

UNIONVILLE- CHADDS FORD SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: CHARTER SCHOOLS

ADOPTED: November 17, 2014

REVISED:

140. CHARTER SCHOOLS	
<p>1. Purpose SC 1702-A</p>	<p>In order to provide teachers, students, parents/guardians and community members an opportunity to establish and maintain schools that operate independently from this school district, the Board shall evaluate applications submitted for charter schools located within the district, in accordance with the requirements of law and those established by the Board.</p> <p>The Board shall work cooperatively with individuals and groups submitting proposals and applications for charter schools.</p>
<p>2. Definitions SC 1703-A</p> <p>SC 1715-A</p> <p>SC 1703-A, 1715-A, 1717-A</p> <p>SC 1703-A</p> <p>SC 1703-A, 1718-A</p>	<p>Appeal Board means the State Charter School Appeal Board established by the Charter School Law.</p> <p>Board of Trustees of a charter school shall be classified as public officials.</p> <p>Charter School means an independent, nonsectarian public school established and operated under a charter from the local Board in which students are enrolled or attend. A charter school must be organized as a public, nonprofit corporation; and charters may not be granted to any for-profit entity nor to support home education programs.</p> <p>Local Board of Directors (Board) means the Board of Directors of the school district in which a proposed or approved charter school is located.</p> <p>Regional Charter School means an independent public school established and operated under a charter from more than one local Board and approved by an affirmative vote of a majority of all Board members of each of the school districts involved.</p>
<p>3. Authority 22 Pa. Code Sec. 4.4, 4.12, 4.13</p>	<p>The Board shall ensure that each charter school application provides appropriate assurances of compliance with the requirements of law, State Board regulations, and any additional requirements established by the Board.</p>

<p>4. Guidelines SC 1715-A</p>	<p>A charter school shall be subject to all federal and state laws and regulations prohibiting discrimination in admissions, employment and operation on the basis of disability, race, creed, color, gender, sexual orientation, national origin, religion, ancestry or need for special education services.</p>
<p>SC 1717-A, 1719-A</p>	<p><u>Applications</u></p> <p>An application 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 and shall contain the information required by law. After submission, the Board may require such additional information that it deems necessary for its evaluation.</p> <p>Upon receipt of an application, the Superintendent shall refer it to a Review Committee, which shall consist of the Superintendent or designee, a Board member, the Business Manager, the Administrative Assistant for Personnel and Pupil Services, and the principal(s) from the grade levels of the proposed charter school. If part or all of a district building is proposed to be used, the Supervisor of Buildings and Grounds shall be a member of this Committee.</p>
<p>65 Pa. C.S.A. Sec. 701 et seq.</p>	<p><u>Hearings</u></p> <p>Within forty-five (45) days of receipt of an application, the Board shall hold at least one (1) public hearing concerning such application. The Board shall schedule such hearing(s) in accordance with the Sunshine Act.</p>
<p>SC 1717-A</p>	<p><u>Decision</u></p> <p>The Board shall act to grant or deny an application not sooner than forty-five (45) days and not later than seventy-five (75) days after the first public hearing. The Board shall base its decision upon the criteria set forth in law; the Board may also consider such factors as it deems relevant.</p>
<p>SC 1717-A, 1717-A 65 Pa. C.S.A. Sec. 701 et seq.</p>	<p>In order to approve an application, five (5) Board members shall vote in the affirmative at a public meeting held in accordance with the Sunshine Act.</p> <p>The Superintendent shall transmit written notice of the Board's action to the applicant, the Department of Education, and the State Charter School Appeal Board. If the application has been denied, the Board shall clearly describe the deficiencies of the application in the written notice.</p>

<p>SC 1717-A, 1720-A</p>	<p><u>Revised Applications</u></p> <p>If the Board has denied an application, the applicant may revise the application and resubmit it to the Board. The Board may schedule additional public hearings. The Board 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.</p> <p><u>Appeals</u></p> <p>Upon denial of an application by the Board, the applicant shall have such rights to appeal as established by law.</p> <p><u>Term And Form Of Charter</u></p> <p>As provided by law upon approval of a charter application, a written charter shall be developed which shall contain the provisions of the charter application and which shall be signed by the Board, by the Boards of other school districts in the case of a regional charter school, or by the chairperson of the Appeal Board pursuant to law, and the Board of Trustees of the charter school. This written charter, when duly signed by the Board, or by the Boards of other school districts in the case of a regional charter school, and the charter school's Board of Trustees shall act as legal authorization for the establishment of a 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-year periods upon reauthorization by the Board or the Appeal Board. A charter will be granted only for a school organized as a public, nonprofit corporation.</p>
<p>SC 1728-A, 1728-A 22 Pa. Code Sec. 4.13</p>	<p><u>Annual Report And Assessments</u></p> <p>As provided by law, the Board shall annually assess whether a charter school is meeting the goals of its charter and shall conduct a comprehensive review prior to granting a five-year renewal of the charter. 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 and the law and that requirements for testing, civil rights, and student health and safety are being met.</p>
<p>SC 1729-A</p>	<p><u>Nonrenewal And Termination</u></p> <p>The Board may revoke a charter during a term or not renew a charter at the end of a term as provided by law.</p>

<p>SC 1724-A</p>	<p><u>Staff</u></p> <p>In addition to the requirements of law, the Board provides as follows:</p> <ol style="list-style-type: none"> 1. The Board may require a charter school to provide the same terms and conditions with regard to health insurance as the collective bargaining agreement, including employee and employer contributions to the district’s health plan. However, a charter school shall have no right to participate in such plan. 2. By this policy, the Board exercises its discretion and determines that temporary professional employees on leave at a charter school shall not accrue tenure in the noncharter public school system. 3. When the Board has granted an employee a leave of absence to work in a charter school, such employee may not return to the district prior to the expiration of such term without Board approval.
<p>SC 1723-A</p>	<p><u>Enrollment</u></p> <p>At the start of its first school year and at least annually, thereafter, a charter school shall satisfy the Board that it is in compliance with law.</p>
<p>SC 1723-A</p>	<p>The Board shall not cap nor limit the number of district students enrolling in a charter school, unless agreed to by the charter school as part of the written charter.</p>
<p>SC 1726-A</p>	<p><u>Transportation</u></p> <p>The district shall provide transportation to resident students attending a charter school located in the district, a regional charter school of which the district is a member, and a charter school located within ten (10) miles outside district boundaries, in accordance with distance requirements established for district students.</p> <p>Transportation shall be provided to charter school students on the dates and periods that the charter school is in session, regardless of whether transportation is provided to district students on those days.</p>
<p>SC 1727-A</p>	<p><u>Tort Liability And Insurance</u></p> <p>The Board acknowledges that the law provides that a charter school shall be solely liable for any damages concerning its operation and that the Board shall not be held liable for any activity or operation related to a charter school program.</p>

As additional protection for the district, a charter school shall maintain adequate property and liability insurance and shall enter into an agreement by which the district will be indemnified for any damages, costs, and legal expenses associated with the defense of any claim resulting from the operation of the charter school.

References:

School Code – 24 P.S. Sec. 1701-A et seq.

State Board of Education Regulations – 22 Pa. Code Sec. 4.4, 4.12, 4.13

Sunshine Act – 65 Pa. C.S.A. Sec. 701 et seq.