Charter for five-year terms in 2002, 2007 and 2012; and

WHEREAS, the Charter School seeks renewal of its Charter and has submitted an Application for Charter Renewal to the Charter Schools Office (“CSO”); and

WHEREAS, the Charter School has agreed to certain terms and conditions in connection with the renewal of the Charter and has submitted a charter agreement signed by the Charter School (“Charter Agreement”) to the CSO of the School District setting forth the agreed terms and conditions of renewal; and

WHEREAS, members of the CSO staff have reviewed the Charter School's Application for Charter Renewal and the academic performance, organizational compliance and viability, and fiscal health and sustainability of the Charter School during the term of the current Charter and have recommended to the SRC that the SRC renew the Charter School’s Charter based on the materials and documents submitted and representations made by the Charter School, as presented in the Renewal Recommendation Report for the Charter School, and on the terms and conditions of the Charter Agreement signed by the Charter School; and

WHEREAS, the SRC has reviewed the Charter Agreement, the information received during the comprehensive renewal evaluation process, and the Renewal Recommendation Report for the Charter School; now be it

RESOLVED, that the Charter is RENEWED, subject to the terms and conditions agreed to by the Charter School as set forth below, for a five-year period commencing on July 1, 2017 and ending on June 30, 2022, effective upon the full execution of the Charter Agreement by the School District and by the Chair of the Board of Trustees of the Charter School or another member of the Board duly designated by the Board; and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain performance requirements (the "Performance Requirements") as set forth below. Failure to comply with the Performance Requirements may be a basis for revocation or nonrenewal of the Charter School's Charter.

1. The Board of Trustees shall ensure that all trustees, officers, administrators, and relatives of trustees, officers and administrators of the Charter School comply with the Pennsylvania Public Official and Employee Ethics Act ("Ethics Act") and the Pennsylvania Nonprofit Corporation Law of 1988 ("Nonprofit Law"). The Board of Trustees shall adopt a Conflicts of Interest policy that complies with the Ethics Act and the Nonprofit Law.
2. The Board of Trustees shall elect Board officers, shall hold Board members to established term lengths and limits, shall ensure that the Board has the minimum required number of Board members, and shall fill open Board seats in a timely fashion, in accordance with the Charter School's Bylaws.
3. The Board of Trustees shall meet at least once during each full month when the Charter School is in session during the Term of this Charter. Failure to meet this requirement shall not in and of itself constitute grounds for nonrenewal or revocation of this Charter.
4. The Board of Trustees shall adopt an Admissions Policy and Process which complies with the Public School Code and Charter School Law. Additionally, the Admissions Policy and Process:
  - (a) shall include provisions on: (i) application deadlines; (ii) enrollment preferences, order and allocation of preferences, and methods by which preferences would be identified; (iii) student recruitment procedures and communications, including details on methods to be used to recruit students Citywide or in an applicable attendance zone, and to monitor any specified enrollment targets; (iv) lottery dates, and (v) communication of lottery results, in a form and with provisions that are acceptable to the Charter Schools Office;
  - (b) shall provide that the application will be available both on the Charter School's website and in hard copy at the school in English, Spanish, and any additional language the Charter School deems appropriate;
  - (c) shall provide that families have at least six weeks to complete and return enrollment packets post-lottery acceptance;
  - (d) shall provide that an ordered, up-to-date waitlist be continuously maintained, reflecting at any given time the next eligible student to be offered admission in each grade served by the Charter School, identifying any applicable preference(s) for each student, and indicating the date any student is removed from the waitlist with the reason for removal;
  - (e) shall provide that if seats open during the school year for any grade served by the school or between school years for grades served other than the initial grade, the Charter School 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; and
  - (f) 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 request by the Charter Schools Office.
5. The Board of Trustees shall submit to the School District by August 1st of each year during the Term of the Charter as part of the Charter School's Annual Report, or separately if not included in

the Charter School's Annual Report, evidence that all professional staff providing educational services at the Charter School have all necessary licenses, certifications, qualifications and credentials required by this Charter and Applicable Laws, including without limitation the seventy-five percent (75%) certification requirement in accordance with the Charter School Law, and identify the number of all certified special education and English as a Second Language personnel with direct instruction responsibilities.

6. The Board of Trustees shall ensure that (i) all employees have required federal and state criminal and child abuse background checks during the term of the Charter; and (ii) copies of such background checks are kept in each employee's personnel file, along with each employee's complete timesheet records. Preferably, the annual financial audit will include an annual review of a sample of employee files for appropriate clearances and background checks. In the absence of such an annual audit identified in the annual financial audit, the Board of Trustees shall submit a signed affidavit to the Charter Schools Office annually upon request, pursuant to guidelines established by the Charter Schools Office, as evidence that the Charter School has complied with this requirement.
7. The Board of Trustees shall ensure that required payments to the Public School Employees' Retirement System ("PSERS") are made timely. If the Charter School fails to make timely payments to PSERS and that results in a reduction of the School District's basic education subsidy, the School District shall withhold such reduction in a future monthly per-pupil payment to the Charter School. Additionally, any failure to make required PSERS payments above a threshold established by the Charter Schools Office or in any amount repeatedly shall result in the issuance of a Notice of Deficiency to the Charter School.
8. The Board of Trustees shall submit to the Charter Schools Office signed, complete Statements of Financial Interest, pursuant to guidelines established by the Charter Schools Office. These documents are required by the Ethics Act and the Charter School Law to be completed annually for each trustee on the Board's roster for that school year.
9. The Board of Trustees shall ensure that the dates, times, and locations of scheduled Board meetings are posted on the Charter School's website and that any updates to the Board meeting schedule are posted timely. Furthermore, minutes from Board meetings shall be posted on the Charter School's website within two weeks of approval by the Board of Trustees, but not later than after the conclusion of a second consecutive board meeting after each meeting, and shall remain posted for a minimum of one year from date of Board meeting;

and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain conditions for renewal (the "Conditions for Renewal") based on the comprehensive renewal review by the CSO as set forth below. Failure to comply with the Conditions for Renewal as set forth below may be a basis for revocation or nonrenewal of the Charter School's Charter.

1. Timely and satisfactory resolution of any Compliance Requirements identified as being out of compliance, as denoted by an "X", in the 2016-17 Renewal Recommendation Report, which shall be attached to the Charter as Exhibit H, for any of the eight (8) categories of Organizational Compliance and Viability: Special Education, English Language Learner, Student Enrollment, Student Discipline, Board Governance, Personnel, Food, Health and Safety, and Timely Reporting. If in the Charter Schools Office's Annual Charter Evaluation or its successor, the Charter School receives a deficiency in any area that was identified deficient in the 2016-17 Renewal Recommendation Report for two (2) or more consecutive years during the Term of this Charter, the Charter Schools Office may use such a deficiency as grounds for recommending revocation or nonrenewal of the Charter School's Charter.
2. The Charter School shall submit documentation to the Charter Schools Office by June 30, 2017 confirming a policy and program for English Language Learners is in place and supported by

staffing that complies with Applicable Laws and specifically includes compliant identification and annual evaluation procedures.

3. The Charter School shall submit its Code of Conduct to the Charter Schools Office by June 30, 2017 confirming compliance with Applicable Laws, specifically Chapter 12 due process provisions, Truancy Act, and required manifestation determination procedures;

and be it

FURTHER RESOLVED, that the School District and the Charter School have acknowledged and agreed that the Charter School will enroll students only in grades 9 through 12 with a maximum of 275 students during the Term of the Charter and any renewal thereof, unless the parties agree in writing to other terms. Under no circumstances will the Charter School request payment from the School District or the Commonwealth of Pennsylvania for more students than set forth herein nor enroll students in different grades including Kindergarten, without SRC approval by resolution; and be it

FURTHER RESOLVED, that the School District and the Charter School have acknowledged and agreed that the Charter School may not operate a daycare, early childhood or pre-Kindergarten program under this Charter and that Charter School funds may not be used to pay for or support employees, resources, facilities or other expenses related to a daycare, early childhood or pre-Kindergarten program; and be it

FURTHER RESOLVED, that the Charter School has agreed to the following provisions related to the School District's performance framework and monitoring system for charter schools:

1. The Charter School agrees to participate in the School District's charter school performance framework and monitoring system. The charter school performance framework includes an annual assessment of the Charter School's academic, financial, and organizational performance as well as compliance with Applicable Laws. Organizational performance includes, but is not limited to, a review of the Charter School's admissions and enrollment policies and practices, student discipline practices, special education programming, ELL programming, and Board of Trustees governance in order to assess compliance with the Charter and Applicable Laws, federal, state and local guidance, policies, and Charter Schools Office procedures. Financial performance includes, but is not limited to, a review of the Charter School's financial health and long-term sustainability, and generally accepted standards of fiscal management.
2. The Charter School agrees to provide or allow to be provided to the School District and the Charter Schools Office all records, including student level academic performance, necessary to properly assess the academic success, organizational compliance and viability, and financial health and sustainability of the Charter School under the charter school performance framework, timely and pursuant to Charter Schools Office procedures.
3. The Charter School acknowledges that achieving the performance objectives identified in the performance framework is critical to meeting the needs of public school students in Philadelphia. The Charter School shall actively monitor its own progress towards achieving objectives identified in the performance framework. The Charter Schools Office may also evaluate any or all of the performance domains – academic, organizational and financial – on an annual basis formally. If the Charter School continues to fail to meet standards for academic success, organizational compliance and viability, and/or financial health and sustainability, the Charter Schools Office may recommend that the SRC commence revocation or nonrenewal proceedings against the Charter School.
4. The Charter School agrees to adopt and administer the most current version of the PSSA assessments and the Keystone exams or other state-level identified or locally-approved assessment for student performance for grades and students as required by Applicable Laws, including without limitation the ESEA or subsequent laws.

5. The Charter School agrees to timely submit to, or grant permission for release pursuant to a memorandum of understanding or other document, to the School District all student level data required for assessment of academic performance as part of the charter school performance framework.
6. Data sources used by the Charter Schools Office to evaluate academic success may include, but are not limited to, student level data received from (i) the Charter School or from another entity under agreement with the Charter School, (ii) the School District's School Progress Report ("SPR") or its replacement, (iii) the Commonwealth's School Performance Profile ("SPP") or its replacement, (iv) the federal accountability SEA report card prepared by PDE, or its replacement; and (v) the National Student Clearinghouse.
7. For each year during the Term of this Charter, the Charter School shall achieve academic success as defined in the charter school performance framework, which may be updated annually by the Charter Schools Office. Any revision to the charter performance framework during the Term of this Charter shall be provided to the Charter School in writing and shall be published on the Charter Schools Office website. During the 2016-17 school year, academic success in the charter performance framework is minimally defined as: (i) meeting or exceeding the average proficiency of two of three comparison groups - the School District-operated schools, charter schools, and SPR Peer group schools - in Math, Reading/English Language Arts and Science on the PSSA or relevant Keystone exam for the same grade band, (ii) meeting or exceeding the statewide growth indicator as measured by the Average Growth Index ("AGI") consistent with PDE's definitions, (iii) student attendance rates that are at or above the 50<sup>th</sup> percentile and improving during the term of the Charter, and (iv) if serving high school grades, having graduation rates that show evidence of improvement over the Term of the Charter (an increasing trend) and that meet or exceed the average rates of two of three comparison groups - School District-operated schools, charter schools, and SPR Peer group schools. Academic performance of students in historically underserved student subgroups is also evaluated to assess equity of outcomes for these students. Assessment of this is within the overall charter performance framework and may be in academic success and/or organizational compliance and viability.
8. For each year during the Term of this Charter, the Charter School shall achieve a ranking in the top two levels of the School District's academic accountability performance system. If the Charter School achieves a ranking in the bottom two levels on the School District's academic accountability performance system for charter schools during any year of the Term of the Charter, the School District may require that the Charter School meet certain specific student achievement targets and participate in ongoing progress monitoring.
9. To the extent that the Charter School must under the provisions of ESEA, ESSA or subsequent law, or any other Applicable Law, submit to any Commonwealth or federal agency an accountability plan (any such plan, a "School Level Plan"), then, not later than the date which is thirty (30) days after the submission of said School Level Plan to the agency requiring it, the Charter Board shall submit to the Charter Schools Office a true, correct and complete copy of its School Level Plan. The Charter School is required to comply with ESEA, ESSA and any other federal or state accountability requirements and must submit to the Charter Schools Office any and all school level plans, comprehensive plans and any other improvement plans.

