

FAIRVIEW SCHOOL DISTRICT

SECTION: PROGRAM

TITLE: CHARTER SCHOOLS

ADOPTED: August 28, 2000

REVISED:

<p>1. Purpose 24 P.S. Sec. 17-1702-A</p> <p>2. Definitions 24 P.S. Sec. 17-1703-A</p>	<p style="text-align: center;">140. CHARTER SCHOOLS</p> <p>In order to provide students, parents and community members an opportunity to establish and maintain schools that operate independently from the Fairview School District, the Board shall evaluate applications submitted for charter schools located within the District, in accordance with the requirements of Act 22 of 1997 and those established by this Board.</p> <p>The Board shall work cooperatively with individuals and groups submitting proposals and applications for charter schools.</p> <p>For the purposes of this policy, the following terms shall be defined as follows:</p> <p>Appeal Board - shall mean the State Charter School Appeal Board established by the Charter School Law.</p> <p>Charter School - shall mean an independent public school established and operated under a charter from the Board of School Directors of the Fairview School District and in which students are enrolled or attend. A charter school must be organized as a public, nonprofit corporation.</p> <p>Department - shall mean the Department of Education of the Commonwealth.</p> <p>Local Board of School Directors or Board of School Directors or Board - shall mean the Board of Directors of the school district in which a proposed or approved charter school is located.</p> <p>Regional Charter School - shall mean an independent public school established and operated under a charter for more than one local Board of School Directors and in which students are enrolled or attend. A regional charter school must be organized as a public, nonprofit corporation.</p>
---	--

<p>24 P.S. Sec. 17-1727-A</p>	<p>Trustees or Board of Trustees - shall mean the Board of Trustees of the Charter School. The trustees shall be public officials who shall have authority to decide matters related to the operation of the charter school, including but not limited to budgeting, curriculum, and operating procedures, subject to the school's charter. The Board of Trustees shall have authority to employ, discharge and contract with necessary professional and non-professional employees, subject to the school's charter and the provisions of law.</p>
<p>3. Authority 24 P.S. Sec. 17-1717-A (e)</p>	<p>The Board shall insure that each charter school application provides appropriate insurances of compliance with the requirements of the Charter School Law and any additional requirements established by the Board.</p> <p>The Board shall evaluate submitted applications for charter schools based on criteria established by law and any additional criteria as determined by the Board.</p> <p><u>Application Process</u></p>
<p>24 P.S. Sec. 17-1717-A (a) (b)</p>	<p>1. A charter school may be established by an individual, one or more teachers who will teach at the proposed charter school, parents or guardians of students who will attend the charter school, any nonsectarian college, university or museum located in the Commonwealth, any nonsectarian corporation not for profit, any corporation, association or partnership, or any combination thereof. A charter school may be established by creating a new school or converting an existing public school or a portion of an existing public school. No charter school shall be established or funded by and no charter school shall be granted to any sectarian school, institution or other entity, nor to support home schooling programs.</p>
<p>24 P.S. Sec. 17-1717-A (c) (d) (e) (1)</p>	<p>2. An application to establish a charter school shall be submitted to the Board by November 15 of the school year preceding the school year in which the charter school will be established. Within forty-five (45) days of receipt of an application, the Board shall hold at least one public hearing on the provisions of the charter school application, which hearing shall be held in accordance with the provisions of the Sunshine Act. At least forty-five (45) days must transpire between the first public hearing and the final decision of the Board on the charter application. For the purposes of this policy, an application for charter school shall be deemed to be received on the date which it is time-stamped as received by the Central Administration Office of the District. The public hearing shall be conducted as a special meeting of the Board and the meeting shall be recorded in a manner determined by the Board. The Board may, in its sole discretion, determine to hold additional public hearings prior to taking any action on the application.</p>

