

ACTION ITEM

Re: Universal Vare Promise Neighborhood Partnership Charter School; Application for Charter Renewal

WHEREAS, in January, 2010, the School Reform Commission ("SRC") adopted the Renaissance Schools Initiative Policy, which authorized the SRC to grant Renaissance charters as part of the Renaissance Schools Initiative of The School District of Philadelphia ("School District"); and

WHEREAS, the Edwin H. Vare Middle School ("Vare School") had been identified as a School District school which needed fundamental change through the Renaissance Schools Initiative to facilitate a transformation of the learning environment; and

WHEREAS, the purpose of the Renaissance Schools Initiative was to dramatically improve the learning environment in underperforming School District schools to create highly effective schools that provide exceptional opportunities for student achievement and preparedness for success in college and the workforce; and

WHEREAS, pursuant to the Charter School Law, 24 P.S. § 17-1701-A, *et seq.*, the SRC granted a charter ("Charter") to the Board of Trustees of UNIVERSAL VARE PROMISE NEIGHBORHOOD PARTNERSHIP CHARTER SCHOOL ("Charter School") to operate the Vare School as a charter school for a 5-year term commencing in 2011; and

WHEREAS, the SRC renewed the Charter School's charter in 2018 for a 5-year term effective July 1, 2016 through June 30, 2021; and

WHEREAS, the Charter School has sought renewal of its Charter; and

WHEREAS, the Charter School has agreed to certain terms and conditions in connection with the renewal of the Charter and has submitted a charter agreement signed by the Charter School ("Charter Agreement") to the Charter Schools Office ("CSO") setting forth the agreed terms and conditions of renewal; now be it

RESOLVED, that the Board of Education hereby RENEWS the Charter School's Charter, subject to the terms and conditions agreed to by the Charter School as set forth below, for a five-year term commencing on July 1, 2021 and ending on June 30, 2026, effective upon the full execution of the Charter Agreement by the School District and by the Chair of the Board of Trustees of the Charter School or another member of the Board duly designated by the Board; and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain performance requirements (“Performance Requirements”) as set forth below. Failure to comply with the Performance Requirements may be a basis for revocation or nonrenewal of the Charter School’s Charter.

1. The Board of Trustees shall ensure that all trustees, officers, administrators, and the immediate family of trustees, officers and administrators of the Charter School comply with the Ethics Act and the Pennsylvania Nonprofit Corporation Law of 1988 (“Nonprofit Law”). The Board of Trustees shall adopt a Conflicts of Interest policy that complies with the Ethics Act and the Nonprofit Law.

2. The Board of Trustees shall elect Board officers, shall hold Board members to established term lengths and limits, shall ensure that the Board has the minimum required number of Board members, and shall fill open Board seats in a timely fashion, in accordance with the Charter School’s Bylaws. The Charter School’s website must include a list of all individuals serving on the Board of Trustees and include direct email addresses for each individual. On an annual basis, the Charter School shall provide to the School District an updated list of the members of the Board of Trustees either by Epicenter or any subsequent School District system.

3. The Board of Trustees shall hold regular public meetings at least six (6) times every school year. Notwithstanding the foregoing, the Board of Trustees shall meet to take action in a timely manner in accordance with the Charter, Applicable Laws (as defined in Article II, Section A.1), and the Charter School’s Student Code of Conduct, but no less frequently than necessary to act on student discipline matters within forty-five (45) days after any infraction or hearing as required by Applicable Laws (as defined in Article II, Section A.1).