The vote on the motion to Renew the Charter was as follows:

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

Not Renew: 0

**SRC-5**

**Application for Charter Renewal – Preparatory Charter School of Mathematics, Science, Technology, and Careers**

WHEREAS, pursuant to the Charter School Law, 24 P.S.. § 17-1701-A, *et seq.*, the Board of Education of The School District of Philadelphia (“School District”) granted a charter (“Charter”) to PREPARATORY CHARTER SCHOOL OF MATHEMATICS, SCIENCE, TECHNOLOGY AND CAREERS (“Charter School”) to operate a charter school for a term of four years in 1998; and

WHEREAS, the School Reform Commission (“SRC”) renewed the Charter School’s Charter for five-year terms in 2002, 2007 and 2012; and

WHEREAS, the Charter School seeks renewal of its Charter and has submitted an Application for Charter Renewal to the Charter Schools Office (“CSO”); and

WHEREAS, the Charter School has agreed to certain terms and conditions in connection with the renewal of the Charter and has submitted a charter agreement signed by the Charter School (“Charter Agreement”) to the CSO of the School District setting forth the agreed terms and conditions of renewal; and

WHEREAS, members of the CSO staff have reviewed the Charter School's Application for Charter Renewal and the academic performance, organizational compliance and viability, and fiscal health and sustainability of the Charter School during the term of the current Charter and have recommended to the SRC that the SRC renew the Charter School’s Charter based on the materials and documents submitted and representations made by the Charter School, as presented in the Renewal Recommendation Report for the Charter School, and on the terms and conditions of the Charter Agreement signed by the Charter School; and

WHEREAS, the SRC has reviewed the Charter Agreement, the information received during the comprehensive renewal evaluation process, and the Renewal Recommendation Report for the Charter School; now be it

RESOLVED, that the Charter is RENEWED, subject to the terms and conditions agreed to by the Charter School as set forth below, for a five-year period commencing on July 1, 2017 and ending on June 30, 2022, effective upon the full execution of the Charter Agreement by the School District and by the Chair of the Board of Trustees of the Charter School or another member of the Board duly designated by the Board; and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain performance requirements (the “Performance Requirements”) as set forth below. Failure to comply with the Performance Requirements may be a basis for revocation or nonrenewal of the Charter School’s Charter.

1. The Board of Trustees shall ensure that all trustees, officers, administrators, and relatives of trustees, officers and administrators of the Charter School comply with the Pennsylvania Public Official and Employee Ethics Act (“Ethics Act”) and the Pennsylvania Nonprofit Corporation Law of 1988 (“Nonprofit Law”). The Board of Trustees shall adopt a Conflicts of Interest policy that complies with the Ethics Act and the Nonprofit Law.
2. The Board of Trustees shall elect Board officers, shall hold Board members to established term lengths and limits, shall ensure that the Board has the minimum required number of Board members, and shall fill open Board seats in a timely fashion, in accordance with the Charter School’s Bylaws.
3. The Board of Trustees shall meet at least once during each full month when the Charter School is in session during the Term of this Charter. Failure to meet this requirement shall not in and of itself constitute grounds for nonrenewal or revocation of this Charter.
4. The Board of Trustees shall adopt an Admissions Policy and Process which complies with the Public School Code and Charter School Law. Additionally, the Admissions Policy and Process:

- (a) shall include provisions on: (i) application deadlines; (ii) enrollment preferences, order and allocation of preferences, and methods by which preferences would be identified; (iii) student recruitment procedures and communications, including details on methods to be used to recruit students Citywide or in an applicable attendance zone, and to monitor any specified enrollment targets; (iv) lottery dates, and (v) communication of lottery results, in a form and with provisions that are acceptable to the Charter Schools Office;
  - (b) shall provide that the application will be available both on the Charter School's website and in hard copy at the school in English, Spanish, and any additional language the Charter School deems appropriate;
  - (c) shall provide that families have at least six weeks to complete and return enrollment packets post-lottery acceptance;
  - (d) shall provide that an ordered, up-to-date waitlist be continuously maintained, reflecting at any given time the next eligible student to be offered admission in each grade served by the Charter School, identifying any applicable preference(s) for each student, and indicating the date any student is removed from the waitlist with the reason for removal;
  - (e) shall provide that if seats open during the school year for any grade served by the school or between school years for grades served other than the initial grade, the Charter School 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; and
  - (f) 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 request by the Charter Schools Office.
5. The Board of Trustees shall submit to the School District by August 1st of each year during the Term of the Charter as part of the Charter School's Annual Report, or separately if not included in the Charter School's Annual Report, evidence that all professional staff providing educational services at the Charter School have all necessary licenses, certifications, qualifications and credentials required by this Charter and Applicable Laws, including without limitation the seventy-five percent (75%) certification requirement in accordance with the Charter School Law, and identify the number of all certified special education and English as a Second Language personnel with direct instruction responsibilities.
6. The Board of Trustees shall ensure that (i) all employees have required federal and state criminal and child abuse background checks during the term of the Charter; and (ii) copies of such background checks are kept in each employee's personnel file, along with each employee's complete timesheet records. Preferably, the annual financial audit will include an annual review of a sample of employee files for appropriate clearances and background checks. In the absence of such an annual audit identified in the annual financial audit, the Board of Trustees shall submit a signed affidavit to the Charter Schools Office annually upon request, pursuant to guidelines established by the Charter Schools Office, as evidence that the Charter School has complied with this requirement.
7. The Board of Trustees shall ensure that required payments to the Public School Employees' Retirement System ("PSERS") are made timely. If the Charter School fails to make timely payments to PSERS and that results in a reduction of the School District's basic education subsidy, the School District shall withhold such reduction in a future monthly per-pupil payment to the Charter School. Additionally, any failure to make required PSERS payments above a threshold established by the Charter Schools Office or in any amount repeatedly shall result in the issuance of a Notice of Deficiency to the Charter School.

8. The Board of Trustees shall submit to the Charter Schools Office signed, complete Statements of Financial Interest, pursuant to guidelines established by the Charter Schools Office. These documents are required by the Ethics Act and the Charter School Law to be completed annually for each trustee on the Board's roster for that school year.
9. The Board of Trustees shall ensure that the dates, times, and locations of scheduled Board meetings are posted on the Charter School's website and that any updates to the Board meeting schedule are posted timely. Furthermore, minutes from Board meetings shall be posted on the Charter School's website within two weeks of approval by the Board of Trustees, but not later than after the conclusion of a second consecutive board meeting after each meeting, and shall remain posted for a minimum of one year from date of Board meeting;

and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain conditions for renewal (the "Conditions for Renewal") based on the comprehensive renewal review by the CSO as set forth below. Failure to comply with the Conditions for Renewal as set forth below may be a basis for revocation or nonrenewal of the Charter School's Charter.

1. Timely and satisfactory resolution of any Compliance Requirements identified as being out of compliance, as denoted by an "X", in the 2016-17 Renewal Recommendation Report, which shall be attached to the Charter as Exhibit H, for any of the eight (8) categories of Organizational Compliance and Viability: Special Education, English Language Learner, Student Enrollment, Student Discipline, Board Governance, Personnel, Food, Health and Safety, and Timely Reporting. If in the Charter Schools Office's Annual Charter Evaluation or its successor, the Charter School receives a deficiency in any area that was identified deficient in the 2016-17 Renewal Recommendation Report for two (2) or more consecutive years during the Term of this Charter, the Charter Schools Office may use such a deficiency as grounds for recommending revocation or nonrenewal of the Charter School's Charter.
2. The Charter School shall submit documentation to the Charter Schools Office by June 30, 2017 confirming a policy and program for English Language Learners is in place and supported by staffing that complies with Applicable Laws and specifically includes compliant identification and evaluation procedures, and required amount of daily instruction by an appropriately certified and directly employed English as a Second Language teacher.
3. The Charter School shall submit to the Charter Schools Office by June 30, 2017 (i) the Charter School's enrollment policies and procedures that comply with all Applicable Laws, and (ii) a plan developed by the Charter School to annually monitor its enrollment policy to ensure compliance. The Charter School shall also make its admissions and enrollment policies, including information regarding the steps in the enrollment process, and any subsequent updates to these policies, available on its website;

and be it

FURTHER RESOLVED, that the School District and the Charter School have acknowledged and agreed that the Charter School will enroll students only in grades 9 through 12 with a maximum of 600 students during the Term of the Charter and any renewal thereof, unless the parties agree in writing to other terms. Under no circumstances will the Charter School request payment from the School District or the Commonwealth of Pennsylvania for more students than set forth herein nor enroll students in different grades including Kindergarten, without SRC approval by resolution; and be it

FURTHER RESOLVED, that the School District and the Charter School have acknowledged and agreed that the Charter School may not operate a daycare, early childhood or pre-Kindergarten program under this Charter and that

Charter School funds may not be used to pay for or support employees, resources, facilities or other expenses related to a daycare, early childhood or pre-Kindergarten program; and be it

FURTHER RESOLVED, that the Charter School has agreed to the following provisions related to the School District's performance framework and monitoring system for charter schools:

1. The Charter School agrees to participate in the School District's charter school performance framework and monitoring system. The charter school performance framework includes an annual assessment of the Charter School's academic, financial, and organizational performance as well as compliance with Applicable Laws. Organizational performance includes, but is not limited to, a review of the Charter School's admissions and enrollment policies and practices, student discipline practices, special education programming, ELL programming, and Board of Trustees governance in order to assess compliance with the Charter and Applicable Laws, federal, state and local guidance, policies, and Charter Schools Office procedures. Financial performance includes, but is not limited to, a review of the Charter School's financial health and long-term sustainability, and generally accepted standards of fiscal management.
2. The Charter School agrees to provide or allow to be provided to the School District and the Charter Schools Office all records, including student level academic performance, necessary to properly assess the academic success, organizational compliance and viability, and financial health and sustainability of the Charter School under the charter school performance framework, timely and pursuant to Charter Schools Office procedures.
3. The Charter School acknowledges that achieving the performance objectives identified in the performance framework is critical to meeting the needs of public school students in Philadelphia. The Charter School shall actively monitor its own progress towards achieving objectives identified in the performance framework. The Charter Schools Office may also evaluate any or all of the performance domains – academic, organizational and financial – on an annual basis formally. If the Charter School continues to fail to meet standards for academic success, organizational compliance and viability, and/or financial health and sustainability, the Charter Schools Office may recommend that the SRC commence revocation or nonrenewal proceedings against the Charter School.
4. The Charter School agrees to adopt and administer the most current version of the PSSA assessments and the Keystone exams or other state-level identified or locally-approved assessment for student performance for grades and students as required by Applicable Laws, including without limitation the ESEA or subsequent laws.
5. The Charter School agrees to timely submit to, or grant permission for release pursuant to a memorandum of understanding or other document, to the School District all student level data required for assessment of academic performance as part of the charter school performance framework.
6. Data sources used by the Charter Schools Office to evaluate academic success may include, but are not limited to, student level data received from (i) the Charter School or from another entity under agreement with the Charter School, (ii) the School District's School Progress Report ("SPR") or its replacement, (iii) the Commonwealth's School Performance Profile ("SPP") or its replacement, (iv) the federal accountability SEA report card prepared by PDE, or its replacement; and (v) the National Student Clearinghouse.
7. For each year during the Term of this Charter, the Charter School shall achieve academic success as defined in the charter school performance framework, which may be updated annually by the Charter Schools Office. Any revision to the charter performance framework during the Term of this Charter shall be provided to the Charter School in writing and shall be published on the Charter Schools Office website. During the 2016-17 school year, academic success in the charter performance framework is minimally defined as: (i) meeting or exceeding the average proficiency

of two of three comparison groups - the School District-operated schools, charter schools, and SPR Peer group schools - in Math, Reading/English Language Arts and Science on the PSSA or relevant Keystone exam for the same grade band, (ii) meeting or exceeding the statewide growth indicator as measured by the Average Growth Index (“AGI”) consistent with PDE’s definitions, (iii) student attendance rates that are at or above the 50<sup>th</sup> percentile and improving during the term of the Charter, and (iv) if serving high school grades, having graduation rates that show evidence of improvement over the Term of the Charter (an increasing trend) and that meet or exceed the average rates of two of three comparison groups - School District-operated schools, charter schools, and SPR Peer group schools. Academic performance of students in historically underserved student subgroups is also evaluated to assess equity of outcomes for these students. Assessment of this is within the overall charter performance framework and may be in academic success and/or organizational compliance and viability.

8. For each year during the Term of this Charter, the Charter School shall achieve a ranking in the top two levels of the School District’s academic accountability performance system. If the Charter School achieves a ranking in the bottom two levels on the School District’s academic accountability performance system for charter schools during any year of the Term of the Charter, the School District may require that the Charter School meet certain specific student achievement targets and participate in ongoing progress monitoring.
9. To the extent that the Charter School must under the provisions of ESEA, ESSA or subsequent law, or any other Applicable Law, submit to any Commonwealth or federal agency an accountability plan (any such plan, a “School Level Plan”), then, not later than the date which is thirty (30) days after the submission of said School Level Plan to the agency requiring it, the Charter Board shall submit to the Charter Schools Office a true, correct and complete copy of its School Level Plan. The Charter School is required to comply with ESEA, ESSA and any other federal or state accountability requirements and must submit to the Charter Schools Office any and all school level plans, comprehensive plans and any other improvement plans.

