



Peters Township School District

Policy: 1700

Title: Charter Schools

Adopted: 6/30/98

Revised: 11/18/02

1 1. PURPOSE
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3 In order to provide students, parents and community members an opportunity to
4 establish and maintain schools that operate independently from this school district, the
5 Board shall evaluate applications submitted for charter schools located within the district,
6 in accordance with the requirements of Act 22 of 1997 and those established by this
7 Board.
8

9 The Board shall work cooperatively with individuals and groups submitting
10 proposals and applications for charter schools.
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12
13 2. DEFINITIONS
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15 "Charter School" means an independent, nonsectarian public school established
16 and operated under a charter from the Board of School Directors and in which students
17 are enrolled or attend. A charter school must be organized as a public, nonprofit
18 corporation; charters will not be granted to any for-profit entity nor to support home
19 schooling programs.
20

21 "Board of School Directors" (the Board) means the Peters Township School
22 District Board of School Directors, with respect to a proposed or approved charter school
23 located within the Township of Peters, or the Board of School Directors of another school
24 district, if a proposed or approved charter school is located there.
25

26 "Regional Charter School" means an independent public school established and
27 operated under a charter from more than one local Board of School Directors and
28 approved by an affirmative vote of a majority of all Board members of each of the school
29 districts involved.
30

31 "Appeal Board" means the State Charter School Appeal Board established by the
32 Charter School Law.
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34 3. AUTHORITY
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36 The Board shall ensure that each charter school application provides appropriate
37 assurances of compliance with the requirements of the Charter School Law and any
38 additional requirements established by the Board.

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39 The Board shall evaluate submitted applications for charter schools based on the
40 criteria established by law and any additional criteria determined by the Board.

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42 A charter school application shall be approved or denied by a majority vote of all
43 Board members at a public meeting, in accordance with the provisions of the Sunshine
44 Act. Written notice of the Board's decision shall be sent to the applicant, Department of
45 Education and the Appeal Board. If the application is denied, the notice shall include
46 reasons for denial and a clear description of application deficiencies. The Board shall
47 evaluate denied applications that are revised and resubmitted.

48
49 Upon approval of a charter application, designated representatives of the Board,
50 and the charter school's Board of Trustees shall sign the written charter, which shall be
51 binding on both. The charter shall be for a period of three (3) to five (5) years and may be
52 renewed for five-year periods by the Board.

53
54 The Board may approve a leave of absence for up to five (5) years for a district
55 employee to work in a charter school located within the Peters Township School District
56 or in a regional charter school in which the Peters Township School District is a
57 participant. If such approval is granted, the employee shall have the right to return to a
58 comparable position (but not necessarily the same position) within the Peters Township
59 School District at the end of the leave. Nothing set forth herein, however, shall obligate
60 the Board of School Directors to grant an employee's request for a leave of absence for
61 this purpose, nor shall the grant of one employee's request for a leave of absence for this
62 purpose in any way obligate the Board of School Directors to grant another employee's
63 request for such a leave of absence. Moreover, an employee granted such a leave of
64 absence shall remain on leave of absence from the Peters Township School District
65 throughout the entire term of the leave. Nothing set forth herein shall obligate the School
66 District to grant an employee's request to return to active service with the School District
67 prior to the conclusion of the leave, nor shall the School District's grant of an employee's
68 request to "early" return from such a leave in any way obligate the School District to
69 permit any other employee to return to active service with the School District prior to the
70 conclusion of the leave.

71
72 Any employee granted a leave of absence to work in a charter school in
73 accordance with this policy shall maintain seniority rights relative to other employees of
74 the School District, in accordance with the terms of the Public School Code of 1949, as
75 amended, if applicable and/or the terms of any applicable collective bargaining
76 agreement. To the extent that, by nature of the position occupied at the time of
77 commencement of a leave absence granted under this policy, an employee has no
78 recognized seniority rights within the School District, he or she shall not obtain any
79 during the period of the leave of absence.

80
81 Unless otherwise required by an applicable collective bargaining agreement,
82 while on a leave of absence granted under the terms of this policy, an employee working

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83 in a charter school shall not be "credited with" salary step advancement or other salary
84 increases.

85

86 Temporary professional employees, i.e., non-tenured employees, are advised that
87 the Peters Township School District will NOT grant tenure to the employee based in
88 whole or part on the employee's teaching service in a charter school located within the
89 School District, or in a regional charter school in which the School District participates.

