

**(F)(2) Ensuring successful conditions for high-performing charter schools and other innovative schools (40 points)**

The extent to which—

- (i) The State has a charter school law that does not prohibit or effectively inhibit increasing the number of high-performing charter schools (as defined in this notice) in the State, measured (as set forth in Appendix B) by the percentage of total schools in the State that are allowed to be charter schools or otherwise restrict student enrollment in charter schools;
- (ii) The State has laws, statutes, regulations, or guidelines regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools; in particular, whether authorizers require that student achievement (as defined in this notice) be one significant factor, among others, in authorization or renewal; encourage charter schools that serve student populations that are similar to local district student populations, especially relative to high-need students (as defined in this notice); and have closed or not renewed ineffective charter schools;
- (iii) The State's charter schools receive (as set forth in Appendix B) equitable funding compared to traditional public schools, and a commensurate share of local, State, and Federal revenues;
- (iv) The State provides charter schools with funding for facilities (for leasing facilities, purchasing facilities, or making tenant improvements), assistance with facilities acquisition, access to public facilities, the ability to share in bonds and mill levies, or other supports; and the extent to which the State does not impose any facility-related requirements on charter schools that are stricter than those applied to traditional public schools; and
- (v) The State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools.

*In the text box below, the State shall describe its current status in meeting the criterion. The narrative or attachments shall also include, at a minimum, the evidence listed below, and how each piece of evidence demonstrates the State's success in meeting the criterion. The narrative and attachments may also include any additional information the State believes will be helpful to peer reviewers. For attachments included in the Appendix, note in the narrative the location where the attachments can be found.*

Evidence for (F)(2)(i):

- A description of the State’s applicable laws, statutes, regulations, or other relevant legal documents.
- The number of charter schools allowed under State law and the percentage this represents of the total number of schools in the State.
- The number and types of charter schools currently operating in the State.

Evidence for (F)(2)(ii):

- A description of the State’s approach to charter school accountability and authorization, and a description of the State’s applicable laws, statutes, regulations, or other relevant legal documents.
- For each of the last five years:
  - The number of charter school applications made in the State.
  - The number of charter school applications approved.
  - The number of charter school applications denied and reasons for the denials (academic, financial, low enrollment, other).
  - The number of charter schools closed (including charter schools that were not reauthorized to operate).

Evidence for (F)(2)(iii):

- A description of the State’s applicable statutes, regulations, or other relevant legal documents.
- A description of the State’s approach to charter school funding, the amount of funding passed through to charter schools per student, and how those amounts compare with traditional public school per-student funding allocations.

Evidence for (F)(2)(iv):

- A description of the State’s applicable statutes, regulations, or other relevant legal documents.
- A description of the statewide facilities supports provided to charter schools, if any.

Evidence for (F)(2)(v):

- A description of how the State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools.

*Recommended maximum response length: Six pages*

### **Pennsylvania is . . . Ready to Go**

- *Pennsylvania has a strong and demonstrable commitment to charter schools; with a decade of experience, we are home to 135 charter schools.*
- *Pennsylvania law places no caps on the number of charter schools allowed nor are there any state restrictions on student enrollment.*

### **Pennsylvania is . . . Reaching Beyond**

- *Charter schools receive 107 percent of the per student funding paid to traditional public schools.*
- *Pennsylvania's amended charter law allows high-performing charter schools to expand to multiple sites without applying for a new charter.*