The vote on the motion to Renew the Charter was as follows:

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

Not Renew: 0

#### **SRC-6**

##### **Application for Charter Renewal – Sankofa Freedom Academy Charter School**

WHEREAS, pursuant to the Charter School Law, 24 P.S. § 17-1701-A, *et seq.*, the School Reform Commission (“SRC”) granted a charter (“Charter”) to SANKOFA FREEDOM ACADEMY CHARTER SCHOOL (“Charter School”) to operate a charter school for a term of three years in 2009; and

WHEREAS, the SRC renewed the Charter School’s Charter for a five-year term in 2012; and

WHEREAS, the Charter School seeks renewal of its Charter and has submitted an Application for Charter Renewal to the Charter Schools Office (“CSO”); and

WHEREAS, the Charter School has agreed to certain terms and conditions in connection with the renewal of the Charter and has submitted a charter agreement signed by the Charter School (“Charter Agreement”) to the CSO of the School District setting forth the agreed terms and conditions of renewal; and

WHEREAS, members of the CSO staff have reviewed the Charter School's Application for Charter Renewal and the academic performance, organizational compliance and viability, and fiscal health and sustainability of the Charter School during the term of the current Charter and have recommended to the SRC that the SRC renew the Charter School’s Charter based on the materials and documents submitted and representations made by the Charter School, as presented in the Renewal Recommendation Report for the Charter School, and on the terms and conditions of the Charter Agreement signed by the Charter School; and

WHEREAS, the SRC has reviewed the Charter Agreement, the information received during the comprehensive renewal evaluation process, and the Renewal Recommendation Report for the Charter School; now be it

RESOLVED, that the Charter is RENEWED, subject to the terms and conditions agreed to by the Charter School as set forth below, for a five-year period commencing on July 1, 2017 and ending on June 30, 2022, effective upon the full execution of the Charter Agreement by the School District and by the Chair of the Board of Trustees of the Charter School or another member of the Board duly designated by the Board; and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain performance requirements (the "Performance Requirements") as set forth below. Failure to comply with the Performance Requirements may be a basis for revocation or nonrenewal of the Charter School's Charter.

1. The Board of Trustees shall ensure that all trustees, officers, administrators, and relatives of trustees, officers and administrators of the Charter School comply with the Pennsylvania Public Official and Employee Ethics Act ("Ethics Act") and the Pennsylvania Nonprofit Corporation Law of 1988 ("Nonprofit Law"). The Board of Trustees shall adopt a Conflicts of Interest policy that complies with the Ethics Act and the Nonprofit Law.
2. The Board of Trustees shall elect Board officers, shall hold Board members to established term lengths and limits, shall ensure that the Board has the minimum required number of Board members, and shall fill open Board seats in a timely fashion, in accordance with the Charter School's Bylaws.
3. The Board of Trustees shall meet at least once during each full month when the Charter School is in session during the Term of this Charter. Failure to meet this requirement shall not in and of itself constitute grounds for nonrenewal or revocation of this Charter.
4. The Board of Trustees shall adopt an Admissions Policy and Process which complies with the Public School Code and Charter School Law. Additionally, the Admissions Policy and Process:
  - (a) shall include provisions on: (i) application deadlines; (ii) enrollment preferences, order and allocation of preferences, and methods by which preferences would be identified; (iii) student recruitment procedures and communications, including details on methods to be used to recruit students Citywide or in an applicable attendance zone, and to monitor any specified enrollment targets; (iv) lottery dates, and (v) communication of lottery results, in a form and with provisions that are acceptable to the Charter Schools Office;
  - (b) shall provide that the application will be available both on the Charter School's website and in hard copy at the school in English, Spanish, and any additional language the Charter School deems appropriate;
  - (c) shall provide that families have at least six weeks to complete and return enrollment packets post-lottery acceptance;
  - (d) shall provide that an ordered, up-to-date waitlist be continuously maintained, reflecting at any given time the next eligible student to be offered admission in each grade served by the Charter School, identifying any applicable preference(s) for each student, and indicating the date any student is removed from the waitlist with the reason for removal;
  - (e) shall provide that if seats open during the school year for any grade served by the school or between school years for grades served other than the initial grade, the Charter School 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; and

- (f) 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 request by the Charter Schools Office.
5. The Board of Trustees shall submit to the School District by August 1st of each year during the Term of the Charter as part of the Charter School's Annual Report, or separately if not included in the Charter School's Annual Report, evidence that all professional staff providing educational services at the Charter School have all necessary licenses, certifications, qualifications and credentials required by this Charter and Applicable Laws, including without limitation the seventy-five percent (75%) certification requirement in accordance with the Charter School Law, and identify the number of all certified special education and English as a Second Language personnel with direct instruction responsibilities.
  6. The Board of Trustees shall ensure that (i) all employees have required federal and state criminal and child abuse background checks during the term of the Charter; and (ii) copies of such background checks are kept in each employee's personnel file, along with each employee's complete timesheet records. Preferably, the annual financial audit will include an annual review of a sample of employee files for appropriate clearances and background checks. In the absence of such an annual audit identified in the annual financial audit, the Board of Trustees shall submit a signed affidavit to the Charter Schools Office annually upon request, pursuant to guidelines established by the Charter Schools Office, as evidence that the Charter School has complied with this requirement.
  7. The Board of Trustees shall ensure that required payments to the Public School Employees' Retirement System ("PSERS") are made timely. If the Charter School fails to make timely payments to PSERS and that results in a reduction of the School District's basic education subsidy, the School District shall withhold such reduction in a future monthly per-pupil payment to the Charter School. Additionally, any failure to make required PSERS payments above a threshold established by the Charter Schools Office or in any amount repeatedly shall result in the issuance of a Notice of Deficiency to the Charter School.
  8. The Board of Trustees shall submit to the Charter Schools Office signed, complete Statements of Financial Interest, pursuant to guidelines established by the Charter Schools Office. These documents are required by the Ethics Act and the Charter School Law to be completed annually for each trustee on the Board's roster for that school year.
  9. The Board of Trustees shall ensure that the dates, times, and locations of scheduled Board meetings are posted on the Charter School's website and that any updates to the Board meeting schedule are posted timely. Furthermore, minutes from Board meetings shall be posted on the Charter School's website within two weeks of approval by the Board of Trustees, but not later than after the conclusion of a second consecutive board meeting after each meeting, and shall remain posted for a minimum of one year from date of Board meeting;

and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain conditions for renewal (the "Conditions for Renewal") based on the comprehensive renewal review by the CSO as set forth below. Failure to comply with the Conditions for Renewal as set forth below may be a basis for revocation or nonrenewal of the Charter School's Charter.

1. Timely and satisfactory resolution of any Compliance Requirements identified as being out of compliance, as denoted by an "X", in the 2016-17 Renewal Recommendation Report, which shall be attached to the Charter as Exhibit H, for any of the eight (8) categories of Organizational Compliance and Viability: Special Education, English Language Learner, Student Enrollment, Student Discipline, Board Governance, Personnel, Food, Health and Safety, and Timely Reporting. If in the Charter Schools Office's Annual Charter Evaluation or its successor, the

Charter School receives a deficiency in any area that was identified deficient in the 2016-17 Renewal Recommendation Report for two (2) or more consecutive years during the Term of this Charter, the Charter Schools Office may use such a deficiency as grounds for recommending revocation or nonrenewal of the Charter School's Charter.

2. The Charter School shall submit to the Charter Schools Office for its review and approval a comprehensive academic performance improvement plan for all tested grades (Grades 3-12) by August 31, 2017. This plan is to include information regarding efforts to increase absolute performance (proficiency) in all three tested subjects (English Language Arts, Math and Science) over the charter term. Specifically the plan shall identify professional development opportunities, instructional shifts, curricular changes, academic interventions and/or enrichment activities designed to improve student learning. The plan should identify staffing and budget adjustments that will be made, if any, as well as provide specific milestones and interim goals the school will use to measure improvement. The Charter School's resulting academic improvement will be evaluated annually in the Annual Charter Evaluation or its successor. Further, the Charter Schools Office may conduct unannounced monitoring school visits during the charter term to evaluate academic performance improvement at the Charter School.
3. The Charter School shall submit documentation to the Charter Schools Office by June 30, 2017 confirming a policy and program for English Language Learners is in place and supported by staffing that complies with Applicable Laws and specifically includes compliant identification procedures and required amount of daily instruction by an appropriately certified and directly employed English as a Second Language teacher.
4. All members of the Charter School's Board of Trustees for calendar year 2016 shall submit Statements of Financial Interest for 2016 to the Charter Schools Office by June 30, 2017 in accordance with the Pennsylvania Public Official and Employee Ethics Act.
5. Prior to the execution of the renewal Charter, the Charter School must provide the Charter Schools Office documentation of required employee checks and clearances (PA Criminal background check, FBI background check and PA Child Abuse Clearance) for 100% of currently employed staff. The Charter School must also provide evidence of compliance with Act 168 requirements for 80% of eligible employees. The form of this documentation will be provided by the Charter Schools Office. In addition, no later than June 30, 2017, the Charter School is to submit to the Charter Schools Office an annual monitoring procedure to ensure future compliance with employee checks and clearances requirements;

and be it

FURTHER RESOLVED, that the School District and the Charter School acknowledge and agree that the Charter School will enroll students only in Kindergarten through Grade 12 with a maximum of 650 students during the Term of the Charter and any renewal thereof, unless the parties agree in writing to other terms. Under no circumstances will the Charter School request payment from the School District or the Commonwealth of Pennsylvania for more students than set forth herein nor enroll students in different grades including Kindergarten, without SRC approval by resolution; and be it

FURTHER RESOLVED, that the School District and the Charter School have acknowledged and agreed that the Charter School may not operate a daycare, early childhood or pre-Kindergarten program under this Charter and that Charter School funds may not be used to pay for or support employees, resources, facilities or other expenses related to a daycare, early childhood or pre-Kindergarten program; and be it

FURTHER RESOLVED, that the Charter School has agreed to the following provisions related to the School District's performance framework and monitoring system for charter schools:

1. The Charter School agrees to participate in the School District's charter school performance framework and monitoring system. The charter school performance framework includes an annual assessment of the Charter School's academic, financial, and organizational performance as well as compliance with Applicable Laws. Organizational performance includes, but is not limited to, a review of the Charter School's admissions and enrollment policies and practices, student discipline practices, special education programming, ELL programming, and Board of Trustees governance in order to assess compliance with the Charter and Applicable Laws, federal, state and local guidance, policies, and Charter Schools Office procedures. Financial performance includes, but is not limited to, a review of the Charter School's financial health and long-term sustainability, and generally accepted standards of fiscal management.
2. The Charter School agrees to provide or allow to be provided to the School District and the Charter Schools Office all records, including student level academic performance, necessary to properly assess the academic success, organizational compliance and viability, and financial health and sustainability of the Charter School under the charter school performance framework, timely and pursuant to Charter Schools Office procedures.
3. The Charter School acknowledges that achieving the performance objectives identified in the performance framework is critical to meeting the needs of public school students in Philadelphia. The Charter School shall actively monitor its own progress towards achieving objectives identified in the performance framework. The Charter Schools Office may also evaluate any or all of the performance domains – academic, organizational and financial – on an annual basis formally. If the Charter School continues to fail to meet standards for academic success, organizational compliance and viability, and/or financial health and sustainability, the Charter Schools Office may recommend that the SRC commence revocation or nonrenewal proceedings against the Charter School.
4. The Charter School agrees to adopt and administer the most current version of the PSSA assessments and the Keystone exams or other state-level identified or locally-approved assessment for student performance for grades and students as required by Applicable Laws, including without limitation the ESEA or subsequent laws.
5. The Charter School agrees to timely submit to, or grant permission for release pursuant to a memorandum of understanding or other document, to the School District all student level data required for assessment of academic performance as part of the charter school performance framework.
6. Data sources used by the Charter Schools Office to evaluate academic success may include, but are not limited to, student level data received from (i) the Charter School or from another entity under agreement with the Charter School, (ii) the School District's School Progress Report ("SPR") or its replacement, (iii) the Commonwealth's School Performance Profile ("SPP") or its replacement, (iv) the federal accountability SEA report card prepared by PDE, or its replacement; and (v) the National Student Clearinghouse.
7. For each year during the Term of this Charter, the Charter School shall achieve academic success as defined in the charter school performance framework, which may be updated annually by the Charter Schools Office. Any revision to the charter performance framework during the Term of this Charter shall be provided to the Charter School in writing and shall be published on the Charter Schools Office website. During the 2016-17 school year, academic success in the charter performance framework is minimally defined as: (i) meeting or exceeding the average proficiency of two of three comparison groups - the School District-operated schools, charter schools, and SPR Peer group schools - in Math, Reading/English Language Arts and Science on the PSSA or relevant Keystone exam for the same grade band, (ii) meeting or exceeding the statewide growth indicator as measured by the Average Growth Index ("AGI") consistent with PDE's definitions, (iii) student attendance rates that are at or above the 50<sup>th</sup> percentile and improving during the term of the Charter, and (iv) if serving high school grades, having graduation rates that show evidence

of improvement over the Term of the Charter (an increasing trend) and that meet or exceed the average rates of two of three comparison groups - School District-operated schools, charter schools, and SPR Peer group schools. Academic performance of students in historically underserved student subgroups is also evaluated to assess equity of outcomes for these students. Assessment of this is within the overall charter performance framework and may be in academic success and/or organizational compliance and viability.

