



ED, CharterRegs

From: Augustin, Lisa <laugustin1@pghschools.org>
Sent: Monday, November 8, 2021 8:01 AM
To: ED, CharterRegs
Cc: Dwyer, Theodore; Jones, Errika F
Subject: [External] Response to Summary of PDE Proposed Charter Rulemaking
Attachments: Response to Summary of PDE Proposed Charter Rulemaking 11082021.pdf

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Good Morning,

Please find attached the Response to Summary of PDE Proposed Charter Rulemaking from the School District of Pittsburgh.

Thank you,
Lisa Augustin

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**Response to High Level Summary
of PDE Proposed Rulemaking on Charter and Cyber Charter Schools
From The School District of Pittsburgh**

Comments are due by October 18th, emailed to: RA-EDCharterRegs@pa.gov

*This summary is intended to assist your review and does not capture all the proposal's content.
Please also refer to the [Full Proposal Language](#).*

1. APPLICATION REQUIREMENTS

Section 713.2 Contents of Charter School or Regional Charter School Application

- Requires applicants seeking to operate a charter school to apply using a form created by the Department or similar application developed by the authorizing school district (p. 5)
 - The minimum standards for a charter school application make up a significant portion of the proposal (pp. 5-13) and include detailed data on students it intends to serve, governance structure, curriculum and assessment strategies, and Code of Conduct.

The School District supports the development of an application created by the state or the continued use of the application developed by the School District. If the application is developed by the state, it is crucial that the School District is still permitted to request additional information from applicants in order to evaluate the application based on district specific concerns, challenges, and demographics. The School District requests that applicants be required to provide the financial and equity impact their proposed charter will have on the district.

Section 713.3 Contents of Cyber Charter School Application

- Clarifies that cyber charters must meet all the same minimum application requirements and must use the PDE-created form. (p. 13)

The School District is in full support of the requirement that cyber charters meet all the same minimum application requirements and must use the standard application form.

2. ENROLLMENT

Section 713.4 Random Selection Policies for a Charter School or Regional Charter School

- All children in the Commonwealth qualify for admission to a charter school (p. 14).
- If more students apply to a charter school than number of slots available, then students are selected on a random basis.
 - Details requirements for random selection process and must be included in application.
 - Requires enrollment data to be published annually on a charter school's website (p.15).
 - Requires random selection process to be posted on the school's website in a manner that is access to families with limited English proficiency and disabilities.

The School District supports publishing annual enrollment data on the charter school's website, as well as the random selection process in a manner that is accessible to families with limited English proficiency and disabilities. The School District proposes that charter schools also be required to publish special education specific information and resources, including enrollment by disability and how funding is used on its website.

Section 713.5 Random Selection Policies for a Cyber Charter School

- Establishes similar guidelines for cyber charter schools (pp. 15 - 17).

The School District supports the establishment of similar random selection policies guidelines for cyber charter schools.

3. BOARD OF TRUSTEES

Section 713.6 Requirements for Board of Trustees

- Each trustee of a charter school entity is a public official that is held to the Public Official and Employee Ethics Act (p. 18).
- Trustees must file a statement of financial interest (p. 18).
- Trustees must disclose and abstain from any conflict of interests (p. 18).
- Identifies penalties for violating ethics requirements (p. 19).

The School District supports the requirement that trustees must file a statement of financial interest with the charter school's board of trustees, State Ethics Commission, and each authorizer of the charter school entity; must disclose and abstain from any conflict of interests; and the identification of penalties for violating ethics requirements. The School District proposes that a time constraint be imposed on the submission of the state of financial interest to each authorizer of the charter school entity.

4. FISCAL AND AUDITING STANDARDS

Section 713.7 Fiscal Management and Audit Requirements

- Charter schools must follow generally accepted standards of fiscal management and audit requirements (p. 19).
- To meet this condition, charter school entities will likely need to work with an accounting firm. Currently, charter school entities that receive at least \$750,000 in Federal funds are already required to conduct an annual audit.
 - 148 out of PA's 163 charter school entities meet the minimum \$750,00 threshold

The School District supports the requirement that charter schools must follow generally accepted standards of fiscal management and audit requirements and imposing minimum requirements for charter school entities to satisfy those requirements, such as using Generally Accepted Accounting Principles (GAAP) and Generally Accepted Government Auditing Standards (GAGAS), and by obtaining independent annual financial audits. The School District proposes that this fiscal management includes specific spending of special education funding and publishing the annual budget and final audit on the charter school's website.

5. REDIRECTION PROCESS

Section 713.8 Redirection Process

- Establishes new procedure with timelines, due dates, and required forms for a charter school to request payment. (pp. 20-22).
 - The new system is intended to reduce the number of redirection requests submitted by charter school entities to PDE and increase payments directly to charter school entities by resident school districts.

The School District does not support the timeline between submitting a request for payment and the due date of the payment to the charter school. Section 713.8 proposes that charter school submit an invoice to the district at least 10 days before the 5th of the month and requires school districts to make

payment by the 5th of each month. If payment is not made, charter school can submit the standard form for redirection of payment directly from the state. Having only 10 days before a payment is required could result in more charter school submitting the redirection request.

6. SCHOOL STAFF

Section 713.9 Health Care Benefits

- Reiterates that charter school entity must provide its employees with the same health care coverage that would be provided at the local school district (p. 22).
- Identifies the school district where the regional charter school's or cyber charter school's administrative office is located as the comparison district (p. 23).
- Specifies notice requirements to charter school staff on their rights to health care parity and avenues to file a complaint (p. 24).

The School District supports that charter school entities must provide its employees with the same health care coverage that would be provided at the authorizing school district; the identification of the school district where the regional charter school's or cyber charter school's administrative office is located as the comparison district; and the specification of notice requirements to charter school staff on their rights to health care parity and avenues to file a complaint. The School District also supports the right of the charter school entity's authorizer to audit the health care benefits provided by the charter school entity.