90

91 The Board shall annually assess whether each charter school is meeting the goals
92 of its charter and shall require each charter school to submit an annual report no later than
93 August 1 of each year.

94

95 The Board shall conduct a comprehensive review prior to granting a five-year
96 renewal of the charter.

97

98 The Board shall have ongoing access to the records of the charter school to ensure
99 that the charter school is in compliance with its charter, Board policy and applicable laws.
100 At least monthly, the Charter School shall provide the Superintendent or his/her designee,
101 with such written reports as shall be requested, and on the forms designated by the
102 Superintendent/designee. These forms shall include, but not be limited to, enrollment
103 reports, budgetary information, statistical (i.e., personally non- identifiable) disciplinary
104 information.

105

106 Upon reasonable notice, the Superintendent or his/her designee shall have the
107 right to conduct a health/safety inspection of the facilities of the charter school and/or to
108 otherwise ensure that the charter school is in compliance with its charter, Board policy
109 and applicable law. No such notice shall be required, however, when the Superintendent
110 in good faith believes that said facilities present a threat of harm to students/staff
111 members or otherwise present an emergency situation.

112

113 In cases where the health or safety of the charter school's students, staff or both
114 is/are at serious risk, the Board may take immediate action to revoke a charter.

115

116 The Board affirms that the Board of Trustees and the charter school shall be
117 solely liable for any and all damages and costs of any kind resulting from any legal
118 challenges involving the operation of a charter school. Neither the Peters Township
119 School District nor its Board of Directors shall be held liable for any activity or operation
120 related to the program of a charter school.

121

122 Each approved charter school shall be required to execute a Hold Harmless and
123 Indemnification Agreement by which it agrees to hold harmless and indemnify the Peters
124 Township School District, its Board of School Directors, officers, employees, successors
125 and assigns, from any and all claims or liabilities of any kind whatsoever, including
126 without limitation, attorneys fees and costs, asserted by or on behalf of any individual or

127 person, resulting from, arising out of, or in any way related to the operation of the charter
128 school.

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130 4. DELEGATION OF RESPONSIBILITY

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132 Applications for charter schools shall be submitted to the Superintendent or his
133 designee, who shall be responsible for communicating and cooperating with all
134 applicants. For purposes of the review process, the date of receipt of the application shall
135 be the date of the regular school board meeting following receipt of the application by the
136 Superintendent, at which meeting receipt of the application shall be formally
137 acknowledged.

138

139 The Superintendent or his designee shall be responsible to assist applicants with
140 plans for technical assistance and contracted services which may be provided by the
141 school district.

142

143 5. GUIDELINES

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145 Each approved charter school shall be subject to all federal and State laws
146 prohibiting discrimination in admissions, employment and operation on the basis of
147 disability, race, creed, color, gender, national origin, religion, ancestry or need for special
148 education services.

149

150 Each approved charter school shall comply with all federal and state laws and
151 regulations covering students with disabilities.

152

153 Each approved charter school shall also be subject to other applicable laws and
154 regulations, including but not limited to:

155

156 *The Pennsylvania Sunshine Act

157 *The Pennsylvania Fair Educational Opportunities Act

158 *Act 116 of 1995 (eye protective devices for persons engaged in hazardous
159 activities in schools)

160 *Section 4 of Act 541 of 1996 (relating to scholarships and providing funds to
161 secure federal funds for qualified students)

162 *Act 181 of 1972 (relating to drug and alcohol abuse)

163 *Act 175 of 1986 (relating to anti-hazing)

164 * Section 1, Act 104 (relating to letting certain contracts for the erection,
165 construction, and alteration of public buildings)

166 *The Prevailing Wage Act

167 *The Steel Products Procurement Act

168 *The Public Works Contractors' Bond Law of 1967

169 *The Individual with Disabilities Education Act

170 *The Family Education Rights and Privacy Act

- 171 * The Rehabilitation Act of 1973
- 172 *The Americans with Disabilities Act
- 173 *Applicable provisions of the School Code
- 174 *The Pennsylvania Ethics Act (with respect to Trustees of the Board)
- 175 *The Right to Know Act

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TRANSPORTATION

179

The School District shall provide transportation for students to charter schools located within the Peters Township School District, in accordance with the Public School Code of 1949, as amended, and applicable Board policies and procedures.

