

Guidelines Following the Non-Renewal or Revocation of a Charter School Agreement

Following review and public hearing of the local board of school directors of a school district, the charter school may appeal the decision of non-renewal or revocation of the charter to the state's Charter School Appeals Board.

The Appeal Board may consider the charter school plan, annual reports, student performance and employee and community support. Unless the health and/or safety of the students and/or staff are at serious risk, the original charter agreement *shall remain in effect* until the Charter School Appeal Board grants a final decision.

If the Appeal Board determines that the charter agreement should *not* be revoked, the appeal board will order the local school board to rescind the revocation.

If the Appeal Board determines that the charter agreement *should* be revoked, the charter school shall be dissolved. Any remaining assets of the charter school shall be distributed on a proportional basis to the school entities with students enrolled in the charter school for the last full or partial school year of the charter. Students attending the charter school shall apply to another school in the student's district of residence and normal application deadlines will be disregarded under these circumstances. All student records maintained by the charter school must be forwarded to the student's district of residence.

Instructions for Revocation of a Charter Agreement

General Instructions:

The chartering district may choose to revoke or not renew the charter agreement if it is determined that the charter school does not meet the requirements of the written charter agreement, or if it is determined that the charter school is in violation of any of the following:

- One or more material violation of the charter agreement
- Failure to meet the requirements for student performance as outlined in Chapter 5 of the Pennsylvania School Code
- Failure to meet generally accepted standards of fiscal management or audit requirements.
- Violation of any provision of law from which the charter school has not be exempted, include federal laws and regulations governing children with disabilities
- Conviction of fraud (24 P.S §17-1729-A)

Notice of revocation or non-renewal of a charter should be given by the local board of school directors of a school district to the governing board of the charter school and should state the grounds for such action with reasonable specificity and adequate notice of the date on which the public hearing concerning the revocation will be held.

Districts may use **Attachment A** along with the charter school application for renewal (specifically state assessment reports and fiscal spreadsheets) to provide the list of reasons and evidence for possible non-renewal

Summary of the Notice for Non-Renewal Timeline – Department Guidance

Date	Action
	The local board of school directors must provide specific reasons for their determination to revoke the charter and must provide reasonable notice governing board of the charter school of the date on which the public hearing will be held. <i>The public meeting must be pursuant to the Sunshine Act and public notice must allow the 30 days to provide comment to the board.</i>
30 days after the public hearing	The school board must provide formal notification of renewal or non-renewal to the charter school.
Following notice of non-renewal	The charter school may seek appeal through the state’s Charter School Appeals Board

SAMPLE PENNSYLVANIA CHARTER SCHOOL REVOCATION PACKET

REVOCATION FACT SHEET

Charter School Name: _____

City/Town and County: _____

Chartering District: _____

Intermediate Unit: _____

Principal/CEO: _____

Mailing Address: _____

Telephone: _____

Fax: _____

Email: _____

President, Bd of Trustees: _____

Mailing Address: _____

Telephone: _____

Fax: _____

Email: _____

Actual Student Enrollment (for the past five years beginning September):

	20 -20	20 -20	20 -20	20 -20	20 -20
Total Projected Enrollment					
Grades to be Offered					

Section 1: Introduction

Letter from the Local Board of Directors to the Governing Board of the Charter School

This letter is to summarize the overall concerns of the local school board. Concerns could include student performance, noncompliance with the original charter school agreement, mismanagement of finances, etc. This letter should also specify any previous notifications to the Governing Board of the Charter School and whether and how any specific concern have been addressed.

Use sections of the remaining renewal forms as they pertain to the specific concerns the Local Board of Directors may have with the Charter School and the current agreement.

Section 2: Student Achievement:
Is the educational program a success?

1. Is there evidence of significantly improved or persistently strong student performance?
 - A. Using “Attachment A”, found on the next page, report the school’s PSSA scores for each of the preceding years. Report out for subgroups, including, at a minimum, students with IEPs, student who are limited English proficient (LEP), race/ethnicity, and economically disadvantaged. Explain how the scores correspond to the goals identified in the signed charter. Discuss how they correspond to Adequate Yearly Progress (AYP) as established in the Pennsylvania Accountability System.
 - B. Using a format modeled on Attachment A, report any other student achievement data and how those data document improved or persistently strong student performance.

2. Has the school met its academic goals?
 - A. Describe how over the term of the charter the school has met the academic goals such as AYP, and any goals established in the signed charter agreement and/or identified in Annual Reports. If goals were not fully met, discuss why and what specific steps are in place or will be put in place to ensure the goals are achieved. Provide a concise explanation and refer to objective assessment data whenever possible.
 - B. Describe the strategies that are in place to ensure that students with special needs, those at risk of failure, and those not making reasonable progress are meeting – or are being given the opportunities and reasonable accommodations to meet – the academic goals. Provide clear evidence and use data to document how those strategies are proving effective for students in terms of improved academic performance.