<p>24 P.S. Sec. 17-1717-A (e) (2)</p>	<p>No later than seventy-five (75) days after the first public hearing on the application, the Board shall grant or deny the application.</p> <p>3. The Board shall evaluate the charter school application based upon criteria, including, but not limited to, the following:</p> <ul style="list-style-type: none"> a. A demonstrated, sustainable support of the charter school plan by teachers, parents and other community members and students, including comments received at the public hearing(s) held on the application. b. The capability of the charter school applicant, in terms of support and planning, to provide comprehensive learning experiences to students pursuant to the adopted charter. c. The extent to which the application complies with the requirements of and conforms to the legislative intent of the Charter School Law. d. The extent to which the charter school may serve as a model for other public schools. <p>4. The application for the charter school shall include, but not be limited to, all of the following information:</p> <ul style="list-style-type: none"> a. The identification of the charter applicant. b. The name of the proposed charter school. c. The grade or age levels served by the school. d. The proposed governing structure of the charter school, including a description of the method for the appointment or election of members of the Board of Trustees for the charter school. The application shall also set forth the process by which the Trustees shall be elected or appointed, the qualifications of individuals to be elected or appointed and the bylaws that will govern the operation of the Trustees. The Trustees, as public officials, shall be subject to the Ethics Act disclosures. e. The mission and educational goals of the charter school, the curriculum to be offered and the method of assessing whether students are meeting educational goals.
---	---

24 P.S.
 Sec. 17-122-A (c)
 Pol. 707

- f. The admission policy and criteria for evaluating admission of students which shall comply with the enrollment requirements of the Charter School Law.
- g. Procedures which will be used regarding the suspension or expulsion of pupils, which shall comply with provisions of the Public School Code.
- h. Information on the manner in which community groups will be involved in the charter school planning process.
- i. The financial plan for the charter school and provisions which will be made for auditing the school under provisions of the Public School Code.
- j. Procedures which shall be established to review complaints of parents regarding the operation of the charter school.
- k. A description of an address of the physical facility in which the charter school will be located and the ownership thereof and any lease arrangement and all information on the proposed school calendar for the charter school, including the length of the school day and school year consistent with the provisions of the Public School Code. A charter school may be established by creating a new school by converting an existing public school or a portion of an existing public school. Charter schools cannot construct a facility with public funds received from the State Department of Education or the district. The facility shall be exempt from public school facility regulations, except those pertaining to the health and safety of the pupils. Use of the district facilities by the charter school cannot infringe upon the normal use by the students nor affect the efficient scheduling of classes for students of the district. Use of facilities and cost of facility use shall be in accordance with Board policy. In the equipment owned by the district and used by the charter school shall be leased by contract from the district.
- l. The proposed faculty and a professional development plan for the faculty of the charter school.
- m. Whether any agreements have been entered into or plans developed with the Board regarding participation of the charter school students in extracurricular activities of the district.
- n. A report of criminal history record and an official clearance statement regarding child injury or abuse from the Department of Public Welfare, for all individuals who shall have direct contact with students, in accordance with the Public School Code.

<p>24 P.S. Sec. 17-1717-A (c) (4)</p>	<p>o. How the charter school will provide adequate liability or other appropriate insurance for the charter school, its employees and the Board of Trustees of the charter school.</p> <p>5. Documents supporting the information requested herein shall be submitted with the application. Incomplete applications, or the absence of required supporting documentation shall be grounds for denial of the application. All applications will be submitted initially to the solicitor for review and compliance with the policy and applicable law. A charter application shall be deemed approved by the Board upon an affirmative vote of the majority of the whole Board. Formal action approving or denying the application shall be taken by the Board at a public meeting, with notice for consideration of the application given by the Board under the Sunshine Act.</p> <p>If the application is denied, the Board shall review the reasons for the denial and shall prepare a written decision with the advise of the solicitor. A description of the deficiencies in the application shall be stated on the notice to the charter school applicant.</p>
<p>24 P.S. Sec. 17-1717-A(i)</p>	<p>Before an appeal can be taken to the Appeals Board, the applicant must first obtain signatures of at least two (2%) percent of the residents of the school district, or one thousand (1,000) residents, whichever is less, who are more than eighteen (18) years of age and provide proof of residency. The signatures must be obtained within sixty (60) days of the denial of the application by the Board. The Appeal Board may reverse the school Board's decision and direct the school Board to grant the application and sign the written charter. If the school Board does not act in ten (10) days, the charter will be signed by the chairperson of the Appeal Board.</p>
<p>24 P.S. Sec. 17-1717-A(f)</p>	<p>6. At the option of the charter school applicant, the denied application may be revised and resubmitted to the Board or may be appealed to the Appeal Board. Where an application is revised and resubmitted to the Board, the Board may schedule additional public hearings on the revised application and shall consider the revised and resubmitted application at the first Board meeting occurring at least forty-five (45) days after receipt of the revised application by the Board.</p>
<p>24 P.S. Sec. 17-1717-A (g)</p>	<p>7. Failure of the Board to hold a public hearing or to grant or deny the application for a charter school within the time period specified herein shall permit the applicant for a charter to file its application as an appeal to the Appeal Board.</p>
<p>24 P.S. Sec. 17-1720-A</p>	<p>8. Upon approval of the charter application, a written charter shall be developed by the solicitor which shall contain the provisions of the charter application and which shall be submitted for final Board approval and signed on behalf of the</p>