8. For each year during the Term of this Charter, the Charter School shall achieve a ranking in the top two levels of the School District's academic accountability performance system. If the Charter School achieves a ranking in the bottom two levels on the School District's academic accountability performance system for charter schools during any year of the Term of the Charter, the School District may require that the Charter School meet certain specific student achievement targets and participate in ongoing progress monitoring.
9. To the extent that the Charter School must under the provisions of ESEA, ESSA or subsequent law, or any other Applicable Law, submit to any Commonwealth or federal agency an accountability plan (any such plan, a "School Level Plan"), then, not later than the date which is thirty (30) days after the submission of said School Level Plan to the agency requiring it, the Charter Board shall submit to the Charter Schools Office a true, correct and complete copy of its School Level Plan. The Charter School is required to comply with ESEA, ESSA and any other federal or state accountability requirements and must submit to the Charter Schools Office any and all school level plans, comprehensive plans and any other improvement plans.

The vote on the motion to Renew the Charter was as follows:

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

Not Renew: 0

#### **SRC-7**

##### **Application for Charter Renewal – Southwest Leadership Academy Charter School**

WHEREAS, pursuant to the Charter School Law, 24 P.S. § 17-1701-A, *et seq.*, the School Reform Commission ("SRC") granted a charter ("Charter") to SOUTHWEST LEADERSHIP ACADEMY CHARTER SCHOOL ("Charter School") to operate a charter school for a term of five years in 2007; and

WHEREAS, the SRC renewed the Charter School's Charter for a five-year term in 2012; and

WHEREAS, the Charter School seeks renewal of its Charter and has submitted an Application for Charter Renewal to the Charter Schools Office ("CSO"); and

WHEREAS, the Charter School has agreed to certain terms and conditions in connection with the renewal of the Charter and has submitted a charter agreement signed by the Charter School ("Charter Agreement") to the CSO of the School District setting forth the agreed terms and conditions of renewal; and

WHEREAS, members of the CSO staff have reviewed the Charter School's Application for Charter Renewal and the academic performance, organizational compliance and viability, and fiscal health and sustainability of the Charter School during the term of the current Charter and have recommended to the SRC that the SRC renew the Charter School's Charter based on the materials and documents submitted and representations made by the Charter School, as presented in the Renewal Recommendation Report for the Charter School, and on the terms and conditions of the Charter Agreement signed by the Charter School; and

WHEREAS, the SRC has reviewed the Charter Agreement, the information received during the comprehensive renewal evaluation process, and the Renewal Recommendation Report for the Charter School; now be it

**RESOLVED**, that the Charter is RENEWED, subject to the terms and conditions agreed to by the Charter School as set forth below, for a five-year period commencing on July 1, 2017 and ending on June 30, 2022, effective upon the

full execution of the Charter Agreement by the School District and by the Chair of the Board of Trustees of the Charter School or another member of the Board duly designated by the Board; and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain performance requirements (the "Performance Requirements") as set forth below. Failure to comply with the Performance Requirements may be a basis for revocation or nonrenewal of the Charter School's Charter.

1. The Board of Trustees shall ensure that all trustees, officers, administrators, and relatives of trustees, officers and administrators of the Charter School comply with the Pennsylvania Public Official and Employee Ethics Act ("Ethics Act") and the Pennsylvania Nonprofit Corporation Law of 1988 ("Nonprofit Law"). The Board of Trustees shall adopt a Conflicts of Interest policy that complies with the Ethics Act and the Nonprofit Law.
2. The Board of Trustees shall elect Board officers, shall hold Board members to established term lengths and limits, shall ensure that the Board has the minimum required number of Board members, and shall fill open Board seats in a timely fashion, in accordance with the Charter School's Bylaws.
3. The Board of Trustees shall meet at least once during each full month when the Charter School is in session during the Term of this Charter. Failure to meet this requirement shall not in and of itself constitute grounds for nonrenewal or revocation of this Charter.
4. The Board of Trustees shall adopt an Admissions Policy and Process which complies with the Public School Code and Charter School Law. Additionally, the Admissions Policy and Process:
  - (a) shall include provisions on: (i) application deadlines; (ii) enrollment preferences, order and allocation of preferences, and methods by which preferences would be identified; (iii) student recruitment procedures and communications, including details on methods to be used to recruit students Citywide or in an applicable attendance zone, and to monitor any specified enrollment targets; (iv) lottery dates, and (v) communication of lottery results, in a form and with provisions that are acceptable to the Charter Schools Office;
  - (b) shall provide that the application will be available both on the Charter School's website and in hard copy at the school in English, Spanish, and any additional language the Charter School deems appropriate;
  - (c) shall provide that families have at least six weeks to complete and return enrollment packets post-lottery acceptance;
  - (d) shall provide that an ordered, up-to-date waitlist be continuously maintained, reflecting at any given time the next eligible student to be offered admission in each grade served by the Charter School, identifying any applicable preference(s) for each student, and indicating the date any student is removed from the waitlist with the reason for removal;
  - (e) shall provide that if seats open during the school year for any grade served by the school or between school years for grades served other than the initial grade, the Charter School 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; and
  - (f) 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 request by the Charter Schools Office.
5. The Board of Trustees shall submit to the School District by August 1st of each year during the Term of the Charter as part of the Charter School's Annual Report, or separately if not included in the Charter School's Annual Report, evidence that all professional staff providing educational

services at the Charter School have all necessary licenses, certifications, qualifications and credentials required by this Charter and Applicable Laws, including without limitation the seventy-five percent (75%) certification requirement in accordance with the Charter School Law, and identify the number of all certified special education and English as a Second Language personnel with direct instruction responsibilities.

6. The Board of Trustees shall ensure that (i) all employees have required federal and state criminal and child abuse background checks during the term of the Charter; and (ii) copies of such background checks are kept in each employee's personnel file, along with each employee's complete timesheet records. Preferably, the annual financial audit will include an annual review of a sample of employee files for appropriate clearances and background checks. In the absence of such an annual audit identified in the annual financial audit, the Board of Trustees shall submit a signed affidavit to the Charter Schools Office annually upon request, pursuant to guidelines established by the Charter Schools Office, as evidence that the Charter School has complied with this requirement.
7. The Board of Trustees shall ensure that required payments to the Public School Employees' Retirement System ("PSERS") are made timely. If the Charter School fails to make timely payments to PSERS and that results in a reduction of the School District's basic education subsidy, the School District shall withhold such reduction in a future monthly per-pupil payment to the Charter School. Additionally, any failure to make required PSERS payments above a threshold established by the Charter Schools Office or in any amount repeatedly shall result in the issuance of a Notice of Deficiency to the Charter School.
8. The Board of Trustees shall submit to the Charter Schools Office signed, complete Statements of Financial Interest, pursuant to guidelines established by the Charter Schools Office. These documents are required by the Ethics Act and the Charter School Law to be completed annually for each trustee on the Board's roster for that school year.
9. The Board of Trustees shall ensure that the dates, times, and locations of scheduled Board meetings are posted on the Charter School's website and that any updates to the Board meeting schedule are posted timely. Furthermore, minutes from Board meetings shall be posted on the Charter School's website within two weeks of approval by the Board of Trustees, but not later than after the conclusion of a second consecutive board meeting after each meeting, and shall remain posted for a minimum of one year from date of Board meeting;

and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain conditions for renewal (the "Conditions for Renewal") based on the comprehensive renewal review by the CSO as set forth below. Failure to comply with the Conditions for Renewal as set forth below may be a basis for revocation or nonrenewal of the Charter School's Charter.

1. Timely and satisfactory resolution of any Compliance Requirements identified as being out of compliance, as denoted by an "X", in the 2016-17 Renewal Recommendation Report, which shall be attached to the Charter as Exhibit H, for any of the eight (8) categories of Organizational Compliance and Viability: Special Education, English Language Learner, Student Enrollment, Student Discipline, Board Governance, Personnel, Food, Health and Safety, and Timely Reporting. If in the Charter Schools Office's Annual Charter Evaluation or its successor, the Charter School receives a deficiency in any area that was identified deficient in the 2016-17 Renewal Recommendation Report for two (2) or more consecutive years during the Term of this Charter, the Charter Schools Office may use such a deficiency as grounds for recommending revocation or nonrenewal of the Charter School's Charter.
2. The Charter School shall submit documentation to the Charter Schools Office by June 30, 2017 confirming a policy and program for English Language Learners is in place and supported by staffing that complies with Applicable Laws and specifically includes compliant annual evaluation procedures,

and required amount of daily instruction by an appropriately certified and directly employed English as a Second Language teacher.

3. All members of the Charter School's Board of Trustees for calendar year 2016 shall submit Statements of Financial Interest for 2016 to the Charter Schools Office by June 30, 2017 in accordance with the Pennsylvania Public Official and Employee Ethics Act.
4. By June 30, 2017, the Charter School's Board of Trustees shall remove any Trustee that is not eligible to serve on its Board per the Charter School Law and/or its Charter;

and be it

FURTHER RESOLVED, that the School District and the Charter School acknowledge and agree that the Charter School will enroll students only in the following grades with a maximum number of students as set forth below during the term of the Charter, unless the parties agree in writing to other terms:

<u>Years</u>	<u>Grades Served</u>	<u>Total Student Enrollment</u>
School Year 2017-2018	K-8	492
School Year 2018-2019	K-8	912
School Year 2019-2020	K-8	972
School Year 2020-2021	K-8	1032
School Year 2021-2022	K-8	1032

and be it

FURTHER RESOLVED, that the Charter School acknowledges and agrees that under no circumstances will the Charter School request payment from the School District or the Commonwealth of Pennsylvania for more students than set forth in the Resolved Paragraph above nor enroll students in different grades, without SRC approval by resolution; and be it

FURTHER RESOLVED, that the School District and the Charter School have acknowledged and agreed that the Charter School may not operate a daycare, early childhood or pre-Kindergarten program under this Charter and that Charter School funds may not be used to pay for or support employees, resources, facilities or other expenses related to a daycare, early childhood or pre-Kindergarten program; and be it

FURTHER RESOLVED, that the Charter School has agreed to the following provisions related to the School District's performance framework and monitoring system for charter schools:

1. The Charter School agrees to participate in the School District's charter school performance framework and monitoring system. The charter school performance framework includes an annual assessment of the Charter School's academic, financial, and organizational performance as well as compliance with Applicable Laws. Organizational performance includes, but is not limited to, a review of the Charter School's admissions and enrollment policies and practices, student discipline practices, special education programming, ELL programming, and Board of Trustees governance in order to assess compliance with the Charter and Applicable Laws, federal, state and local guidance, policies, and Charter Schools Office procedures. Financial performance includes, but is not limited to, a review of the Charter School's financial health and long-term sustainability, and generally accepted standards of fiscal management.
2. The Charter School agrees to provide or allow to be provided to the School District and the Charter Schools Office all records, including student level academic performance, necessary to properly assess the academic success, organizational compliance and viability, and financial health

and sustainability of the Charter School under the charter school performance framework, timely and pursuant to Charter Schools Office procedures.

3. The Charter School acknowledges that achieving the performance objectives identified in the performance framework is critical to meeting the needs of public school students in Philadelphia. The Charter School shall actively monitor its own progress towards achieving objectives identified in the performance framework. The Charter Schools Office may also evaluate any or all of the performance domains – academic, organizational and financial – on an annual basis formally. If the Charter School continues to fail to meet standards for academic success, organizational compliance and viability, and/or financial health and sustainability, the Charter Schools Office may recommend that the SRC commence revocation or nonrenewal proceedings against the Charter School.
4. The Charter School agrees to adopt and administer the most current version of the PSSA assessments and the Keystone exams or other state-level identified or locally-approved assessment for student performance for grades and students as required by Applicable Laws, including without limitation the ESEA or subsequent laws.
5. The Charter School agrees to timely submit to, or grant permission for release pursuant to a memorandum of understanding or other document, to the School District all student level data required for assessment of academic performance as part of the charter school performance framework.
6. Data sources used by the Charter Schools Office to evaluate academic success may include, but are not limited to, student level data received from (i) the Charter School or from another entity under agreement with the Charter School, (ii) the School District’s School Progress Report (“SPR”) or its replacement, (iii) the Commonwealth’s School Performance Profile (“SPP”) or its replacement, (iv) the federal accountability SEA report card prepared by PDE, or its replacement; and (v) the National Student Clearinghouse.
7. For each year during the Term of this Charter, the Charter School shall achieve academic success as defined in the charter school performance framework, which may be updated annually by the Charter Schools Office. Any revision to the charter performance framework during the Term of this Charter shall be provided to the Charter School in writing and shall be published on the Charter Schools Office website. During the 2016-17 school year, academic success in the charter performance framework is minimally defined as: (i) meeting or exceeding the average proficiency of two of three comparison groups - the School District-operated schools, charter schools, and SPR Peer group schools - in Math, Reading/English Language Arts and Science on the PSSA or relevant Keystone exam for the same grade band, (ii) meeting or exceeding the statewide growth indicator as measured by the Average Growth Index (“AGI”) consistent with PDE’s definitions, (iii) student attendance rates that are at or above the 50<sup>th</sup> percentile and improving during the term of the Charter, and (iv) if serving high school grades, having graduation rates that show evidence of improvement over the Term of the Charter (an increasing trend) and that meet or exceed the average rates of two of three comparison groups - School District-operated schools, charter schools, and SPR Peer group schools. Academic performance of students in historically underserved student subgroups is also evaluated to assess equity of outcomes for these students. Assessment of this is within the overall charter performance framework and may be in academic success and/or organizational compliance and viability.
8. For each year during the Term of this Charter, the Charter School shall achieve a ranking in the top two levels of the School District’s academic accountability performance system. If the Charter School achieves a ranking in the bottom two levels on the School District’s academic accountability performance system for charter schools during any year of the Term of the Charter, the School District may require that the Charter School meet certain specific student achievement targets and participate in ongoing progress monitoring.