3. Attach a copy of the School Improvement Plan and all status reports.

Attachment A: PSSA Report for Previous Years

Grade:

Subject:

Subgroup	SAMPLE 2004-05	Year 1	Year 2	Year 3	Year 4	Year 5	How did this affect AYP determination?
All Students	% Below Basic						
	% Basic						
	% Proficient						
	% Advanced						
IEP	% Below Basic						Example: Students have consistently met the state proficiency requirements in this area.
	% Basic						
	% Proficient						
	% Advanced						
LEP	% Below Basic						
	% Basic						
	% Proficient						
	% Advanced						
Econ. Disadvant aged	% Below Basic						
	% Basic						
	% Proficient						
	% Advanced						

In the empty subgroup cells, insert any measurable subgroup (e.g. white, black, Hispanic, etc.). A subgroup is considered measurable when there are 20 or more students.

Copy this attachment and make copies for each tested grade level and for each subject in which they were tested.

**Section 3: School Operations:
Is the school a viable organization?**

1. Is the school financially solvent and stable?
 - A. Discuss the school's financial controls and procedures for the management of financial resources.
 - B. Attach a copy of the most recently audited financial statement.
 - C. Discuss and provide documentation regarding how any findings from the Auditor General's report were addressed and resolved.

2. Does the school commit its resources in ways that ensure it achieves its mission?
 - A. Use the following table to report how the school is making investments in staff and professional development, in books, technology, and other supplies, in ways that are consistent with the school's priorities as stated in the signed charter agreement. Discuss the investments.

Investment Area:	20 -20	20 -20	20 -20	20 -20	20
Professional Development					
Books					
Technology					
Other (specify)					

- B. Provide any other information or data that describes how resources have been used and/or leveraged to further the school's mission and support the school's unique design.

3. Is enrollment stable and near capacity?
 - A. Using the following table, provide the history of student enrollment for each year and discuss trends in student turnover and retention data. Provide waiting list data for each year, detailing how many students were on the waiting list at the beginning of the year, how many were extended opportunities to enroll, and how many enrolled during the year. If the school has been under- or over-enrolled, provide an explanation. Drawing upon exit interviews and other sources, explain why students choose to return to the school or not.

	Four Years Previous	Three Years Previous	Two Years Previous	Last Year	This Year
Total Student Enrollment at the end of the school year					
Number of students enrolled in June who were also enrolled in September of the previous year					
Number of students, excluding graduates, who were enrolled at the end of last year	N/A				

Number of students, excluding graduates, who were enrolled in at the beginning of the school year who were also enrolled at the close of the previous school year	N/A				
---	-----	--	--	--	--

4. Is the school's governance sound and its management system effective to implement the mission of the school?

- A. Provide a list of Board members who have served and the dates each has served since the school's inception. Discuss leadership changes on the Board and in the school administration and explain why those changes were effected.
- B. Provide evidence that the Board of Trustees has been responsive and effective as a governing entity. Discuss how formal complaints have been handled. Provide specific examples of governance issues and how they have been resolved.
- C. One of the stated intents of the Charter School Law is "to provide opportunities for teachers, parents, pupils and community members to establish and maintain schools that operate independently from the existing school district structure." Describe the make up of the school's governance structure, specifying how it includes parents and the community. Be specific about how the Board is accessible and accountable to parents.
- D. Describe how the Board has implemented a fair process for evaluating teacher performance. Discuss why that process was chosen and how it has evolved and been refined over the course of the charter.
- E. If the school utilizes an external management organization, describe how that relationship has functioned over the course of the charter. Describe and discuss how the Board has held the external management organization accountable for measurable results. Include as appendices and discuss evaluations of the management organization conducted by the Board and any relevant reports from the management organization to the Board.

5. What is the quality of teachers and other staff?

- A. Discuss the quality of teaching at the school. Include outcomes of teacher evaluations and teacher surveys in the discussion.
- B. Report professional staff turnover/retention data for each year of the charter using the table below. Discuss staff turnover and retention patterns. Drawing upon exit interviews and surveys, explain why teachers choose to return to the school or not.

	Four Years Previous	Three Years Previous	Two Years Previous	Last Year	This Year
Number of professional staff					
Number of professional staff employed in September who returned from the previous year	N/A				
Number of professional staff employed					

in June who were also employed by the school the previous September					
---	--	--	--	--	--

- C. Using the following table, report the percent of certified staff employed by the charter school in each year of the charter. Discuss how the school has and will continue to meet the requirement that 75 percent of its professional staff be appropriately certified. Attach copies of the PDE-414 and of teachers' certifications for each year of the charter.