<p>24 P.S. Sec. 17-1728-A</p>	<p>Board and the Board of Trustees of the charter school. The written charter shall be legally binding on both the Board and the charter school's Board of Trustees. The charter shall be for a period of no less than three (3) nor more than five (5) years, and may be renewed for five (5) year period upon reauthorization by the Board or the Appeal Board. The Superintendent shall be responsible for developing an evaluation instrument or rating form for use by the Board in evaluating charter applications or renewals. the Board shall conduct a comprehensive independent review prior to granting a five (5) year renewal of the charter. Information required in the monthly and annual review shall be part of the comprehensive review.</p>
<p>24 P.S. Sec. 17-1724-A (1) (b)</p>	<p>9. The qualifications of all members of the proposed teaching staff, as well as the number and positions that the teaching staff will hold, shall be included in the charter application. At least seventy-five (75%) percent of the professional staff members of the charter school shall hold appropriate state certification. Professional employees who do not hold appropriate Pennsylvania certification must present evidence that they meet the qualifications of the §1109 and §1209 of the Public School Code and have demonstrated satisfactorily the combination of experience, achievement and qualifications as defined in the charter school application in basic skills, general knowledge and professional knowledge and practice in subject matter knowledge in the subject area where the individual will teach. The minimum qualifications for non-certified teaching staff and the number and positions of the non-certified teaching will hold and shall be included in the charter application. For the purposes of complying with this requirement, professional staff shall be defined to include teachers, administrators and instructional aides. As a minimum, the current evaluation methods and procedures for teacher evaluation and non-certified staff evaluation in the district shall be used by the charter school. Any other evaluation instruments used shall be clearly described.</p>
<p>24 P.S. Sec. 17-1724-A (d)</p>	<p>10. The charter school application shall provide that every employee shall have the same health care benefits as the employer would be provided if he or she were an employee of the district. Granting of any charter school application shall include a determination of whether the employee will participate in the district's health insurance plan or be required to seek its own plan. Before a decision is made to include charter school employees in the district's health insurance plan, the carrier shall be consulted to see if such employees can be included in the plan, whether the carrier will allow them in, and what the potential/real cost implications are to the district, via experience factors, and other relevant matters. In the event the charter school employees are permitted to participate in the district's plan, the charter school shall make any required employer's contribution for its employees to the plan.</p>