**(F)(2) Ensuring successful conditions for high-performing charter schools and other innovative schools**

**(F) (i) Pennsylvania has a charter school law that supports the expansion of high-performing charter schools**

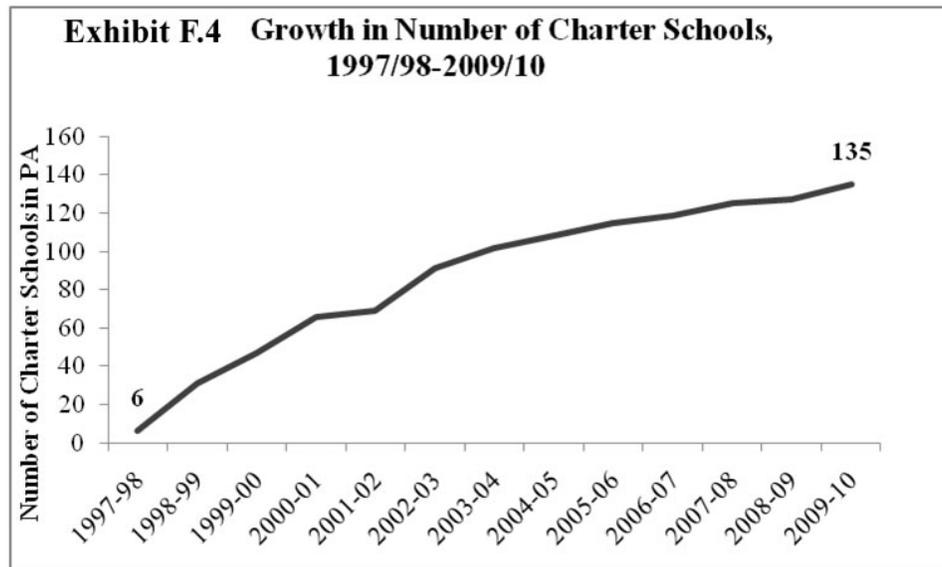
Pennsylvania is recognized as a leader in the development of charter schools. A recent study by the National Alliance for Charter Schools<sup>1</sup> described Pennsylvania as charter friendly, and found that our law “. . . provides an environment that’s cap-free, open to new start-ups, public school conversions, and virtual schools, and supportive of autonomy.” Pennsylvania’s charter-friendly law and policies also garnered a grade of A- in charter school autonomy from The Thomas Fordham Institute in its 2010 report *Charter School Autonomy: A Half-Broken Promise*. (See Appendix F-3.)

Pennsylvania is **Ready to Go** because our charter school law places no caps on the number of charters allowed in the State nor are there restrictions on student enrollment in charter schools. There are also no restrictions on charter schools operating in any particular geographic area or on serving particular types of students. (See Exhibit F.3)

By 2009, a decade after the passage of Pennsylvania’s Charter Law, there were 135 charter schools in the state, making up five percent of public schools in Pennsylvania (see Exhibit F.4 below) and serving four percent of our public school students. Eleven of Pennsylvania’s charters schools are Cyber Charters which we believe are particularly important for expanding opportunities to many students who live in rural areas of the state.

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<sup>1</sup> *How State Charter Laws Rank Against the New Model Public Charter School Law*, National Alliance for Public Charter Schools, January 2010.



Pennsylvania is **Reaching Beyond** by allowing successful charter schools to take over struggling schools. Mastery, a national recognized charter school operator, currently operates four schools in Philadelphia serving more than 2,000 students in grades seven through 12. Three of the four schools were previously "low-performing" district schools. Mastery now serves the *same* students in the *same* buildings and is seeing breakthrough results. Since Mastery has assumed management of these schools, test scores have increased an average of 52 percentage points per subject in every grade and violence and student mobility has dropped 80%. Simultaneously, student retention has increased dramatically. All three turnaround schools have closed the achievement gap in 8th grade math and two have closed the gap in reading.

Mastery Charter is a nationally recognized charter school operator and was cited by the U.S. Department of Education as the national example for its "restart" school intervention model. Mastery was recently awarded several Effective Practice Incentive Community (EPIC) awards by New Leaders for New Schools which reward schools, principals, teachers and leaders that are successful at significantly increasing student achievement in their high need charter schools. The City Charter High School and Propel Charter School in the Pittsburgh area have also received EPIC awards for their charter achievements. Pennsylvania had a "Gold Gain" or "Silver Gain" winner in each of the Elementary, Middle, and High School categories on the EPIC

National Charter School Consortium Award-Winning School list for 2009-2010 school year.<sup>2</sup>

The Philadelphia School District is currently home to 67 charter schools, 60% of all charter schools in Pennsylvania, serving 35,000 students. While many charters in Philadelphia demonstrate the potential to raise student achievement (75% of the charter schools in Philadelphia reached their student achievement targets in the 2008-09 school year) there are persistently low performing charters as well. In fact, seven charters are in Corrective Action and have not met performance targets over multiple years. Acknowledging the positive role charter schools may play in raising student achievement in the city, the Philadelphia School Superintendent will work with the governing body of the district to pursue and effectuate charter revocation as prescribed in Pennsylvania law for the lowest performing charter schools, in order to ensure sufficient opportunities for students to attend effective charter schools based on a rigorous continuing review of charter effectiveness.