9. To the extent that the Charter School must under the provisions of ESEA, ESSA or subsequent law, or any other Applicable Law, submit to any Commonwealth or federal agency an accountability plan (any such plan, a "School Level Plan"), then, not later than the date which is thirty (30) days after the submission of said School Level Plan to the agency requiring it, the Charter Board shall submit to the Charter Schools Office a true, correct and complete copy of its School Level Plan. The Charter School is required to comply with ESEA, ESSA and any other federal or state accountability requirements and must submit to the Charter Schools Office any and all school level plans, comprehensive plans and any other improvement plans.

The vote on the motion to Renew the Charter was as follows:

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

Not Renew: 0

### **SRC-8**

#### **Application for Charter Renewal – Universal Creighton Charter School**

WHEREAS, in January, 2010, the School Reform Commission ("SRC") adopted the Renaissance Schools Initiative Policy, which authorized the SRC to grant Renaissance charters as part of the Renaissance Schools Initiative of The School District of Philadelphia ("School District"); and

WHEREAS, the Thomas Creighton Elementary School ("Creighton School") had been identified as a School District school which needed fundamental change through the Renaissance Schools Initiative to facilitate a transformation of the learning environment; and

WHEREAS, the purpose of the Renaissance Schools Initiative was to dramatically improve the learning environment in underperforming School District schools to create highly effective schools that provide exceptional opportunities for student academic achievement and preparedness for success in college and the workforce; and

WHEREAS, for charter schools participating in the Renaissance Schools Initiative, in order to adhere to the mission of the Renaissance Schools Initiative and to maintain high levels of accountability, academic requirements could exceed performance targets for non-Renaissance charter schools; and

WHEREAS, pursuant to the Charter School Law, 24 P.S. § 17-1701-A *et seq.*, the SRC granted a charter ("Charter") to UNIVERSAL CREIGHTON CHARTER SCHOOL ("Universal Creighton" or "Charter School") in 2012 to operate the Creighton School as a charter school for a five-year term commencing on July 1, 2012; and

WHEREAS, the Charter School seeks renewal of its Charter and has submitted an Application for Charter Renewal to the Charter Schools Office ("CSO"); and

WHEREAS, the Charter School has agreed to certain terms and conditions in connection with the renewal of the Charter and has submitted a charter agreement signed by the Charter School ("Charter Agreement") to the CSO of the School District setting forth the agreed terms and conditions of renewal; and

WHEREAS, members of the CSO staff have reviewed the Charter School's Application for Charter Renewal and the academic performance, organizational compliance and viability, and fiscal health and sustainability of the Charter School during the term of the current Charter and have recommended to the SRC that the SRC renew the Charter School's Charter based on the materials and documents submitted and representations made by the Charter School, as presented in the Renewal Recommendation Report for the Charter School, and on the terms and conditions of the Charter Agreement signed by the Charter School; and

WHEREAS, the SRC has reviewed the Charter Agreement, the information received during the comprehensive renewal evaluation process, and the Renewal Recommendation Report for the Charter School; now be it

**RESOLVED**, that the Charter is RENEWED, subject to the terms and conditions agreed to by the Charter School as set forth below, for a five-year period commencing on July 1, 2017 and ending on June 30, 2022, effective upon the

full execution of the Charter Agreement by the School District and by the Chair of the Board of Trustees of the Charter School or another member of the Board duly designated by the Board; and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain performance requirements (the "Performance Requirements") as set forth below. Failure to comply with the Performance Requirements may be a basis for revocation or nonrenewal of the Charter School's Charter.

1. The Board of Trustees shall ensure that all trustees, officers, administrators, and relatives of trustees, officers and administrators of the Charter School comply with the Pennsylvania Public Official and Employee Ethics Act ("Ethics Act") and the Pennsylvania Nonprofit Corporation Law of 1988 ("Nonprofit Law"). The Board of Trustees shall adopt a Conflicts of Interest policy that complies with the Ethics Act and the Nonprofit Law.
2. The Board of Trustees shall elect Board officers, shall hold Board members to established term lengths and limits, shall ensure that the Board has the minimum required number of Board members, and shall fill open Board seats in a timely fashion, in accordance with the Charter School's Bylaws.
3. The Board of Trustees shall meet at least once during each full month when the Charter School is in session during the Term of this Charter. Failure to meet this requirement shall not in and of itself constitute grounds for nonrenewal or revocation of this Charter.
4. The Board of Trustees shall adopt an Admissions Policy and Process which complies with the Public School Code and Charter School Law. Additionally, the Admissions Policy and Process:
  - (a) shall include provisions on: (i) application deadlines; (ii) enrollment preferences, order and allocation of preferences, and methods by which preferences would be identified; (iii) student recruitment procedures and communications, including details on methods to be used to recruit students Citywide or in an applicable attendance zone, and to monitor any specified enrollment targets; (iv) lottery dates, and (v) communication of lottery results, in a form and with provisions that are acceptable to the Charter Schools Office;
  - (b) shall provide that the application will be available both on the Charter School's website and in hard copy at the school in English, Spanish, and any additional language the Charter School deems appropriate;
  - (c) shall provide that families have at least six weeks to complete and return enrollment packets post-lottery acceptance;
  - (d) shall provide that an ordered, up-to-date waitlist be continuously maintained, reflecting at any given time the next eligible student to be offered admission in each grade served by the Charter School, identifying any applicable preference(s) for each student, and indicating the date any student is removed from the waitlist with the reason for removal;
  - (e) shall provide that if seats open during the school year for any grade served by the school or between school years for grades served other than the initial grade, the Charter School 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; and
  - (f) 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 request by the Charter Schools Office.
5. The Board of Trustees shall submit to the School District by August 1st of each year during the Term of the Charter as part of the Charter School's Annual Report, or separately if not included in the Charter School's Annual Report, evidence that all professional staff providing educational

services at the Charter School have all necessary licenses, certifications, qualifications and credentials required by this Charter and Applicable Laws, including without limitation the seventy-five percent (75%) certification requirement in accordance with the Charter School Law, and identify the number of all certified special education and English as a Second Language personnel with direct instruction responsibilities.

6. The Board of Trustees shall ensure that (i) all employees have required federal and state criminal and child abuse background checks during the term of the Charter; and (ii) copies of such background checks are kept in each employee's personnel file, along with each employee's complete timesheet records. Preferably, the annual financial audit will include an annual review of a sample of employee files for appropriate clearances and background checks. In the absence of such an annual audit identified in the annual financial audit, the Board of Trustees shall submit a signed affidavit to the Charter Schools Office annually upon request, pursuant to guidelines established by the Charter Schools Office, as evidence that the Charter School has complied with this requirement.
7. The Board of Trustees shall ensure that required payments to the Public School Employees' Retirement System ("PSERS") are made timely. If the Charter School fails to make timely payments to PSERS and that results in a reduction of the School District's basic education subsidy, the School District shall withhold such reduction in a future monthly per-pupil payment to the Charter School. Additionally, any failure to make required PSERS payments above a threshold established by the Charter Schools Office or in any amount repeatedly shall result in the issuance of a Notice of Deficiency to the Charter School.
8. The Board of Trustees shall submit to the Charter Schools Office signed, complete Statements of Financial Interest, pursuant to guidelines established by the Charter Schools Office. These documents are required by the Ethics Act and the Charter School Law to be completed annually for each trustee on the Board's roster for that school year.
9. The Board of Trustees shall ensure that the dates, times, and locations of scheduled Board meetings are posted on the Charter School's website and that any updates to the Board meeting schedule are posted timely. Furthermore, minutes from Board meetings shall be posted on the Charter School's website within two weeks of approval by the Board of Trustees, but not later than after the conclusion of a second consecutive board meeting after each meeting, and shall remain posted for a minimum of one year from date of Board meeting.
10. The Board of Trustees has entered into a management or services contract with Universal Education Companies, Inc. for the management or operation of all or substantially all of the Charter School's functions ("Charter Management Organization"). In the event that during the Term of the Charter the Board of Trustees proposes to terminate the management or services contract with the Charter Management Organization and/or proposes to enter into a management or services contract with a new charter management organization, the Board of Trustees shall notify the Charter Schools Office in writing and shall request a material charter amendment to the Charter no less than twenty (20) business days prior to taking any Board of Trustees action on such proposed changes to the management or operation of the Charter School.
11. The Board of Trustees acknowledges and agrees that through the Renaissance Schools Initiative, the Creighton School had been identified as a School District school which needed fundamental change to facilitate a transformation of the learning environment. As the board of a Renaissance charter school, the Board of Trustees is committed to achieving high levels of academic achievement, sound and compliant operations, fiscal responsibility and stewardship, and strong parent, family and community engagement. Therefore, the Board of Trustees acknowledges and agrees that if during the Term of the Charter, the SRC approves by resolution the revocation or nonrenewal of the Charter after holding a public hearing on the nonrenewal or revocation of the Charter School's Charter and after completion of a 30-day public comment period pursuant to Section 1729-A(c) of the Charter School Law, the Board of Trustees shall use its best efforts to

expedite (i) any appeal of the SRC decision to nonrenew or revoke the Charter to the Charter School Appeal Board, to any administrative agency or to any court and (ii) any court actions related to the nonrenewal or revocation of the Charter School's charter or to the charter renewal or revocation process;

and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain conditions for renewal (the "Conditions for Renewal") based on the comprehensive renewal review by the CSO as set forth below. Failure to comply with the Conditions for Renewal as set forth below may be a basis for revocation or nonrenewal of the Charter School's Charter.

1. Timely and satisfactory resolution of any Compliance Requirements identified as being out of compliance, as denoted by an "X", in the 2016-17 Renewal Recommendation Report, which shall be attached to the Charter as Exhibit H, for any of the eight (8) categories of Organizational Compliance and Viability: Special Education, English Language Learner, Student Enrollment, Student Discipline, Board Governance, Personnel, Food, Health and Safety, and Timely Reporting. If in the Charter Schools Office's Annual Charter Evaluation or its successor, the Charter School receives a deficiency in any area that was identified deficient in the 2016-17 Renewal Recommendation Report for two (2) or more consecutive years during the Term of this Charter, the Charter Schools Office may use such a deficiency as grounds for recommending revocation or nonrenewal of the Charter School's Charter.
2. The percentage of first time entering students residing in the Creighton School catchment area ("Attendance Zone") and/or are siblings of presently enrolled students at the Charter School shall not fall below 75% during the Term of this Charter.
3. The Charter School's student Code of Conduct shall be reviewed and updated annually to fully align with the intent of the School District's student Code of Conduct in effect at that time. In any year that the Charter School's student Code of Conduct is revised, this is to be submitted to the Charter Schools Office not later than August 1 of the school year for review and approval by the Charter Schools Office for form and provisions.
4. The Charter School shall submit to the Charter Schools Office by June 30, 2017 (i) evidence that staff have been trained on the Charter School's enrollment policies and procedures, specifically with regards to the documents required for enrollment, and (ii) a plan developed by the Charter School to annually monitor its enrollment policy to ensure compliance. The Charter School shall also make its admissions and enrollment policies, including the waitlist management process, and any subsequent updates to these policies, available on its website.
5. The Charter School shall submit a revised Code of Conduct for the 2017-18 school year to the Charter Schools Office by June 30, 2017. Minimally, revisions are to be made to the Charter School's Code of Conduct so that it aligns with the intent of School District's Code of Conduct and also complies with all Applicable Laws including Chapter 12 due process provisions and manifestation determination procedures. If any areas of discrepancy exist, these will be identified by the Charter Schools Office for the Charter School to address prior to the start of the 2017-18 school year. The Charter School shall also make its Code of Conduct, and any subsequent updates to its Code of Conduct, available on its website.
6. Regarding Board governance, (i) all members of the Charter School's Board of Trustees for calendar year 2016 shall submit Statements of Financial Interest for 2016 to the Charter Schools Office by June 30, 2017 in accordance with the Pennsylvania Public Official and Employee Ethics Act; and (ii) the Charter School shall publish on its website by June 30, 2017 the policies and procedures regarding public comment and, specifically, how to provide public comment at meetings of the Charter School's Board of Trustees;

and be it

FURTHER RESOLVED, that the School District and the Charter School acknowledge and agree that the Charter School will enroll students only in Kindergarten through Grade 8 with a maximum of 835 students during the Term of the Charter and any renewal thereof, unless the parties agree in writing to other terms. Under no circumstances will the Charter School request payment from the School District or the Commonwealth of Pennsylvania for more students than set forth herein nor enroll students in different grades including Kindergarten, without SRC approval by resolution; and be it

