



## ED, CharterRegs

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**Sent:** Friday, October 15, 2021 3:17 PM  
**To:** ED, CharterRegs  
**Subject:** [External] Opposition to Regulation #6-349

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October 15, 2021

I would like to express my opposition to the regulations as put forth in the Pennsylvania Department of Education's Regulation #6-349: Charter Schools and Cyber Charter Schools. The mission of this proposed regulation is stated as "Clarifies elements of the Charter School Law and sets conditions that emphasize accountability, equity, quality and transparency." The regulations clearly seek to modify Charter School Law - a process that should be conducted by the elected members of our General Assembly.

My children are currently attending cyber charter school due to the inability of the school district to appropriately provide consistent and adequate education to them - especially since the advent of the pandemic last year. While I would be open, as an education choice advocate, to reform all education models so that they are fair and equitable, I take particular offense at these "regulations", which are an obvious attempt to chip away at the charter school option and provide district schools with even more of a distinct advantage and power over them.

First of all, I would offer that our charter schools **do serve** as laboratories of innovation, as demonstrated by Commonwealth Charter Academy's TechWorks and AgWords, Avon Grove's Beekeepers & High School Bee Academy, Charter School of Excellence's Culinary Arts' Food for Thought program, and Nittany Valley Charter School's Environmental Education Program, and others. To suggest that they are not a center of innovation, based on their ability to deliver education services to children for which there is a waiting list and to which parents clamor, is ridiculous from the outset. These programs can ONLY be described as innovative.

On pages 4-9 of the document, other States' program frameworks are noted. This is very informative; however, the take-away in the proposed regulations apparently was to take THE MOST STRINGENT of regulations from those states, and apply them in a single fell swoop to charter schools, and with little thought or design. This heavy-handed methodology is being utilized simply because the Governor's office wishes to dismantle the charter school system piece by piece, **rather than to serve the best interests of the children who benefit from charter school choice.**

Also, this section allows each district to have it's own dedicated application form without approval or oversight of the PDE. This will provide the opportunity for overly-aggressive district schools to apply requirements that can lead to the delay, damage, and possible extinction of a charter school. This puts power of all application aspects in the hands of the authorizing district - districts that, in many cases, would like nothing more than to find reasons to retract or decline new charter authorization.

Pages 13-14 of the form state, in part, that "These regulations will promote trust in the commonwealth's public education system and ensure the state is serving the collective good of all students and families."

Is this suggesting that traditional school districts have been validated as “serving the collective good of all students and families”? What about the families who have, in many cases, been failed by the traditional district, and have sought charter schools as their refuge? In my personal experience- and as is my preference- the charter school is accountable first to the family. These regulations do not attempt to promote trust through the PDE, but rather grant substantial, unwarranted, and dangerous power to the authorizing district.

The proposed regulations dictate how the charter school will provide health benefits to staff as similar as possible to the authorizing district, including the establishment of a tax-advantaged account consistent with that of the district. Charter schools, many small in staff and student population, do not have the same purchasing power as district schools and their associations, and this would create an unfair and undue hardship on charter schools. Charter schools stand apart from the district by design, and district influence should be kept at a minimum.

Although costs are considered to be “modest” for some charters (\$5,000 for software updating, \$20,000-30,000 for professional auditing firms according to the documentation), what about the smaller charters that serve a few hundred students and cannot afford this impact? This is an obvious attempt to financially compromise smaller charters not able to secure, or not in possession of, funds for this sudden and burdensome change. This further **takes attention away from actually EDUCATING our students while mired in extra bureaucracy, paperwork, and district or authorizer demands.**

On Page 15, the redirection of charter payments is projected to save the PDE \$52,500 per year. The Commonwealth of PA saves money, while districts are permitted to further delay payments to charter schools; thereby giving districts even more power over charters.

On Page 18, the document seems to find fault with some charter schools receiving PPP loans under the CARES Act. The federal government determined that those schools were eligible for the PPP. The PDE attempts to “save” \$52,000 in redirection requests, yet has no difficulty duplicating efforts in an area already verified and validated by the federal government, simply in an effort to find fault with charter schools.

There are currently many pieces of legislation in the General Assembly under consideration that address the items included in the proposed regulations because legislation belongs THERE. The General Assembly is listening, evaluating, and voting as our elected representatives and as our legislative system intends.

It is no secret that the Governor’s office has become frustrated with the transfer of students from traditional public education to alternate education options; but **executive action is not representative of the people.** The fact that children have individual needs that are not always well served by the traditional district is being lost in this battle between district education and education choice. Families and children need and deserve educational options. *These regulation proposals serve the best interests of an anti-education choice agenda - not our children.*

I ask that this attempt to circumvent the General Assembly, and the proposed regulations, be rejected.

Sharon Sedlar  
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