Recognizing the value of our high performing charter schools, we included the leaders of these schools when developing this application - notably Scott Gordon of Mastery and Marc Mannella of KIPP Philadelphia. Their entrepreneurial approach to education offered valuable lessons and practices regarding school management, student motivation and strategies to boost teacher effectiveness that will be disseminated to our participating districts with RTTT funds.

**Exhibit F.3: Pennsylvania policies and laws promote high-quality, successful charter schools.** Source: Pennsylvania Department of Education

Components	Yes/No/		
	Under Review	Relevant Laws	Additional Information
Does the State have cap on the number of charter schools?	No	24 P.S. §17-1723-A(d)	No caps written into legislation
State disallows certain types of charter schools (e.g., startups or conversions)	No	N/A	
State restricts charter schools to operate in certain geographic areas	No	N/A	
State limits the number, percent, or demographics of students that may enroll in charter schools	No	24 P.S. §17-1723-A(d)	Specifically prohibits enrollment caps
Other restrictions?	No	N/A	

<sup>2</sup> EPIC National Charter School Consortium Award-Winning Schools 2009-10, New Leaders for New Schools, [http://www.nlms.org/documents/epic/2009-10\\_EPIC\\_Charter\\_Schools.pdf](http://www.nlms.org/documents/epic/2009-10_EPIC_Charter_Schools.pdf)

**F(2)(ii) Pennsylvania has laws, statutes, regulations, or guidelines regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools**

**Charter Accountability**

Pennsylvania is **Ready to Go** because both the General Assembly and the Department of Education are committed to the continued growth of high-quality charter schools particularly where their expansion offers an alternative to a struggling public school. To obtain a charter in Pennsylvania requires the following:

*Application:*

Charter applications may be submitted by individuals; one or more teachers who will teach at a proposed charter school; parents or guardians of students who will attend the charter school; any nonsectarian college, university or museum located in the state; any nonsectarian corporation not-for-profit; any corporation, association or partnership or any combination thereof. (See Exhibit F.6 for a summary of charter applications.)

*Authorization and Renewal:*

Charter schools may be authorized by the local school district, by the Pennsylvania Department of Education in the case of cyber charter schools, or by the School Reform Commission (SRC) in the School District of Philadelphia. Except in the case of the Philadelphia School District, appeal of a denial of a charter application is directed to the statewide Charter Appeals Board (CAB) which then has authority to reverse the denial and authorize the charter. In the case of Philadelphia, since the School Reform Commission is comprised of five appointees, a majority of whom are designated by the Governor, the legislature vested the full decision making power with respect to charters with the SRC. The CAB has authorized 37 charter schools, accounting for 27% of all charter schools currently in operation.

Original charters are authorized for a period of three to five years. After the first renewal, all subsequent renewals are for five years. Each renewal is based on the charter school's annual reports, reviews, and other sources of information such as the special education monitoring report, success in meeting performance goals set forth in the charter agreement and audited financial reports.

*Enrollment:*

Charter schools must give first preference to students who reside in the authorizing school district or districts. A charter school may give preference in enrollment to a child of a parent who has actively participated in the development of the charter school and to siblings of students presently enrolled in the charter school. A charter school must comply with a school district's desegregation order.

*Accountability:*

Pennsylvania's system of standards and assessments apply to charter schools. Charter schools must submit annual reports to the department and to their charter school authorizer. This report requires extensive information from each charter school including: 1) annual measurable goals; 2) school improvement planning; 3) quality school design; 4) AYP and NCLB accountability measures and results; 5) governance requirements; 6) financial responsibilities; 7) health and safety responsibilities; and 8) administrative needs. All charter schools are also required to submit their professional development, teacher induction and special education plans.