FURTHER RESOLVED, that the School District and the Charter School have acknowledged and agreed that the Charter School may not operate a daycare, early childhood or pre-Kindergarten program under this Charter and that Charter School funds may not be used to pay for or support employees, resources, facilities or other expenses related to a daycare, early childhood or pre-Kindergarten program; and be it

FURTHER RESOLVED, that the Charter School has agreed that pursuant to the Renaissance Schools Policy and the Application, and subject to the maximum enrollment set forth in the Charter, that the Charter School shall only enroll first time entering students who reside in or attend approved feeder schools in the Attendance Zone, as may be revised by the School District during the Term of the Charter and as delineated on the map attached to the Charter and made a part thereof, and siblings of presently enrolled students at the Charter School if implementing sibling preference as outlined in the Charter School Law. The Charter School may not enroll any first time entering students who live outside the Attendance Zone or do not attend any approved feeder schools identified in the Attendance Zone except for siblings of presently enrolled students at the Charter School, if implementing sibling preference as outlined in the Charter School Law; and be it

FURTHER RESOLVED, that the Charter School has agreed to the following provisions related to the School District's performance framework and monitoring system for charter schools:

1. The Charter School agrees to participate in the School District's charter school performance framework and monitoring system. The charter school performance framework includes an annual assessment of the Charter School's academic, financial, and organizational performance as well as compliance with Applicable Laws. Organizational performance includes, but is not limited to, a review of the Charter School's admissions and enrollment policies and practices, student discipline practices, special education programming, ELL programming, and Board of Trustees governance in order to assess compliance with the Charter and Applicable Laws, federal, state and local guidance, policies, and Charter Schools Office procedures. Financial performance includes, but is not limited to, a review of the Charter School's financial health and long-term sustainability, and generally accepted standards of fiscal management.
2. The Charter School agrees to provide or allow to be provided to the School District and the Charter Schools Office all records, including student level academic performance, necessary to properly assess the academic success, organizational compliance and viability, and financial health and sustainability of the Charter School under the charter school performance framework, timely and pursuant to Charter Schools Office procedures.
3. The Charter School acknowledges that achieving the performance objectives identified in the performance framework is critical to meeting the needs of public school students in Philadelphia. The Charter School shall actively monitor its own progress towards achieving objectives identified in the performance framework. The Charter Schools Office may also evaluate any or all of the performance domains – academic, organizational and financial – on an annual basis formally. If the Charter School continues to fail to meet standards for academic success, organizational compliance and viability, and/or financial health and sustainability, the Charter Schools Office may recommend that the SRC commence revocation or nonrenewal proceedings against the Charter School.

4. The Charter School agrees to adopt and administer the most current version of the PSSA assessments and the Keystone exams or other state-level identified or locally-approved assessment for student performance for grades and students as required by Applicable Laws, including without limitation the ESEA or subsequent laws.
5. The Charter School agrees to timely submit to, or grant permission for release pursuant to a memorandum of understanding or other document, to the School District all student level data required for assessment of academic performance as part of the charter school performance framework.
6. Data sources used by the Charter Schools Office to evaluate academic success may include, but are not limited to, student level data received from (i) the Charter School or from another entity under agreement with the Charter School, (ii) the School District's School Progress Report ("SPR") or its replacement, (iii) the Commonwealth's School Performance Profile ("SPP") or its replacement, (iv) the federal accountability SEA report card prepared by PDE, or its replacement; and (v) the National Student Clearinghouse.
7. For each year during the Term of this Charter, the Charter School shall achieve academic success as defined in the charter school performance framework, which may be updated annually by the Charter Schools Office. Any revision to the charter performance framework during the Term of this Charter shall be provided to the Charter School in writing and shall be published on the Charter Schools Office website. During the 2016-17 school year, academic success in the charter performance framework for Renaissance charter schools that are not in a first charter term is minimally defined as: (i) meeting or exceeding the average proficiency of two of three comparison groups - the School District-operated schools, charter schools, and SPR Peer group schools - in Math, Reading/English Language Arts and Science on the PSSA or relevant Keystone exam for the same grade band, (ii) meeting or exceeding the statewide growth indicator as measured by the Average Growth Index ("AGI") consistent with PDE's definitions, (iii) student attendance rates that are at or above the 50<sup>th</sup> percentile and improving during the term of the Charter, and (iv) if serving high school grades, having graduation rates that show evidence of improvement over the Term of the Charter (an increasing trend) and that meet or exceed the average rates of two of three comparison groups - School District-operated schools, charter schools, and SPR Peer group schools. Academic performance of students in historically underserved student subgroups is also evaluated to assess equity of outcomes for these students. Assessment of this is within the overall charter performance framework and may be in academic success and/or organizational compliance and viability.
8. For each year during the Term of this Charter, the Charter School shall achieve a ranking in the top two levels of the School District's academic accountability performance system. If the Charter School achieves a ranking in the bottom two levels on the School District's academic accountability performance system for charter schools during any year of the Term of the Charter, the School District may require that the Charter School meet certain specific student achievement targets and participate in ongoing progress monitoring.
9. To the extent that the Charter School must under the provisions of ESEA, ESSA or subsequent law, or any other Applicable Law, submit to any Commonwealth or federal agency an accountability plan (any such plan, a "School Level Plan"), then, not later than the date which is thirty (30) days after the submission of said School Level Plan to the agency requiring it, the Charter Board shall submit to the Charter Schools Office a true, correct and complete copy of its School Level Plan. The Charter School is required to comply with ESEA, ESSA and any other federal or state accountability requirements and must submit to the Charter Schools Office any and all school level plans, comprehensive plans and any other improvement plans.

The vote on the motion to Renew the Charter was as follows:

Renew: Mr. Green, Dr. McGinley, Chair Wilkerson – 3

Not Renew: 0

Abstention: Ms. Jimenez – 1

**SRC-9**

**Application for Charter Renewal – West Oak Lane Charter School**

WHEREAS, pursuant to the Charter School Law, 24 P.S. § 17-1701-A, *et seq.*, the Board of Education of The School District of Philadelphia (“School District”) granted a charter (“Charter”) to WEST OAK LANE CHARTER SCHOOL (“Charter School”) to operate a charter school for a term of four years in 1998; and

WHEREAS, the School Reform Commission (“SRC”) renewed the Charter School’s Charter for five-year terms in 2002, 2007 and 2012; and

WHEREAS, the Charter School seeks renewal of its Charter and has submitted an Application for Charter Renewal to the Charter Schools Office (“CSO”); and

WHEREAS, the Charter School has agreed to certain terms and conditions in connection with the renewal of the Charter and has submitted a charter agreement signed by the Charter School (“Charter Agreement”) to the CSO of the School District setting forth the agreed terms and conditions of renewal; and

WHEREAS, members of the CSO staff have reviewed the Charter School's Application for Charter Renewal and the academic performance, organizational compliance and viability, and fiscal health and sustainability of the Charter School during the term of the current Charter and have recommended to the SRC that the SRC renew the Charter School’s Charter based on the materials and documents submitted and representations made by the Charter School, as presented in the Renewal Recommendation Report for the Charter School, and on the terms and conditions of the Charter Agreement signed by the Charter School; and

WHEREAS, the SRC has reviewed the Charter Agreement, the information received during the comprehensive renewal evaluation process, and the Renewal Recommendation Report for the Charter School; now be it

RESOLVED, that the Charter is RENEWED, subject to the terms and conditions agreed to by the Charter School as set forth below, for a five-year period commencing on July 1, 2017 and ending on June 30, 2022, effective upon the full execution of the Charter Agreement by the School District and by the Chair of the Board of Trustees of the Charter School or another member of the Board duly designated by the Board; and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain performance requirements (the “Performance Requirements”) as set forth below. Failure to comply with the Performance Requirements may be a basis for revocation or nonrenewal of the Charter School’s Charter.

1. The Board of Trustees shall ensure that all trustees, officers, administrators, and relatives of trustees, officers and administrators of the Charter School comply with the Pennsylvania Public Official and Employee Ethics Act (“Ethics Act”) and the Pennsylvania Nonprofit Corporation Law of 1988 (“Nonprofit Law”). The Board of Trustees shall adopt a Conflicts of Interest policy that complies with the Ethics Act and the Nonprofit Law.
2. The Board of Trustees shall elect Board officers, shall hold Board members to established term lengths and limits, shall ensure that the Board has the minimum required number of Board members, and shall fill open Board seats in a timely fashion, in accordance with the Charter School’s Bylaws.
3. The Board of Trustees shall meet at least once during each full month when the Charter School is in session during the Term of this Charter. Failure to meet this requirement shall not in and of itself constitute grounds for nonrenewal or revocation of this Charter.
4. The Board of Trustees shall adopt an Admissions Policy and Process which complies with the Public School Code and Charter School Law. Additionally, the Admissions Policy and Process:

- (a) shall include provisions on: (i) application deadlines; (ii) enrollment preferences, order and allocation of preferences, and methods by which preferences would be identified; (iii) student recruitment procedures and communications, including details on methods to be used to recruit students Citywide or in an applicable attendance zone, and to monitor any specified enrollment targets; (iv) lottery dates, and (v) communication of lottery results, in a form and with provisions that are acceptable to the Charter Schools Office;
  - (b) shall provide that the application will be available both on the Charter School's website and in hard copy at the school in English, Spanish, and any additional language the Charter School deems appropriate;
  - (c) shall provide that families have at least six weeks to complete and return enrollment packets post-lottery acceptance;
  - (d) shall provide that an ordered, up-to-date waitlist be continuously maintained, reflecting at any given time the next eligible student to be offered admission in each grade served by the Charter School, identifying any applicable preference(s) for each student, and indicating the date any student is removed from the waitlist with the reason for removal;
  - (e) shall provide that if seats open during the school year for any grade served by the school or between school years for grades served other than the initial grade, the Charter School 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; and
  - (f) 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 request by the Charter Schools Office.
5. The Board of Trustees shall submit to the School District by August 1st of each year during the Term of the Charter as part of the Charter School's Annual Report, or separately if not included in the Charter School's Annual Report, evidence that all professional staff providing educational services at the Charter School have all necessary licenses, certifications, qualifications and credentials required by this Charter and Applicable Laws, including without limitation the seventy-five percent (75%) certification requirement in accordance with the Charter School Law, and identify the number of all certified special education and English as a Second Language personnel with direct instruction responsibilities.
6. The Board of Trustees shall ensure that (i) all employees have required federal and state criminal and child abuse background checks during the term of the Charter; and (ii) copies of such background checks are kept in each employee's personnel file, along with each employee's complete timesheet records. Preferably, the annual financial audit will include an annual review of a sample of employee files for appropriate clearances and background checks. In the absence of such an annual audit identified in the annual financial audit, the Board of Trustees shall submit a signed affidavit to the Charter Schools Office annually upon request, pursuant to guidelines established by the Charter Schools Office, as evidence that the Charter School has complied with this requirement.
7. The Board of Trustees shall ensure that required payments to the Public School Employees' Retirement System ("PSERS") are made timely. If the Charter School fails to make timely payments to PSERS and that results in a reduction of the School District's basic education subsidy, the School District shall withhold such reduction in a future monthly per-pupil payment to the Charter School. Additionally, any failure to make required PSERS payments above a threshold established by the Charter Schools Office or in any amount repeatedly shall result in the issuance of a Notice of Deficiency to the Charter School.

8. The Board of Trustees shall submit to the Charter Schools Office signed, complete Statements of Financial Interest, pursuant to guidelines established by the Charter Schools Office. These documents are required by the Ethics Act and the Charter School Law to be completed annually for each trustee on the Board's roster for that school year.
9. The Board of Trustees shall ensure that the dates, times, and locations of scheduled Board meetings are posted on the Charter School's website and that any updates to the Board meeting schedule are posted timely. Furthermore, minutes from Board meetings shall be posted on the Charter School's website within two weeks of approval by the Board of Trustees, but not later than after the conclusion of a second consecutive board meeting after each meeting, and shall remain posted for a minimum of one year from date of Board meeting;

and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain conditions for renewal (the "Conditions for Renewal") based on the comprehensive renewal review by the CSO as set forth below. Failure to comply with the Conditions for Renewal as set forth below may be a basis for revocation or nonrenewal of the Charter School's Charter.