<p>24 P.S. Sec. 1728-A (A) (B)</p>	<p>12. The Board shall annually assess whether each charter school is meeting the goals of its charter and shall conduct a comprehensive review prior to granting a five (5) year renewal of the charter. The Board shall have ongoing access to the records and facilities of the charter school to insure that the charter school is in compliance with its charter and the Charter School Law and the requirements for testing, civil rights and student health and safety are being met. To this end, the charter school shall be required to submit an annual report to the Board no later than August 1 of each year of its charter.</p>
<p>24 P.S. Sec. 17-1723-A (a)</p>	<p>13. All resident children in the Commonwealth qualify for admission to the charter school within the provisions of the law. If more qualified students apply to the charter school by enrollment deadline and the number of attendance slots available, the students must be selected on a random basis, except that students who reside in the district shall be given first preference. Enrollment of students in the charter school shall comply with the law. If the charter school established reasonable criteria to evaluate perspective students for enrollment, they shall be clear, objective and comply with the law.</p> <p>14. The Controller for the district shall provide the Board with the most complete set of financial statements as possible, indicating expenditures and revenues that shall result to the district from approving the charter school application. The Superintendent shall also identify grant monies available to the district to support a charter school.</p>
<p>24 P.S. Sec. 17-1718-A (a)</p>	<p><u>Regional Charter School Application</u></p> <p>1. A regional charter school may be established by an individual, one or more teachers who will teach at the proposed charter school, parents or guardians of students who will attend the charter school, any nonsectarian college, university or museum located in this Commonwealth, any nonsectarian corporation not for profit, any corporation, association, partnership or any combination thereof. A regional charter school may be established by creating a new school or by converting an existing public school or a portion of an existing public school. Conversion of an existing public school to a regional charter school shall be accomplished in accordance with the provisions of the Charter School Law. No regional charter school shall be established or funded by and no charter shall be granted to any sectarian school, institution or other entity or to support home schooling programs.</p>
<p>24 P.S. Sec. 17-1718-A (b)</p>	<p>2. The Board may act, jointly with other local school Boards to consider an application for regional charter school, except that any actions to approve the application for a charter or to sign a written charter of an applicant shall require</p>

<p>24 P.S. Sec. 17-1717-A (b)</p>	<p>the affirmative vote of a majority of the directors of each school district involved. The applicant for a regional charter school shall apply for a charter to the Board of each school district in which the charter school will be located.</p> <p>3. The application process for a regional charter school shall follow the process outlined for the application process for a charter school in the district.</p> <p><u>Converting An Existing Public School or Portion Thereof To Charter School</u></p> <p>Where an application for a charter school proposes converting an existing public school or portion thereof to a charter school, the application must clearly indicate, by signed petition, that the conversion is supported by at least fifty (50%) percent of the building's teaching staff and fifty (50%) percent of the parents or guardians of the pupils assigned to the building. For purposes of this provision, fifty (50%) percent of the teaching staff shall mean half of the full-time equivalent teachers in the building. Part-time teachers shall be counted for a prorated FTE based upon time employed. Paraprofessionals shall not be counted within the definition of teaching staff for the purposes of this policy.</p> <p>More than fifty (50%) percent of parents or guardians shall be determined to be half of the total households in the district that have students enrolled in the building. For these purposes, households who have two or more students in the same building shall be counted as one household. Furthermore, for these purposes, students having divorced or separated parents and subject to a joint custody order shall be deemed a single household.</p> <p>In the event an application is approved for conversion of an existing building or a portion of an existing building to a charter school is approved by the Board, and students currently assigned and attending the building do not desire to remain in the building or a portion thereof when it is converted to a charter school, those students will be reassigned to other public schools of the district in the sole discretion of the Board with due consideration for transportation needs.</p>
<p>24 P.S. Sec. 17-1729-A (a) (b) (c)</p>	<p><u>Causes For Nonrenewal or Termination of Charter</u></p> <p>During the term of the charter or at the end of the term of the charter, the Board may choose to revoke or not to renew the charter based upon any of the following:</p> <ol style="list-style-type: none"> 1. One or more material violations of the conditions, standards or procedures contained in the written charter. 2. Failure to meet the requirements for student performance set forth in the State Board of Education Regulations.

