

## SETTLEMENT AGREEMENT

This Settlement Agreement is made and entered into to memorialize the agreement by and among SusQ-Cyber Charter School (“SusQ”) and the Pennsylvania Department of Education (“PDE”).

### Recitals

WHEREAS, PDE is a Commonwealth agency as defined in the Administrative Agency Law, 2 Pa.C.S. §§ 101 *et seq.*, and the General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1 *et seq.*

WHEREAS, pursuant to the Charter School Law (“CSL”), 24 P.S. §§ 17-1701-A – 17-1751-A, PDE is responsible for receiving, reviewing, and acting upon cyber charter applications. 24 P.S. § 17-1741-A.

WHEREAS, SusQ was granted a charter for the period commencing July 1, 2015, and ending June 30, 2020, which charter was executed by the Secretary of Education and each member of SusQ’s Board of Trustees pursuant to section 1745-A(f)(3) of the CSL. 24 P.S. § 17-1745-A(f)(3).

WHEREAS, PDE is responsible for the renewal or the non-renewal or revocation of a cyber charter school’s charter. 24 P.S. § 17-1741-A(a)(2) and (3).

WHEREAS, by correspondence dated September 30, 2019, SusQ submitted to PDE an application to renew its charter pursuant to section 1742-A(1) of the CSL. 24 P.S. § 17-1742-A(1).

WHEREAS, by filing of an Order to Show Cause and Notice of Charges in Support of Nonrenewal of Charter, PDE initiated administrative proceedings to not renew/revoke SusQ’s charter pursuant to section 1729-A of the CSL, 24 P.S. § 17-1729-A, on February 17, 2022.

WHEREAS, on August 16, 2022 SusQ’s Board of Trustees approved a resolution to not operate during the 2022-2023 school year due to low enrollment.

WHEREAS, SusQ notified its staff and the parent(s)/guardian(s) of all currently enrolled students that SusQ will cease operations by August 16, 2022.

WHEREAS, on August 17, 2022, SusQ posted a public notice to its website that it will not enroll new students for the 2022-2023 school year.

WHEREAS, on December 12, 2022, SusQ's Board of Trustees approved a resolution to surrender the charter held by SusQ on December 16, 2022.

WHEREAS, the parties hereto desire to enter into this Agreement in order to memorialize certain terms and conditions related to SusQ's agreement to surrender its charter.

### **Terms**

NOW THEREFORE, in consideration of the foregoing premises and of the mutual covenants and agreements set forth below, which the Parties acknowledge and agree are good and valuable consideration, receipt and sufficiency of which are acknowledged by each, and except as which otherwise may be expressly provided in this Agreement, the Parties, intending to be legally bound, agree as follows:

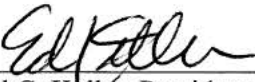
1. SusQ must surrender its charter no later than December 16, 2022.
2. On or before September 1, 2022, SusQ must provide notice on its publicly accessible website that SusQ will cease cyber charter school operations.
3. Upon request, PDE will work with SusQ to draft communications related to the closure of SusQ.
4. On or before September 1, 2022, SusQ will draft and begin to implement transition plans for all currently enrolled students. Upon request, PDE will provide technical assistance related to this work.


5. Upon request, PDE will work with SusQ to ensure all student records are forwarded to the appropriate district of residence for each student in accordance with section 1729-A(j) of the CSL, 24 P.S. § 17-1729-A(j).
6. Within ten (10) business days of the signing of this Agreement, SusQ will provide PDE with an accounting of students that were enrolled since July 1, 2022.
7. On or before December 30, 2022, SusQ will provide PDE with a final student accounting and confirmation that all student records have been transferred to the appropriate local education agency (LEA) or the student's school district of residence if the LEA to which the student transferred is unknown. The information provided by SusQ must account for all students enrolled in SusQ as of August 16, 2022.
8. After disposition of liabilities and obligations, SusQ will transfer any remaining assets to Central Susquehanna Intermediate Unit 16 to be distributed in accordance with section 1741-A(a)(3)(i) of the CSL, 24 P.S. § 17-1741-A(a)(3)(i).
9. No later than December 31, 2022, SusQ shall file amended articles with the Pennsylvania Department of State, including a change of name for the nonprofit entity and evidencing a change to its mission for another type of school entity, not a cyber charter school, if applicable.

This Settlement Agreement may be executed by facsimile or electronic scanning and in two or more counterparts, any of which will be deemed to be an original as against any Party whose signature appears thereon, and all of which will constitute collectively one agreement and when so executed will be legally binding.

*SusQ-Cyber Charter School*

*Pennsylvania Department of Education*

By:   
Edward C. Keller, President  
Board of Trustees

By:   
Eric Hagarty  
Acting Secretary of Education

Date:

Date: 12/29/2023