1. Timely and satisfactory resolution of any Compliance Requirements identified as being out of compliance, as denoted by an "X", in the 2016-17 Renewal Recommendation Report, which shall be attached to the Charter as Exhibit H, for any of the eight (8) categories of Organizational Compliance and Viability: Special Education, English Language Learner, Student Enrollment, Student Discipline, Board Governance, Personnel, Food, Health and Safety, and Timely Reporting. If in the Charter Schools Office's Annual Charter Evaluation or its successor, the Charter School receives a deficiency in any area that was identified deficient in the 2016-17 Renewal Recommendation Report for two (2) or more consecutive years during the Term of this Charter, the Charter Schools Office may use such a deficiency as grounds for recommending revocation or nonrenewal of the Charter School's Charter.
2. The Charter School shall submit to the Charter Schools Office for its review and approval a comprehensive academic performance improvement plan for all tested grades (Grades 3-8) by August 31, 2017. This plan is to include information regarding efforts to increase academic growth in all three PSSA tested subjects over the charter term. Specifically the plan shall identify professional development opportunities, instructional shifts, curricular changes, academic interventions and/or enrichment activities designed to improve student learning. The plan should identify staffing and budget adjustments that will be made, if any, as well as provide specific milestones and interim goals the school will use to measure improvement. The Charter School's resulting academic improvement will be evaluated annually in the Annual Charter Evaluation or its successor. Further, the Charter Schools Office may conduct unannounced monitoring school visits during the charter term to evaluate academic performance improvement at the Charter School.
3. The Charter School shall submit its Code of Conduct to the Charter Schools Office by June 30, 2017 confirming compliance with Applicable Laws, specifically the Truancy Act and required manifestation determination procedures.
4. The Charter School shall submit to the Charter Schools Office by June 30, 2017 a revised student admissions and enrollment policy that ensures that every student admitted through the established lottery is guaranteed enrollment at the Charter School pending submission of only required documents permitted by Applicable Laws and may not, under any circumstances, be denied enrollment due to historic or current academic performance;

and be it

FURTHER RESOLVED, that the School District and the Charter School have acknowledged and agreed that the Charter School will enroll students only in Kindergarten through grade 8 with a maximum of 1200 students during

the Term of the Charter and any renewal thereof, unless the parties agree in writing to other terms. Under no circumstances will the Charter School request payment from the School District or the Commonwealth of Pennsylvania for more students than set forth herein nor enroll students in different grades including Kindergarten, without SRC approval by resolution; and be it

FURTHER RESOLVED, that the School District and the Charter School have acknowledged and agreed that the Charter School may not operate a daycare, early childhood or pre-Kindergarten program under this Charter and that Charter School funds may not be used to pay for or support employees, resources, facilities or other expenses related to a daycare, early childhood or pre-Kindergarten program; and be it

FURTHER RESOLVED, that the Charter School has agreed to the following provisions related to the School District's performance framework and monitoring system for charter schools:

1. The Charter School agrees to participate in the School District's charter school performance framework and monitoring system. The charter school performance framework includes an annual assessment of the Charter School's academic, financial, and organizational performance as well as compliance with Applicable Laws. Organizational performance includes, but is not limited to, a review of the Charter School's admissions and enrollment policies and practices, student discipline practices, special education programming, ELL programming, and Board of Trustees governance in order to assess compliance with the Charter and Applicable Laws, federal, state and local guidance, policies, and Charter Schools Office procedures. Financial performance includes, but is not limited to, a review of the Charter School's financial health and long-term sustainability, and generally accepted standards of fiscal management.
2. The Charter School agrees to provide or allow to be provided to the School District and the Charter Schools Office all records, including student level academic performance, necessary to properly assess the academic success, organizational compliance and viability, and financial health and sustainability of the Charter School under the charter school performance framework, timely and pursuant to Charter Schools Office procedures.
3. The Charter School acknowledges that achieving the performance objectives identified in the performance framework is critical to meeting the needs of public school students in Philadelphia. The Charter School shall actively monitor its own progress towards achieving objectives identified in the performance framework. The Charter Schools Office may also evaluate any or all of the performance domains – academic, organizational and financial – on an annual basis formally. If the Charter School continues to fail to meet standards for academic success, organizational compliance and viability, and/or financial health and sustainability, the Charter Schools Office may recommend that the SRC commence revocation or nonrenewal proceedings against the Charter School.
4. The Charter School agrees to adopt and administer the most current version of the PSSA assessments and the Keystone exams or other state-level identified or locally-approved assessment for student performance for grades and students as required by Applicable Laws, including without limitation the ESEA or subsequent laws.
5. The Charter School agrees to timely submit to, or grant permission for release pursuant to a memorandum of understanding or other document, to the School District all student level data required for assessment of academic performance as part of the charter school performance framework.
6. Data sources used by the Charter Schools Office to evaluate academic success may include, but are not limited to, student level data received from (i) the Charter School or from another entity under agreement with the Charter School, (ii) the School District's School Progress Report ("SPR") or its replacement, (iii) the Commonwealth's School Performance Profile ("SPP") or its

replacement, (iv) the federal accountability SEA report card prepared by PDE, or its replacement; and (v) the National Student Clearinghouse.

7. For each year during the Term of this Charter, the Charter School shall achieve academic success as defined in the charter school performance framework, which may be updated annually by the Charter Schools Office. Any revision to the charter performance framework during the Term of this Charter shall be provided to the Charter School in writing and shall be published on the Charter Schools Office website. During the 2016-17 school year, academic success in the charter performance framework is minimally defined as: (i) meeting or exceeding the average proficiency of two of three comparison groups - the School District-operated schools, charter schools, and SPR Peer group schools - in Math, Reading/English Language Arts and Science on the PSSA or relevant Keystone exam for the same grade band, (ii) meeting or exceeding the statewide growth indicator as measured by the Average Growth Index (“AGI”) consistent with PDE’s definitions, (iii) student attendance rates that are at or above the 50<sup>th</sup> percentile and improving during the term of the Charter, and (iv) if serving high school grades, having graduation rates that show evidence of improvement over the Term of the Charter (an increasing trend) and that meet or exceed the average rates of two of three comparison groups - School District-operated schools, charter schools, and SPR Peer group schools. Academic performance of students in historically underserved student subgroups is also evaluated to assess equity of outcomes for these students. Assessment of this is within the overall charter performance framework and may be in academic success and/or organizational compliance and viability.
8. For each year during the Term of this Charter, the Charter School shall achieve a ranking in the top two levels of the School District’s academic accountability performance system. If the Charter School achieves a ranking in the bottom two levels on the School District’s academic accountability performance system for charter schools during any year of the Term of the Charter, the School District may require that the Charter School meet certain specific student achievement targets and participate in ongoing progress monitoring.
9. To the extent that the Charter School must under the provisions of ESEA, ESSA or subsequent law, or any other Applicable Law, submit to any Commonwealth or federal agency an accountability plan (any such plan, a “School Level Plan”), then, not later than the date which is thirty (30) days after the submission of said School Level Plan to the agency requiring it, the Charter Board shall submit to the Charter Schools Office a true, correct and complete copy of its School Level Plan. The Charter School is required to comply with ESEA, ESSA and any other federal or state accountability requirements and must submit to the Charter Schools Office any and all school level plans, comprehensive plans and any other improvement plans.

The vote on the motion to Renew the Charter was as follows:

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

Not Renew: 0

#### **SRC-10**

##### **Application for Charter Renewal – Wissahickon Charter School**

WHEREAS, pursuant to the Charter School Law, 24 P.S. § 17-1701-A, *et seq.*, the School Reform Commission (“SRC”) granted a charter (“Charter”) to WISSAHICKON CHARTER SCHOOL (“Charter School”) to operate a charter school for a term of five years in 2002; and

WHEREAS, the SRC renewed the Charter School’s Charter for five-year terms in 2007 and 2012; and

WHEREAS, the Charter School seeks renewal of its Charter and has submitted an Application for Charter Renewal to the Charter Schools Office (“CSO”); and

WHEREAS, the Charter School has agreed to certain terms and conditions in connection with the renewal of the Charter and has submitted a charter agreement signed by the Charter School (“Charter Agreement”) to the CSO of the School District setting forth the agreed terms and conditions of renewal; and

WHEREAS, members of the CSO staff have reviewed the Charter School's Application for Charter Renewal and the academic performance, organizational compliance and viability, and fiscal health and sustainability of the Charter School during the term of the current Charter and have recommended to the SRC that the SRC renew the Charter School's Charter based on the materials and documents submitted and representations made by the Charter School, as presented in the Renewal Recommendation Report for the Charter School, and on the terms and conditions of the Charter Agreement signed by the Charter School; and

WHEREAS, the SRC has reviewed the Charter Agreement, the information received during the comprehensive renewal evaluation process, and the Renewal Recommendation Report for the Charter School; now be it

RESOLVED, that the Charter is RENEWED, subject to the terms and conditions agreed to by the Charter School as set forth below, for a five-year period commencing on July 1, 2017 and ending on June 30, 2022, effective upon the full execution of the Charter Agreement by the School District and by the Chair of the Board of Trustees of the Charter School or another member of the Board duly designated by the Board; and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain performance requirements (the “Performance Requirements”) as set forth below. Failure to comply with the Performance Requirements may be a basis for revocation or nonrenewal of the Charter School's Charter.

1. The Board of Trustees shall ensure that all trustees, officers, administrators, and relatives of trustees, officers and administrators of the Charter School comply with the Pennsylvania Public Official and Employee Ethics Act (“Ethics Act”) and the Pennsylvania Nonprofit Corporation Law of 1988 (“Nonprofit Law”). The Board of Trustees shall adopt a Conflicts of Interest policy that complies with the Ethics Act and the Nonprofit Law.
2. The Board of Trustees shall elect Board officers, shall hold Board members to established term lengths and limits, shall ensure that the Board has the minimum required number of Board members, and shall fill open Board seats in a timely fashion, in accordance with the Charter School's Bylaws.
3. The Board of Trustees shall meet at least once during each full month when the Charter School is in session during the Term of this Charter. Failure to meet this requirement shall not in and of itself constitute grounds for nonrenewal or revocation of this Charter.
4. The Board of Trustees shall adopt an Admissions Policy and Process which complies with the Public School Code and Charter School Law. Additionally, the Admissions Policy and Process:
  - (a) shall include provisions on: (i) application deadlines; (ii) enrollment preferences, order and allocation of preferences, and methods by which preferences would be identified; (iii) student recruitment procedures and communications, including details on methods to be used to recruit students Citywide or in an applicable attendance zone, and to monitor any specified enrollment targets; (iv) lottery dates, and (v) communication of lottery results, in a form and with provisions that are acceptable to the Charter Schools Office;
  - (b) shall provide that the application will be available both on the Charter School's website and in hard copy at the school in English, Spanish, and any additional language the Charter School deems appropriate;
  - (c) shall provide that families have at least six weeks to complete and return enrollment packets post-lottery acceptance;
  - (d) shall provide that an ordered, up-to-date waitlist be continuously maintained, reflecting at any given time the next eligible student to be offered admission in each grade served by the

Charter School, identifying any applicable preference(s) for each student, and indicating the date any student is removed from the waitlist with the reason for removal;

(e) shall provide that if seats open during the school year for any grade served by the school or between school years for grades served other than the initial grade, the Charter School 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; and

(f) 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 request by the Charter Schools Office.

5. The Board of Trustees shall submit to the School District by August 1st of each year during the Term of the Charter as part of the Charter School's Annual Report, or separately if not included in the Charter School's Annual Report, evidence that all professional staff providing educational services at the Charter School have all necessary licenses, certifications, qualifications and credentials required by this Charter and Applicable Laws, including without limitation the seventy-five percent (75%) certification requirement in accordance with the Charter School Law, and identify the number of all certified special education and English as a Second Language personnel with direct instruction responsibilities.
6. The Board of Trustees shall ensure that (i) all employees have required federal and state criminal and child abuse background checks during the term of the Charter; and (ii) copies of such background checks are kept in each employee's personnel file, along with each employee's complete timesheet records. Preferably, the annual financial audit will include an annual review of a sample of employee files for appropriate clearances and background checks. In the absence of such an annual audit identified in the annual financial audit, the Board of Trustees shall submit a signed affidavit to the Charter Schools Office annually upon request, pursuant to guidelines established by the Charter Schools Office, as evidence that the Charter School has complied with this requirement.
7. The Board of Trustees shall ensure that required payments to the Public School Employees' Retirement System ("PSERS") are made timely. If the Charter School fails to make timely payments to PSERS and that results in a reduction of the School District's basic education subsidy, the School District shall withhold such reduction in a future monthly per-pupil payment to the Charter School. Additionally, any failure to make required PSERS payments above a threshold established by the Charter Schools Office or in any amount repeatedly shall result in the issuance of a Notice of Deficiency to the Charter School.
8. The Board of Trustees shall submit to the Charter Schools Office signed, complete Statements of Financial Interest, pursuant to guidelines established by the Charter Schools Office. These documents are required by the Ethics Act and the Charter School Law to be completed annually for each trustee on the Board's roster for that school year.
9. The Board of Trustees shall ensure that the dates, times, and locations of scheduled Board meetings are posted on the Charter School's website and that any updates to the Board meeting schedule are posted timely. Furthermore, minutes from Board meetings shall be posted on the Charter School's website within two weeks of approval by the Board of Trustees, but not later than after the conclusion of a second consecutive board meeting after each meeting, and shall remain posted for a minimum of one year from date of Board meeting;

and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain conditions for renewal (the "Conditions for Renewal") based on the comprehensive renewal review by the CSO as set forth below. Failure to comply with the Conditions for Renewal as set forth below may be a basis for revocation or nonrenewal of the Charter School's Charter.