4. The Board of Trustees shall adopt an Admissions Policy and Process which complies with the Public School Code and Charter School Law. Additionally, the Admissions Policy and Process:

- a. shall include provisions on: (i) application deadlines; (ii) enrollment preferences, order and allocation of preferences, and methods by which preferences would be identified; (iii) student recruitment procedures and communications, including details on methods to be used to recruit students Citywide or in an applicable attendance zone, and to monitor any specified enrollment targets; (iv) lottery dates, and (v) communication of lottery results, in a form and with provisions that are acceptable to the Charter Schools Office;
- b. shall provide that the application will be made clearly and plainly available on the Charter School’s website in English, Spanish, and any additional language the Charter School deems appropriate without any barriers to enrollment requiring technology;
- c. shall provide that families will have at least four (4) weeks to complete and submit enrollment packets in person or digitally after lottery acceptance; with

exceptions made for extenuating circumstances for families with language barriers;

d. shall provide that an ordered, up-to-date waitlist be continuously maintained, reflecting at any given time the next eligible student to be offered admission in each grade served by the Charter School, identifying any applicable preference(s) for each student, and indicating the date any student is removed from the waitlist with the reason for removal;

e. shall provide that if seats open during the school year for any grade served by the school or between school years for grades served other than the initial grade, the Charter School shall accept new students from the waiting list in appropriate order for particular grades or new applicants if there are no applicants for that grade on the waiting list; and

f. shall provide that the Charter School shall provide a copy of its current waiting list at any time during the Term of the Charter within ten (10) business days after request by the Charter Schools Office.

5. The Board of Trustees shall submit to the School District by August 1st of each year during the Term of the Charter as part of the Charter School's Annual Report, or separately if not included in the Charter School's Annual Report, evidence that all professional staff providing educational services at the Charter School have all necessary licenses, certifications, qualifications and credentials required by the Charter and Applicable Laws, including without limitation the seventy-five percent (75%) certification requirement in accordance with the Charter School Law, and identify the number of all certified special education and English as a Second Language personnel with direct instruction responsibilities.

6. The Board of Trustees shall ensure that (i) all employees have required federal and state criminal and child abuse background checks during the Term of the Charter; and (ii) copies of such background checks are kept in each employee's personnel file. Preferably, the Charter School's annual financial audit will include an annual review of a sample of employee files for appropriate clearances and background checks.

7. The Board of Trustees shall ensure that required payments to the Public School Employees' Retirement System ("PSERS") are made timely. If the Charter School fails to make timely payments to PSERS and that results in a reduction of the School District's basic education subsidy, the School District shall withhold such reduction in a future monthly per-pupil payment to the Charter School. Additionally, any failure to make required PSERS payments above a threshold established by the Charter Schools Office or in any amount repeatedly shall result in the issuance of a Notice of Deficiency.

8. The Board of Trustees shall submit to the Charter Schools Office signed, complete, and accurate Statements of Financial Interest, pursuant to guidelines established by the Charter Schools Office. These documents are required by the Ethics

Act and the Charter School Law to be completed annually for each trustee on the Board's roster for that school year.

9. The Board of Trustees shall ensure that the dates, times, and locations of scheduled Board meetings are posted on the Charter School's website and that any updates to the Board meeting schedule are posted timely. Furthermore, minutes from Board meetings shall be posted on the Charter School's website within two weeks of approval by the Board of Trustees, but not later than after the conclusion of a second consecutive board meeting after each meeting, and shall remain posted for a minimum of one year from date of Board meeting.

10. The Board of Trustees agree that the Charter School shall participate in the School District's charter school performance framework and monitoring system ("Charter School Performance Framework") as set forth in Article X of the Charter;

and be it

FURTHER RESOLVED, that the Charter School has agreed to comply with certain conditions for renewal ("Conditions for Renewal"). Failure to comply with the Conditions for Renewal as set forth below may be a basis for revocation or nonrenewal of the Charter School's Charter.

1. Prior to the execution of the Charter by the School District, the Charter School shall submit to the Charter Schools Office for review a revised employee handbook and/or hiring policy that clearly outlines requirements and processes for the submission of current Pennsylvania State Police and federal criminal history record information, in accordance with 24 P.S. §1-111., and official clearance statements regarding child injury or abuse from the Department of Public Welfare, in accordance with 23 Pa. C.S. Ch. 63 Subch. C.2., prior to employment by the Charter School and for the maintenance of satisfactory, statutorily current criminal history record information and child injury or child abuse clearance statements for the duration of employment with the Charter School.