*Revocation or non-renewal*

A charter authorizer may terminate a school's charter if one or more material violations of any of the conditions, standards or procedures contained in the charter, **including failure to meet state requirements for student performance or failure to meet any performance standard set forth in the charter**. In addition, a charter school can have its charter terminated for failure to meet generally accepted standards of fiscal management or audit requirements; violation of provisions of the state charter school law; violation of any provision of law from which the charter school has not been exempted (including federal laws and regulations governing children with disabilities); or the charter school has been convicted of fraud also (see Exhibit F.5 for relevant laws and regulations).

*Technical Assistance:*

The state provides technical assistance to charter schools and charter authorizers. Most recently, Pennsylvania developed a detailed *Charter School Toolkit* designed to assist charter school organizers and authorizing school districts in developing quality charter agreements with

measurable objectives. The toolkit contains the necessary documents for annual reviews, reauthorization reviews and board decisions, should a revocation be necessary.

**Exhibit F.5 Pennsylvania’s has a strong system of charter school governance and accountability**

<b>Components</b>	<b>Yes/No</b>	<b>Relevant Laws/Regulations</b>	<b>Additional Information</b>
The state has laws, statutes, regulations, or guidelines regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools?	Yes	<ul style="list-style-type: none"> <li>• 24 P.S. §17-1717-A(e)(2)</li> <li>• 17-1719-A; 17-1728-A(a) and (b)</li> <li>• 17-1729-A</li> <li>• 17-1742-A</li> <li>• 17-1745-A(f)</li> <li>• 17-1747-A, Charter School Basic Education Circular (CS BEC)+ cyber CS BEC</li> </ul>	
The state has laws, statutes, regulations, or guidelines on whether authorizers require that student achievement be one significant factor, among others, in authorization or renewal?	No	24 P.S. §17-1729-A(a)(2)	The Charter School Law (CSL) allows non-renewal for failure to meet performance standards in charter
State’s relevant law, statutes, regulations, or guidelines encourage charter schools that serve student populations that are similar to local district student populations, especially relative to high-need students?	No		
State has closed or not renewed ineffective charter schools	No		<ul style="list-style-type: none"> <li>• School district authorizers have closed ineffective charter schools. Note that state has the authority to close cyber charter schools as presented in this table</li> </ul>

**Exhibit F.6 Pennsylvania charter school applications and closures, 2003-04 to 2008-09**

	<b>2003/04</b> <b>(Trad/Cyber)</b>	<b>2004/05</b> <b>(Trad/Cyber)</b>	<b>2005/06</b> <b>(Trad/Cyber)</b>	<b>2006/07</b> <b>(Trad/Cyber)</b>	<b>2007/08</b> <b>(Trad/Cyber)</b>	<b>2008/09</b> <b>(Trad/Cyber)</b>
<b>Number of charter school applications made</b>	32 (31/1)	23 (22/1)	18 (18/0)	17 (13/4)	28 (24/4)	20 (18/2)
<b>Number of charter school applications approved</b>	6 (6/0)	8 (7/1)	6 (6/0)	3 (3/0)	4 (4/0)	6 (6/0)
<b>Number of application denied<sup>4</sup></b>	26 (25/1)	15 (15/0)	12 (12/0)	14 (10/4)	24 (20/4)	14 (12/2)
<b>Number of charter schools closed</b>	3 (2/1)	2 (2/0)	3 (2/1)	1 (1/0)	1 (1/0)	2 (2/0)
<i>Academic reasons</i>						
<i>Financial Reasons</i>	2 <sup>1</sup>	2 <sup>1</sup>	1			1 <sup>1</sup>
<i>Low Enrollment</i>	1					
<i>Other</i>			2 <sup>2</sup>	1 <sup>3</sup>	1 <sup>4</sup>	1 <sup>4</sup>

<sup>1</sup> Financial mismanagement,

<sup>2</sup> Converted to virtual program, closed by mutual agreement of authorizer and charter school

<sup>3</sup> Dispute over legality of the charter

<sup>4</sup> Reason unknown

Charters denied by their school districts may appeal to the state Charter Appeals Board, which approves charters for approximately 50% of the appeals it hears. The chart below identifies the reasons for the charter appeals which have been denied by the Charter Appeals Board.

