

ACTION ITEM

Re: Olney Charter High School – Nonrenewal of Charter

WHEREAS, pursuant to the Charter School Law (“CSL”), 24 P.S. § 17-1701-A et seq., the School Reform Commission (“SRC”) of The School District of Philadelphia (“School District”) granted a charter (“Charter”) to the Board of Trustees of OLNEY CHARTER HIGH SCHOOL (“Olney”) to operate a charter school for a five-year term commencing in 2011; and

WHEREAS, Olney seeks renewal of its Charter; and

WHEREAS, members of the Charter Schools Office (“CSO”) of the School District reviewed the academic performance, organizational compliance and viability, and fiscal health and sustainability of Olney and concluded that there were grounds for the commencement of nonrenewal proceedings against the Olney under Section 1729-A of the CSL; and

WHEREAS, in compliance with Section 1729-A of the CSL, by Resolution No. SRC-8, approved on December 14, 2017, the SRC resolved that there were substantial grounds for nonrenewal of Olney’s Charter, set forth the reasons supporting such nonrenewal, scheduled a hearing in this matter and authorized the appointment of a hearing officer to conduct the hearing; and

WHEREAS, the Board of Education replaced the SRC and became its successor with respect to this proceeding on July 1, 2018; and

WHEREAS, the Board of Education appointed a Hearing Officer on December 5, 2018, who held a public hearing on March 12, 13, 15, 18, 19, 20, 25, 26, 27, 29, and April 2, 8, 9, 10, 12 and 15, 2019, during which testimony and exhibits were received regarding whether Olney’s charter should or should not be renewed; and

WHEREAS, a 30-day public comment period was provided following the conclusion of the hearing; and

WHEREAS, pursuant to the CSL, Olney has been permitted to remain in operation pending the outcome of these proceedings; and

WHEREAS, on September 19, 2019, the Hearing Officer certified the record of the hearing and submitted a report to the Board of Education recommending nonrenewal of Olney’s Charter, including findings of fact, conclusions of law and a proposed adjudication (“Hearing Officer’s Report”); and

WHEREAS, the Board of Education has reviewed all of the testimony and exhibits submitted during the hearing, the Hearing Officer's Report, the submissions by all interested parties, and the public comments received; and

WHEREAS, on October 16, 2019, the Hearing Officer submitted a supplemental report and certification to the Board of Education to address new motions and exhibits presented to the School District on October 10 and 14, 2019 ("Supplemental Report"); and

WHEREAS, the Board of Education has reviewed the Hearing Officer's Supplemental Report, and the new motions and exhibits; and

WHEREAS, this matter is now ripe for decision; now be it

RESOLVED, that Olney's request for renewal of its Charter is DENIED; and be it

FURTHER RESOLVED, that the Board of Education adopts the Hearing Officer's Report, including its Findings of Fact and Conclusions of Law, and the Supplemental Report, as the reasons for this decision; and be it

FURTHER RESOLVED, that in the event Olney timely appeals this decision to the State Charter School Appeal Board ("CAB"), pursuant to the requirement contained in Section 1729-A(f) of the CSL, the Charter shall remain in effect and Olney shall be permitted to remain open pending the conclusion of its appeal before CAB. In the event that Olney does not appeal this decision to the CAB, Olney shall cease all operations pursuant to a dissolution plan and timetable established by the School District, under the direction of the Office of General Counsel. Said plan shall be presented to the Board of Education within sixty (60) days of the date of this Action Item.