2. The Charter School shall receive and disburse funds for Charter School purposes only in accordance with Applicable Laws and shall not transfer or lend Charter School funds to any other entity, including without any limitation, any management company, charter school, contractor, landlord/licensor or individual, other than for the provision of goods, services or leased/licensed facility space or equipment, upon the receipt of invoices, in accordance with the terms of authorized, signed written agreements, during the Term of the Charter. The Charter School may contact and submit information to the Charter Schools Office for feedback on a proposed transaction which may implicate this Condition for Renewal. The Charter Schools Office shall review this Condition for Renewal annually as part of the Annual Charter Evaluation ("ACE") process.

3. Beginning with the Charter School's annual audited financial statement for the 2021-2022 fiscal year and during the remainder of the Charter Term, the Charter School shall have no audit findings determined to be of material non-compliance or material

weakness. The Charter Schools Office shall review this Condition for Renewal annually as part of the ACE process.

4. On or before December 31 following the end of the fiscal year, the Charter School shall submit to the Charter Schools Office audited financial statements for Universal Community Homes, Universal Education Companies, and any of the Charter School's related parties or component units.

5. The Charter School shall annually submit a draft budget to the Charter Schools Office pre-Board approval no later than May 15 annually. The Charter Schools Office may provide feedback by May 31; if feedback is not provided, the Board may move forward with reviewing and approving the budget. The Charter School shall submit to the Charter Schools Office an approved budget for the next school year within 15 calendar days of June 30 each year. Any approved amendments to the Charter School's budget shall be submitted to the Charter Schools Office within five (5) business days of approval by the Charter School's Board of Trustees.

6. The Charter School shall achieve an Overall Rating in the Financial Health and Sustainability Domain of "Approaches Standard" or "Meets Standard" for the Charter School's 2025-2026 Annual Charter Evaluation and Renewal Report, or similar document for the Charter School's next charter renewal evaluation;

and be it

FURTHER RESOLVED, the School District and the Charter School acknowledge and agree that the Charter School will enroll students only in Grade 5 to Grade 8 with a maximum of 425 students during the Term of the Charter, unless the parties agree in writing to other terms. Under no circumstances will the Charter School request payment from the School District or the Commonwealth of Pennsylvania for more students than set forth herein nor enroll students in different grades including Kindergarten, without Board of Education approval by action item; and be it

FURTHER RESOLVED, that the Charter School has agreed to the following provisions related to the School District's Charter School Performance Framework:

1. The Charter School agrees to participate in the School District's Charter School Performance Framework for organizational performance and financial performance. In recognition of the unique structure of the Charter School, for academic performance, the Charter School will be evaluated in accordance with the academic performance metrics set forth in Exhibit H to the Charter. Organizational performance includes, but is not limited to, a review of the Charter School's admissions and enrollment policies and practices, student discipline practices, special education programming, ELL programming, and Board of Trustees governance in order to assess compliance with the Charter and Applicable Laws, federal, state and local guidance, policies, and Charter Schools Office procedures. Financial performance includes, but is not limited to, a review of the Charter School's financial health and long-term sustainability, and generally accepted standards of fiscal management.

2. The Charter School agrees to provide or allow to be provided to the School District and the Charter Schools Office all records, including student level academic performance, necessary to properly assess the academic success, organizational compliance and viability, and financial health and sustainability of the Charter School under the Charter School Performance Framework, timely and pursuant to Charter Schools Office procedures.

3. The Charter School acknowledges that achieving the performance objectives identified in the Charter School Performance Framework is critical to meeting the needs of public school students in Philadelphia. The Charter School shall actively monitor its own progress towards achieving objectives identified in the Charter School Performance Framework. The Charter Schools Office may also evaluate any or all of the performance domains – academic, organizational and financial – on an annual basis formally.

4. During the Term of the Charter, changes to the Charter School Performance Framework may be made as a result of changes to Applicable Laws, changes to charter school data availability, or as a result of needed adjustments to academic, financial and organizational assessment criteria. The Charter Schools Office will provide notice to charter schools in Philadelphia of any change to the Charter School Performance Framework prior to implementation of such change. The Charter Schools Office would use its best efforts to solicit feedback on changes from Philadelphia charter schools in advance of implementation of changes.