<b>Reason</b>	<b>Number of Appeals</b>
Insufficient community support	18
Inability to provide comprehensive learning opportunities	15
Curriculum/assessment deficiencies	14
Facility issues	13
Budget/finance issues	9
Improper admission restrictions	3
Religious entanglement	3

**F(2)(iii) Pennsylvania’s charter schools receive equitable funding compared to traditional public schools, and a commensurate share of local, State, and Federal revenues**

Section 24 PS 17-1725-A of the Pennsylvania Public School code states that for non-special education students, **the charter school is to receive no less than the budgeted total expenditure per average daily membership of the sending school district** minus several expenditures for nonpublic school programs, adult education programs, and community/junior college programs are subtracted as these are not required expenditures of the charter school. (See Exhibit F.7)

A comparison of the net current expenditures (excluding special education, nonpublic school programs, adult education programs, community/junior college programs and student transportation) of charter schools versus traditional schools, shows that the average net current expenditure per non-special education pupil of charter schools in 2008-09 was \$9,946 and for traditional school districts that amount was \$9,276. *This analysis makes clear that charter schools end up with \$1.07 to spend for every \$1.00 spent by traditional schools.*

Despite not being defined as LEAs under state law, Pennsylvania believes in the value of the charter schools in our state and recognizes the important contributions charter schools have to make in educational reform. We have committed to **Reaching Beyond** the requirements of RTTT to provide RTTT funds to participating charter schools out of the state share of the award. Participating charter schools will receive RTTT funds in the same amount as if they were defined as LEAs.

**Exhibit F.7 Pennsylvania Charter Schools Receive Equitable Funding**

<b>Components</b>	<b>Yes/No</b>	<b>Relevant Laws/Regulations</b>
Per-pupil funding to charter school students is ≥90% of that which is provided to traditional public school students—OR	Yes	24 P.S. §17-1725-A(2)+(3)
Per-pupil funding to charter school students is 80-89% of that which is provided to traditional public school students—OR	N/A	N/A
Per-pupil funding to charter school students is ≤79% of that which is provided to traditional public school students	N/A	N/A

**F(2)(iv) Pennsylvania provides charter schools with funding for facilities**

The state does not impose any facility-related requirements on charter schools that are stricter than those applied to traditional schools. Pennsylvania provides charters with funding for facilities by providing for the leasing of buildings or portions of buildings for charter school use that have been approved by the Secretary of Education. The Department of Education calculates an approved reimbursable annual rental charge.

Pennsylvania determines that the charge shall be the lesser of (1) the annual rental payable under the provisions of the approved lease agreement or (2) the product of the enrollment, as determined by the Department of Education, times \$160 for elementary schools, \$220 for secondary schools and \$270 for area vocational-technical schools. The Department of Education then pays on an annual basis, an amount determined by multiplying the aid ratio of the charter school by the approved reimbursable annual rental (PA School Code 25-2574.3).

In addition to this, Pennsylvania law allows a charter school that has been converted from an existing public school to remain in the school facility rent-free (See Exhibit F.8)

**Exhibit F.8 Pennsylvania Funding for Charter School Facilities**

<b>Components</b>	<b>Yes/No</b>	<b>Relevant Laws</b>	<b>Additional Information</b>
State provides charter schools with funding for facilities (for leasing facilities, purchasing facilities, or making tenant improvements), assistance with facilities acquisition, access to public facilities, the ability to share in bonds and mill levies, or other supports	Yes	24 P.S. § 25-2574.3	Provides lease reimbursement
State does not impose any facility-related requirements on charter schools that are stricter than those applied to traditional public schools	Yes		

**F(2)(v) Pennsylvania supports the growth and expansion of innovative autonomous schools**

Pennsylvania's laws and policies allow innovative education opportunities to develop at the local level and the Pennsylvania Department of Education provides intensive support and resources to local schools and districts to encourage diverse learning environments that address the needs of all students. Our approach to innovation has given rise to unique and promising models across the state including:

***Philadelphia School District's Renaissance Schools***

Recently, the School Reform Commission, the state-appointed governing board of the School District of Philadelphia, approved a plan to turn around 14 schools in the 2010-2011 school year through an initiative called Renaissance Schools. This plan gives these schools a high degree of autonomy in school management in exchange for a high degree of accountability for performance. Nine of the fourteen schools will be governed by Renaissance Turnaround Teams as either charter schools or innovation schools. Five schools will become "Promise Academies" which remain district managed but also enjoy expanded flexibility.