1. Timely and satisfactory resolution of any Compliance Requirements identified as being out of compliance, as denoted by an “X”, in the 2016-17 Renewal Recommendation Report, which shall be attached to the Charter as Exhibit H, for any of the eight (8) categories of Organizational Compliance and Viability: Special Education, English Language Learner, Student Enrollment, Student Discipline, Board Governance, Personnel, Food, Health and Safety, and Timely Reporting. If in the Charter Schools Office’s Annual Charter Evaluation or its successor, the Charter School receives a deficiency in any area that was identified deficient in the 2016-17 Renewal Recommendation Report for two (2) or more consecutive years during the Term of this Charter, the Charter Schools Office may use such a deficiency as grounds for recommending revocation or nonrenewal of the Charter School’s Charter.
2. The Charter School shall submit its Code of Conduct to the Charter Schools Office by June 30, 2017 confirming compliance with Applicable Laws, specifically Chapter 12 due process provisions and required manifestation determination procedures;

and be it

FURTHER RESOLVED, that the School District and the Charter School acknowledge and agree that the Charter School will enroll students only in Kindergarten through Grade 8 with a maximum of 972 students during the Term of the Charter and any renewal thereof, unless the parties agree in writing to other terms. Under no circumstances will the Charter School request payment from the School District or the Commonwealth of Pennsylvania for more students than set forth herein nor enroll students in different grades including Kindergarten, without SRC approval by resolution; and be it

FURTHER RESOLVED, that the School District and the Charter School have acknowledged and agreed that the Charter School may not operate a daycare, early childhood or pre-Kindergarten program under this Charter and that Charter School funds may not be used to pay for or support employees, resources, facilities or other expenses related to a daycare, early childhood or pre-Kindergarten program; and be it

FURTHER RESOLVED, that the Charter School has agreed to the following provisions related to the School District’s performance framework and monitoring system for charter schools:

1. The Charter School agrees to participate in the School District’s charter school performance framework and monitoring system. The charter school performance framework includes an annual assessment of the Charter School’s academic, financial, and organizational performance as well as compliance with Applicable Laws. Organizational performance includes, but is not limited to, a review of the Charter School’s admissions and enrollment policies and practices, student discipline practices, special education programming, ELL programming, and Board of Trustees governance in order to assess compliance with the Charter and Applicable Laws, federal, state and local guidance, policies, and Charter Schools Office procedures. Financial performance includes, but is not limited to, a review of the Charter School’s financial health and long-term sustainability, and generally accepted standards of fiscal management.
2. The Charter School agrees to provide or allow to be provided to the School District and the Charter Schools Office all records, including student level academic performance, necessary to properly assess the academic success, organizational compliance and viability, and financial health and sustainability of the Charter School under the charter school performance framework, timely and pursuant to Charter Schools Office procedures.
3. The Charter School acknowledges that achieving the performance objectives identified in the performance framework is critical to meeting the needs of public school students in Philadelphia. The Charter School shall actively monitor its own progress towards achieving objectives identified in the performance framework. The Charter Schools Office may also evaluate any or all of the performance domains – academic, organizational and financial – on an annual basis formally. If the Charter School continues to fail to meet standards for academic success, organizational compliance and viability, and/or financial health and sustainability, the Charter Schools Office

may recommend that the SRC commence revocation or nonrenewal proceedings against the Charter School.

4. The Charter School agrees to adopt and administer the most current version of the PSSA assessments and the Keystone exams or other state-level identified or locally-approved assessment for student performance for grades and students as required by Applicable Laws, including without limitation the ESEA or subsequent laws.
5. The Charter School agrees to timely submit to, or grant permission for release pursuant to a memorandum of understanding or other document, to the School District all student level data required for assessment of academic performance as part of the charter school performance framework.
6. Data sources used by the Charter Schools Office to evaluate academic success may include, but are not limited to, student level data received from (i) the Charter School or from another entity under agreement with the Charter School, (ii) the School District's School Progress Report ("SPR") or its replacement, (iii) the Commonwealth's School Performance Profile ("SPP") or its replacement, (iv) the federal accountability SEA report card prepared by PDE, or its replacement; and (v) the National Student Clearinghouse.
7. For each year during the Term of this Charter, the Charter School shall achieve academic success as defined in the charter school performance framework, which may be updated annually by the Charter Schools Office. Any revision to the charter performance framework during the Term of this Charter shall be provided to the Charter School in writing and shall be published on the Charter Schools Office website. During the 2016-17 school year, academic success in the charter performance framework is minimally defined as: (i) meeting or exceeding the average proficiency of two of three comparison groups - the School District-operated schools, charter schools, and SPR Peer group schools - in Math, Reading/English Language Arts and Science on the PSSA or relevant Keystone exam for the same grade band, (ii) meeting or exceeding the statewide growth indicator as measured by the Average Growth Index ("AGI") consistent with PDE's definitions, (iii) student attendance rates that are at or above the 50<sup>th</sup> percentile and improving during the term of the Charter, and (iv) if serving high school grades, having graduation rates that show evidence of improvement over the Term of the Charter (an increasing trend) and that meet or exceed the average rates of two of three comparison groups - School District-operated schools, charter schools, and SPR Peer group schools. Academic performance of students in historically underserved student subgroups is also evaluated to assess equity of outcomes for these students. Assessment of this is within the overall charter performance framework and may be in academic success and/or organizational compliance and viability.
8. For each year during the Term of this Charter, the Charter School shall achieve a ranking in the top two levels of the School District's academic accountability performance system. If the Charter School achieves a ranking in the bottom two levels on the School District's academic accountability performance system for charter schools during any year of the Term of the Charter, the School District may require that the Charter School meet certain specific student achievement targets and participate in ongoing progress monitoring.
9. To the extent that the Charter School must under the provisions of ESEA, ESSA or subsequent law, or any other Applicable Law, submit to any Commonwealth or federal agency an accountability plan (any such plan, a "School Level Plan"), then, not later than the date which is thirty (30) days after the submission of said School Level Plan to the agency requiring it, the Charter Board shall submit to the Charter Schools Office a true, correct and complete copy of its School Level Plan. The Charter School is required to comply with ESEA, ESSA and any other federal or state accountability requirements and must submit to the Charter Schools Office any and all school level plans, comprehensive plans and any other improvement plans.

The vote on the motion to Renew the Charter was as follows:

Renew: Mr. Green, Dr. McGinley, Chair Wilkerson – 3

Not Renew: 0

Abstention: Ms. Jimenez – 1

### **SRC-11**

#### **Proposed Charter Amendment – Russell Byers Charter School**

WHEREAS, pursuant to the Charter School Law, 24 Pa. C.S.A. § 17-1701-A, *et seq.*, the Board of Education of The School District of Philadelphia (“School District”) granted a charter (“Charter”) to Russell Byers Charter School (“Charter School” or “Russell Byers”) to operate a public charter school for a four-year term commencing in 2001; and

WHEREAS, the School Reform Commission (“SRC”) renewed the Charter School's charter for five-year terms in 2005 and 2010, and the SRC in 2016 ratified the renewal of the Charter School's Charter for a five-year term effective July 1, 2015; and

WHEREAS, under the terms of the Charter School's current Charter, the Charter School is authorized to operate at a facility located at 1911 Arch Street, Philadelphia PA, 19103; and

WHEREAS, in March 2017, the Charter School notified the Charter Schools Office (“CSO”) of the School District that for the first half of the 2017-2018 school year the Charter School proposed to serve forty (40) students at a temporary auxiliary location, a rental space located at the First Presbyterian Church of Philadelphia at 201 S. 21<sup>st</sup> Street, Philadelphia, PA 19103, during renovations at the Charter School's permanent location, 1911 Arch Street, Philadelphia, PA 19103, and that these renovations are anticipated to be complete by December 31, 2017 (“Amendment Request”); and

WHEREAS, as of April 20, 2017, the Charter School has submitted to the CSO the required documentation for the evaluation of the Amendment Request with the exception of a certification from the City of Philadelphia's Department of Licenses and Inspections confirming that the facility at 201 S. 21<sup>st</sup> Street, Philadelphia, PA 19103 is certified for educational use; NOW BE IT

RESOLVED, that the SRC hereby grants an Amendment to the Charter of the Charter School based on the representations, statements and materials contained in the Amendment Request and additional documents submitted by the Charter School to the CSO solely to add an authorized facility/location of the Charter School, such that the Charter School may serve only four-year-old Kindergarten students at 201 South 21<sup>st</sup> Street, Philadelphia, PA 19103 in addition to serving students of all other authorized grade levels at 1911 Arch Street, Philadelphia, PA 19103, beginning July 1, 2017 and until completion of the renovations on the Charter School's permanent facility at 1911 Arch Street, Philadelphia, PA 19103, and that all other terms and conditions in the Charter shall remain in full force and effect for the duration of the Charter Term, provided that the Charter School submits the following documentation (“Required Documentation”) to the CSO no later than June 30, 2017:

1. Documentation confirming a policy and program for English Language Learners is in place and supported by staffing that complies with Applicable Laws and specifically includes required amounts of daily instruction, aligned to the six levels of ACCESS proficiency as identified by the Pennsylvania Department of Education, by an appropriately certified and directly employed English as a Second Language teacher;

and be it

FURTHER RESOLVED, that the Amendment to the Charter of the Charter School shall be effective (i) once the Charter School has submitted to the CSO satisfactory written documentation from the City of Philadelphia's Department of Licenses and Inspections confirming that the facility at 201 S. 21<sup>st</sup> Street, Philadelphia, PA 19103 is certified for educational use or is not subject to such requirement, and (ii) upon the full execution of an Amendment to the Charter by the School District and by the Chair of the Board of Trustees of the Charter School or another member of the Board of Trustees duly designated by the Board of Trustees.

The vote on the motion to approve the Charter Amendment was as follows:

Approve: Mr. Green, Dr. McGinley, Chair Wilkerson – 3

Not Approve: 0

Abstention: Ms. Jimenez – 1

## **SRC-12**

### **Proposed Charter Amendment – Laboratory Charter School of Communication and Languages**

WHEREAS, pursuant to the Charter School Law, 24 P.S. § 17-1701-A, *et seq.*, the Board of Education of The School District of Philadelphia (“School District”) granted a charter (“Charter”) to Laboratory Charter School for Communication and Languages (“Charter School” or “Laboratory CS”) to operate a public charter school for a period of four years commencing in 1998; and

WHEREAS, the School Reform Commission (“SRC”) renewed the Charter School's Charter for five-year terms in 2002, and 2007, and in 2014 ratified the renewal of the Charter School’s Charter in 2012; and

WHEREAS, the Charter School received a comprehensive renewal evaluation by the Charter Schools Office (“CSO”) during the 2016-2017 school year, the fifth and final year of the current charter term for the Charter School; and

WHEREAS, under the terms of the Charter School's current Charter, the Charter School is authorized to operate at three facilities located at 5901 Woodbine Avenue, Philadelphia PA, 19131; 5339 Lebanon Avenue, Philadelphia, PA 19131; and 800 North Orianna Street, Philadelphia, PA 19123; and

WHEREAS, in November 2016, the Charter School notified the CSO that commencing in school year 2017-2018 the Charter School proposed to relocate to a new facility located at 3300 Henry Avenue, Philadelphia, PA 19129, and to vacate all three of the Charter School’s currently authorized facilities at 5901 Woodbine Avenue, Philadelphia PA, 19131; 5339 Lebanon Avenue, Philadelphia, PA 19131; and 800 North Orianna Street, Philadelphia, PA 19123 (“Amendment Request”); and

WHEREAS, as of February 22, 2017, the Charter School has submitted to the CSO the required documentation for the evaluation of the Charter School’s Amendment Request; NOW BE IT

RESOLVED, that, pursuant to the representations, statements and materials contained in the Amendment Request, additional documents submitted by the Charter School to the Charter Schools Office, the Charter Schools Office’s Charter Amendment evaluation report, the Charter, and other documents in the record, the Amendment Request is hereby DENIED; and be it

FURTHER RESOLVED, that the SRC will adopt an Adjudication setting forth the reasons for its decision at a public meeting of the SRC prior to June 30, 2017.

The vote on the motion to deny the Charter Amendment was as follows:

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

Approve: 0

## **II. EDUCATION SUPPORT SERVICES**

*None Submitted*

## **III. EDUCATION SERVICES**

*None Submitted*

On motion, the meeting was adjourned at 7:15 p.m.

Joyce S. Wilkerson, Chair  
School Reform Commission

William R. Hite, Jr.  
Superintendent