<p>24 P.S. Sec. 17-1729-A (g)</p> <p>24 P.S. Sec. 1727-A</p>	<ol style="list-style-type: none">3. Failure to meet generally accepted standards of fiscal management or audit requirements.4. Violation of the provisions of the Charter School Law.5. Violation of the provisions of the law from which the charter school has not been exempted.6. The charter school has been convicted of fraud. <p>Any notice of revocation or nonrenewal of the charter give by the Board shall state the grounds for such action with reasonable specificity and given reasonable notice to the Board of Trustees of the charter school of the date on which a public hearing concerning the revocation or nonrenewal will be held. The Board shall conduct a hearing, present evidence in support of the grounds for revocation or nonrenewal and state in its notice and give the charter school reasonable opportunity to offer testimony before taking final action. Formal action revoking on non-renewing charter shall be taken by the Board at a public meeting pursuant to the Sunshine Act, after the public has had thirty (30) days' notice to provide comments to the Board. The proceeding shall be held pursuant to the Local Agency Law. The charter school may appeal the decision of the Board to the Appeal Board after July 1, 1999.</p> <p>In cases where the health or safety of the school's pupils, staff or both are at serious risk, the Board may take immediate action to revoke a charter. This would include cases in which the physical, mental, or emotional well being of the pupils, staff or both are actually compromised or potentially at serious risk due to the failure or refusal of the Charter School to take appropriate measures to reduce or eliminate the risk.</p> <p><u>Tort Liability and Insurance</u></p> <p>The Board affirms that the Board of Trustees of the charter school shall be solely liable for any and all damages and costs of any kind resulting from any legal challenges involving the operation of the charter. The Board shall not be held liable for activity or operation related to the program of the charter school.</p> <p>The charter school shall execute a "hold harmless" agreement as part of the charter, indemnifying, insuring and agreeing to defend the school district in any and all kinds of liability areas so that the district and the Board is protected in any litigation relating to the operation of the charter school.</p>
--	--

<p>24 P.S. Sec. 17-1732-A</p>	<p>The charter school should be subject to all federal and state laws prohibiting discrimination in admissions, employment and operation on the basis of disability, race, creed, color, gender, national origin, religion, ancestry or need for special education services. The charter school shall be subject to provisions of the Pennsylvania Public School Code, except as exempted in the Charter School Law.</p> <p>As part of the application process, the charter school shall provide evidence that it is adequately protected against liability and risk through an active risk management program approved by the Board. The program shall include proof of purchase of insurance coverages as required by the Board. Minimum coverages and levels of appropriate coverages shall be established in the charter.</p> <p>The charter school shall operate in a manner which minimizes the risk of injury and harm to the students, employees and others.</p> <p><u>Supporting and Monitoring Charter Schools</u></p> <p>The charter application shall identify the curriculum and course work to be pursued, the goals and appropriate benchmarks, and outcomes in measurable terms.</p> <p>The charter school shall submit monthly enrollment figures, monthly financial statements, budgets, and all reports submitted to the Board of Trustees of the charter school, together with such other reports as may be required by the district as stated in the charter, on forms approved by the Board.</p> <p>Charter schools shall also submit reports of statewide assessment test results in compliance with educational performance standards set forth in the charter. The reports shall be submitted to the Board for review. The Superintendent shall be assigned specific responsibility for monitoring charter school performance and shall act as a liaison with the charter school.</p> <p>The Board shall have ongoing access to the records and facilities of the charter school to ensure that the charter school is in compliance with its charter, Board policy and applicable law.</p>
<p>24 P.S. Sec. 1726-A</p>	<p>Students who reside in the district and attend a charter school or regional charter school with which the district is participating, shall be provided transportation to the charter school on the same terms and conditions as transportation is provided to student attending the schools of the district. Non-resident students shall be provided transportation in accordance with applicable law.</p>

<p>24 P.S. Sec. 17-1719-A (14)</p>	<p>Resident students attending the Charter School shall be permitted to participate in the extra-curricular activities, including interscholastic sports programs of the district except where the Charter School offers the same or substantially similar extra-curricular activity or interscholastic sports activity. Participation by charter school students in the extra-curricular activities of the district is a privilege, and any student attending the Charter School participating in the extra-curricular activities must be eligible under applicable district policies, rules and regulations, and must abide by district policy, rules and regulations during participation in the extra-curricular activities.</p>
<p>24 P.S. Sec. 17-1725-A (a) (4)</p>	<p>Where the Charter School has reason to request an evaluation of students for special education services, the Charter School shall contract with the district or residence of the student for such evaluation purposes at the Charter School's expense. The Charter School requests the Northwest Tri-County Intermediate Unit to provide services to assist the Charter School to address special needs of exceptional students at the Charter School's expense.</p> <p>The district agrees to make available to the Charter School such services which the district may provide through existing in a district's central administrative staff, such services as the district and the Charter School shall mutually agree on a purchase of contracted services basis which shall be set forth in the written Charter.</p>