The recent collective bargaining agreement between the School District of Philadelphia and the Philadelphia Federation of Teachers gives broad autonomy to Renaissance Schools, including the ability to dismiss half the staff, extend the school day/year, and require principals to hire staff through mutual consent. (See Appendix E-1 for more information.)

***Pittsburgh Academies***

In February 2006, the Pittsburgh School District transformed eight struggling schools into Accelerated Learning Academies (ALA) as part of their Excellence for All reform agenda. These schools adopted the America's Choice school design for turning around struggling schools. The America's Choice model is a proven strategy to turning around schools that includes additional autonomy over school operations, extended learning time, site-based selection of all teachers and staff, enhanced use of data to inform instruction and school management and leveraging community and parents as school partners.

These Academies are already making a real difference in Pittsburgh. In the 2008-2009 school year, ALAs showed increases in student achievement at the advanced level in reading that were 1.4 times greater than school district as a whole and 3.5 times greater in mathematics. ALA schools also showed growth in proficiency in Reading equal to the remainder of the district and 2 to 3 times greater in mathematics. ALA students also posted percentage point reductions in below basic double the district reduction in below basic in both reading and math. (See Appendix E-2 for more information.)

### ***Chester County Technical High School***

The Chester County Technical College High School, which opened in September 2008, is unique dual-enrollment collaboration between the Chester County Intermediate Unit (CCIU) and the Delaware County Community College (DCCC) and is Pennsylvania's first hybrid career and technical high school/community college. It features three distinct yet interrelated educational programs—a regional high school accepting students from multiple school districts, a regional career and technical education school, traditional college courses, and new dual-enrollment classes that blend high school and for-credit college courses. Dual enrollment students can graduate with up to 16 college credits in addition to their high school diplomas. CCTC now serves over 500 high school students from five participating school districts in grades 9-12, and 300 college students. As a result of the success of the Chester County Technical College High School, the intermediate unit and additional school districts are collaborating to open a second campus in 2012. (See Appendix F-4 for more information.)

### ***University Assisted Community Schools***

Since 1985, a collaboration between the University of Pennsylvania, led by the Netter Center for Community Partnerships, and West Philadelphia school and community partners, has helped to transform existing neighborhood public schools into university-assisted community schools. Currently eight university-assisted community schools function as centers of education, services, engagement and activity for over 5,000 students, parents, and community members in West Philadelphia. Innovative collaborations have come to define this award-winning program, which has been widely recognized—and replicated—for its effectiveness in improving both the quality of life and the quality of learning of children in urban neighborhoods.

Students and teachers in these schools have access to a wide range of academic and enrichment opportunities including, a College and Career Readiness program, enhanced STEM education and professional development, paid student internships, college student mentors for k-12 students after-school and during summer enrichment programs, and health and nutrition education.

The Philadelphia Federation of Teachers recently received an innovation grant from the American Federation of Teachers Innovation Fund to assist in the expansion of the University Assisted Schools model to several additional schools in the West Philadelphia area. More information on the success of the Netter Center partnerships can be found in Appendix F-5.

### ***Virtual High Schools***

Pennsylvania will use RTTT funds to create a catalogue of 12 high rigor on line courses – four each year for three years - available to all students across the state. This on-line course option will be especially effective in improving academic rigor in small, rural, and low-wealth school districts where rigorous courses are not available due either to lack of resources. The first four courses offered on-line will be in STEM subjects.

The Pennsylvania General Assembly is also poised to pursue the development of on line coursework for Pennsylvania students. The Virtual High School Study Commission created by the Pennsylvania General Assembly recently issued its report on the feasibility and costs of a state-operated, Internet-based virtual high school program, to provide secondary education students throughout the commonwealth with access to a wide range of learning services, including:

- Expanded curricular offerings such a higher mathematics and science courses;
- Foreign languages and Advanced Placement (AP);
- Scholastic aptitude testing preparation programs;
- Enrichment and tutoring courses;
- Increased options for at-risk, homebound and alternative education students; and
- Dropout prevention and “credit recovery” offerings.