184

APPLICATIONS

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Applications for charter schools must contain all the information specified in the Charter Schools Law, and any amendment thereto. Each application must also provide any additional information required by the Board, including but not limited to, the information requested by Exhibit A attached hereto and incorporated herein.

186

Applications for charter schools shall be submitted to the Board by November 15 of the school year preceding the school year in which the school will be established.

187

Within forty-five (45) days of receipt, the Board shall hold at least one (1) special public hearing on the charter application, in accordance with the Sunshine Act.

188

At least forty-five (45) days must pass between the first public hearing and the final decision of the Board. No later than seventy-five (75) days after the first public hearing, the Board shall grant or deny the application.

189

INSURANCE/RISK MANAGEMENT

190

Each approved charter school shall adequately protect against liability and risk through an active risk management program approved by the Board. The program shall include proof of purchase of insurance coverage as required by the Board.

191

Minimum coverage and levels of appropriate coverage shall be established in the charter.

192

A charter school shall operate in a manner that minimizes the risk of injury and harm to students, employees and others.

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194

STUDENT CONCERNS

A child who is a resident of the Peters Township School District shall be eligible for enrollment in a charter school approved by the Board, provided that the child meets the age and/or grade level requirements of the school, and the child wants to participate in the specialized program offered by the charter school. In the event that the number of applicants for the approved charter school exceeds the number of student slots available, the charter school shall engage in a random and non-discriminatory selection process to determine its student roster.

Initial evaluations and/or re-evaluations of exceptional, or thought-to-be exceptional students attending the approved charter school shall be conducted by the Peters Township School District, and/or arranged for by the Peters Township School District through Intermediate Unit One or another third party, as determined by the School District to be appropriate for the student(s). The approved charter school shall bear all expenses of such testing through the funding it will receive from the School District.

Students enrolled in an approved charter school shall be administered standardized tests approved by the School District for administration to students enrolled in District programs (and exclusive of State-mandated assessments) at the same grade levels and under the same conditions as established for Peters Township School District students.

Resident students who are enrolled in an approved charter school may participate in any extracurricular activity of the Peters Township School District provided that said student is able to fulfill all of the requirements of participation in such activity and the charter school does not provide the same extracurricular activity.

The student calendar of an approved charter school shall encompass the school calendar approved for the Peters Township School District in any given year. Nothing set forth herein, however, shall preclude the school calendar for students of the approved charter school from including additional student days in the calendar year prior to, or following, the School District's student year.

PERSONNEL

Each approved charter school shall be required to provide each such School District employee during the period employed by the approved charter school, with the same health care coverage, under the same terms and conditions, as otherwise would have been provided to the employee had she been employed by the School District; this requirement shall apply to School District employees on approved leave of absence to work for the charter school, as well as all other employees as well. The cost of such health care coverage shall be borne solely and exclusively by the approved charter

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259 school, except to the same extent, if any, that the employee would have been required to
260 make payments or co- payments to the School District.

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262 UNDER NO CIRCUMSTANCES SHALL EMPLOYEES OF THE APPROVED
263 CHARTER SCHOOL BE PERMITTED TO PARTICIPATE IN ANY PLAN
264 ESTABLISHED OR PROVIDED BY THE SCHOOL DISTRICT FOR ITS OWN
265 EMPLOYEES.

266
267 At least 75 % of the employees hired by the approved charter school as teachers
268 shall possess a current, valid Pennsylvania teaching certificate which authorizes them to
269 teach in the subject area to which they will be assigned while employed by the approved
270 charter school. With the exception of those individuals hired by the charter school to
271 function as a Business Manager and a Supervisor of Buildings and Grounds, all
272 supervisory and administrative personnel of the approved charter school shall possess
273 current, valid Pennsylvania certificates which authorize them to serve in their respective
274 supervisory or administrative positions.

275
276 Each approved charter school shall be required to EMPLOY an appropriately
277 qualified individual or individuals to function as its Business Manager and/or Supervisor
278 of Buildings and Grounds, and to provide written position descriptions for these positions
279 identifying the prerequisite qualifications during the application process. If the charter
280 school is approved, Individuals employed in such positions shall possess the identified
281 qualifications.