	Four Years Previous	Three Years Previous	Two Years Previous	Last Year	This Year
Number of professional staff					
Percent of certified staff (see PDE-414)					

- D. Refer to the signed charter agreement for descriptions and qualifications of teaching and professional staff. Discuss how those hiring and staffing plans have been implemented.
- E. Document and discuss evidence that teachers and other staff have the training and resources they need to perform effectively. Describe the professional development that is in place to support teachers to ensure that students are meeting academic standards. Describe why this professional development was selected and how it relates to the overall school mission and to student outcomes.

**Section 4: Implementation of Overall School Design:
Is the school faithful to the terms of its charter?**

1. Has the school met its non-academic goals?
 - A. Refer to the non-academic goals listed in the signed charter and Annual Reports. Discuss the school's progress toward those goals during the term of its charter. If goals were not met, discuss why and what steps are in place to address the situation.

2. What is the school's mission and how has it been implemented?
 - A. Refer to the stated mission in the signed charter agreement. Discuss how the school's program and operations are faithful to those plans.
 - B. Describe how the founding coalition's vision and momentum have been sustained.

3. Are the distinctive programs of the school fully implemented and operating as intended?
 - A. Refer to the signed charter agreement and discuss how the school's programs and operations have been consistent with the terms of its charter.
 - B. One of the stated intents of the Charter School Law is "to provide opportunities for teachers, parents, pupils and community members to establish and maintain schools that operate independently from the existing school district structure." Refer to the signed charter agreement for descriptions of how parents, students, school employees, and the community would be involved with and have input to school operations and governance. Discuss how those plans have been implemented and how additional opportunities for involvement have been created.
 - C. Describe the mechanisms that are in place to measure stakeholder (parent, community, student, employee) satisfaction and solicit input. Include the outcomes of surveys and questionnaires. Discuss the specific areas in which stakeholders are pleased with the school's performance. Discuss the specific areas of concern and the steps in place to address those stakeholder concerns.

4. Is the school within the bounds of applicable statutory and regulatory requirements?
 - A. Provide clear explanations and evidence of how the school has complied with requirements and regulations in each of the following areas. Address any complaints and corrections made regarding compliance in each area:
 - Special education students
 - Limited English proficient students
 - Testing requirements
 - Health and safety requirements (e.g., requirements to hold fire drills, meeting fire prevention safety standards)
 - B. Describe your expectations for student behavior and discipline. Explain how your discipline policy complies with Chapter 13 of the Public School Code (statute) and Chapter 12 of the Pennsylvania Code (regulations). Address how the discipline policy relates to due process. Attach a copy of the Code of Student Conduct.

Section 5: Plans for the Next Five Years

If the school's charter is renewed, what are its plans for the next five years of its operation?

1. What is the proposed school design for the next five years?
 - A. Referencing descriptions of the school program and curriculum that were included in the original charter agreement and Annual Reports, describe the school's proposed program for the next five years. Discuss whether there will be any curriculum changes, new academic emphases, etc.
 - B. Referencing all available data, discuss the strengths and weaknesses of the school's academic program and explain how that information informs your future plans. Be sure to discuss how a process of data gathering, data analysis, and utilizing research-based strategies has been used to inform decision-making. Include a discussion of AYP.
 - C. Referencing all available data, discuss the strengths and weaknesses of the school's non-academic program and explain how that information informs the school's future plans. Be specific about how those plans are informed by feedback and input from parents, teachers, students, and the community.

2. Using the table below, detail the charter school's PSSA goals for the next five years of the charter. (Note: you will need to complete one table for each year of the charter.) Discuss how the goals relate to AYP.

Assessment	Student Achievement Goal			
	Grade	Grade	Grade	Etc.
PSSA – Reading Proficiency				
PSSA – Math Proficiency				
PSSA – Participation Rate				
PSSA – Attendance Rate				
PSSA – 4-Year Graduation Rate				

3. Using understandable formats modeled on the preceding table, report student achievement goals for other assessments of student progress.

4. Discuss the non-academic goals for the next five years.

5. How will stakeholder involvement be enhanced in the next five years?
 - A. Describe and discuss plans for parent, student, community, and school employee involvement. Be specific in describing how these plans are informed by the experiences of the past. Discuss how these plans differ from the plans in the original signed charter.
 - B. Describe how stakeholder input and satisfaction will be measured in the future. Discuss how school leadership and administration will utilize input and feedback for improvement.

6. Report proposed student enrollment for the next five years using the following table:

	20 -20	20 -20	20 -20	20 -20	20 -20
Total Projected Enrollment					
Grades to be Offered					

7. Discuss the school's facility plans for the next five years. Will the school remain in its current location/facility? If not, describe where the school will be located and why that site has been selected. Attach copies of valid certificates of occupancy for all sites.
8. Does the school plan to contract for the services of an external management corporation within the next five years? If so, attach a copy of the agreement or a description of the plans to contract with the organization.
9. Using the How do I calculate the Charter School Budget and Cash Flow Projections? excel sheet, attach annual budgets for each of the next five years of the charter.