

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: Charter Schools

TITLE: Charter School

Authorizing Functions

ADOPTED: November 19,

2020

REVISED:

## 401 CHARTER SCHOOL AUTHORIZING FUNCTIONS

### Purpose

The Board of Education (“Board”) is committed to high-quality public education for all students in Philadelphia. The Board adopts this policy to ensure that all charter school authorizing standards will be transparent, merit-based, comprehensive, equitable, and considerate of the Board’s responsibility to allocate limited resources to all public schools in Philadelphia.

### Definitions

For the purposes of this policy, certain applicable terms shall be defined as follows:

**Business Need** – Necessary for the continued, uninterrupted, and/or legally compliant operation of the charter school.

**Charter Management Organization (“CMO”)** – Any organization providing or planning to provide substantially most or all of the charter school’s educational services. This includes educational management organizations (“EMOs”) and other management/shared services entities.

**Educational Plan** – The sections of a charter that include the educational philosophy, curriculum, and academic goals.

**Emergency** – Circumstances under which part or all of the current charter school facility is not fit for use or occupation as a result of a natural disaster, such as a fire or flood, or other major disruption which impacts the physical, health, and safety of students.

**Material Charter Amendment** – A change to a charter that fundamentally affects a charter school’s mission, governance, organizational structure, location or facility, educational plan, or

the Charter School Office's ability to effectively monitor charter school operations and quality. Material Charter Amendments include:

1. Enrollment expansion of 10% or fewer of the current maximum authorized enrollment or 100 seats, whichever is less (only qualified applicants as defined by eligibility criteria of this policy may be considered for enrollment expansions under this policy);
2. Change to grade levels served;
3. Significant change to mission or fundamental change to educational plan;
4. Change in building location or addition of new facility due to business-need, unavailability of current facility and/or emergency; and
5. Change in CMO.

**Mission** - The explicit aims, values, and/or vision of the charter school as reflected in the charter. The mission reflects the purpose of the charter school, including what students will be served and with what methods, and what the charter school will accomplish. The vision reflects a long-term realization of the mission and the highest priorities of the charter school.

**Renaissance Charter School** - A Renaissance Charter School is a former School District school that serves the students in the surrounding neighborhood or catchment area. Renaissance Charter Schools are granted greater autonomy in exchange for increased accountability. Renaissance charter agreements will include provisions outlining requirements for student enrollment, student achievement, data reporting, grade configuration, facilities, and inclusion of the Renaissance Charter Schools charter school in School District accountability systems. The provisions will include stringent academic requirements for school success that may exceed performance targets for non-Renaissance charter schools. These provisions will also be used as a basis for a decision to renew, not renew or revoke a Renaissance Charter Schools charter.

### **Authority**

As the authorizer of charter schools in Philadelphia, the Board adopts this policy as a framework to oversee all charter authorizing practices, including, without limitation, those related to the new charter applications, charter agreements, charter accountability and monitoring, charter renewal applications, and charter amendment requests.

### *New Charter Applications*

The Board shall accept and review new charter applications in compliance with the Charter School Law. Such new charter applications shall include appropriate assurances of compliance with the Charter School Law, other applicable laws, and any additional requirements established by the Board.

The Board, by a majority vote of all Board Members, shall approve or deny a new charter application in accordance with the Charter School Law. If the application is denied, the Board shall adopt an adjudication setting forth the reasons for the denial. Written notice of the Board's action shall be sent to the applicant, the Pennsylvania Department of Education and the State

Charter School Appeal Board. The Board shall review and vote on revised and resubmitted new charter applications. An applicant may only submit a revised application once during a designated annual application cycle.

#### *Charter Renewals, Nonrenewals and Revocations*

The Board shall consider charter schools for renewal in compliance with the Charter School Law.

The Board, by a majority vote of all Board Members, may approve the renewal of a charter in accordance with the Charter School Law.

The Board, by a majority vote of all Board Members, may issue a notice of nonrenewal or notice of revocation of a charter school in order to commence the nonrenewal or revocation process in accordance with the Charter School Law.

The Board shall hold nonrenewal or revocation public hearings and provide for public comment in accordance with the Charter School Law. After the conclusion of public hearings and the public comment period, the Board, by a majority vote of all Board Members, may vote to deny the renewal of the charter or to revoke the charter.

#### *Charter Agreements*

The Board of Trustees of the charter school and the President of the Board shall sign a written charter agreement which is binding on both the charter school and the School District. Charter agreements shall contain information related to performance standards, maximum authorized enrollment, admissions policies and procedures, charter school operations, Board of Trustees governance, and other items as outlined by the Board's administrative procedures related to this policy.

#### *Monitoring and Accountability*

The Board is committed to a charter school performance framework that establishes clear and transparent standards for charter school academic performance, financial health, governance, and operations.

#### *Charter Amendment Requests*

The Board recognizes that opportunities for charter schools to evolve and improve may occur during the charter term and outside of the renewal process. In the absence of charter amendment provisions in the Charter School Law, the Board establishes this policy to govern the acceptance, processing, and review of mid-term Material Charter Amendment requests. Pursuant to this policy, the Board may accept requests for Material Charter Amendments of ~~the~~ charters during the charter term.

The Board, by a majority vote of all Board Members, may approve mid-term Material Charter Amendment requests. Any approved Material Charter Amendment would become effective once a written amendment to the charter has been fully executed by the School District and the charter school.

### ***Multiple Charter School Organization (“MCSO”) Applications***

The Board shall consider applications for a multiple charter school organization ("MCSO Application") concerning the consolidation of two or more charter schools into a MCSO. The Board shall adopt, by a majority vote of all Board Members, a resolution or action item approving or rejecting the consolidation of the charter schools proposed in the MCSO Application in accordance with the Charter School Law.

### **Delegation of Responsibility**

The Board delegates to the CSO the responsibility for the development of administrative procedures for the implementation and enforcement of this policy.

The CSO shall use the charter school performance framework to annually monitor charter school performance and evaluate performance during the charter term and when a charter school applies for charter renewal. Annually, the CSO shall issue charter evaluation reports that assess each charter school’s performance against the charter school performance framework standards. Reports will be published on the School District website annually.

### **Mandatory Regulatory Procedures:**

Provisions in this policy are in accordance with the Charter School Law and other laws applicable to charter schools in Pennsylvania.

### **Legal References:**

1. Charter School Law, 24 P.S. §17-1701-A, et seq.
2. 22 Pa. Code Chapter 4, Chapter 11
3. 22 Pa. Code Section 711
4. 34 C.F.R. Part 99 et seq. (commonly known as the Family Educational Rights and Privacy Act or “FERPA”)
5. Individuals with Disabilities Education Act (IDEA) regulations, 34 C.F.R. Part 300 et seq.

### **Related Information:**

- [CSO Website: The Framework](#)
- [CSO Website: New Charter Schools](#)

- [CSO Website: Renewal Process](#)
- [CSO Website: MCSOs](#)
- [CSO Website: Amendments](#)