

**HARRISBURG CITY SCHOOL DISTRICT
BOARD OF SCHOOL DIRECTORS**

**IN RE: PENNSYLVANIA STEAM ACADEMY CHARTER SCHOOL
2018 CHARTER SCHOOL APPLICATION**

ADJUDICATION

The Board of School Directors (“School Board”) adopts this Adjudication regarding the 2018 Charter School Application (“Application”) filed with the Harrisburg City School District (“School District”) by the Applicant for the Pennsylvania STEAM Academy Charter School (“PA STEAM”, “Applicant” or “Charter School”). For the reasons that follow, the Application is denied.

I. Findings of Fact

1. On or about November 13, 2018, the School District received the Application filed by the Applicant. (PSACS 1-1112).¹
2. The School Board held two public hearings on the Application, the first occurring on December 13, 2018, and the second occurring on February 5, 2019. The public hearings were each stenographically recorded.²
3. The School Board has reviewed and evaluated the complete record in this matter, which contains the following documents:
 - a. The Application including all submitted attachments (PSACS 1-1112);

¹ The record in this proceeding will be referred to by reference to the Bates Stamped number beginning with the prefix “PSACS.”

² The Notes of Testimony from the two hearings will be referred to as “12/13/18 N.T. ___” and “2/5/19 N.T. ___”, respectively.

- b. Notices related to the hearings (PSACS 1113-1114, 1339);
- c. The Applicant's Powerpoint presentation from the first hearing, identified as Charter School Exhibit No. 1 (PSACS 1115-1153);
- d. The School District administration's written review of the Application, identified as School District Exhibit No. 1 (PSACS 1154-1169);
- e. The School District's evaluation of the Applicant's enrollment forms, identified as School District Exhibit No. 2 (PSACS 1170-1325);
- f. The concluding document filed by the Applicant (PSACS 1326-1338);
- g. February 14, 2019 letter to counsel for the Applicant regarding the vote on the Application (PSACS 1339); and
- h. Transcripts from the hearings held on December 13, 2018 and February 5, 2019.

General Information

- 4. The name of the proposed charter school is the Pennsylvania STEAM Academy Charter School. (*See e.g.* PSACS 3).
- 5. The Charter School seeks a five-year charter for the school years 2019-20 through 2023-24. (PSACS 5).
- 6. The Charter School plans to open in year 1 with Kindergarten through grade 2 with 120 students. Thereafter, the Charter School would add one grade per year and 80 additional students. By year 5, the Charter School would offer K-6 with 440 students. (PSACS 4-6, 106, 152).
- 7. Each grade would have 40 students with 2 classes per grade. (PSACS 6, 106).
- 8. The Charter School is proposed to be located at 1500 North 3rd Street in Harrisburg, a facility commonly known as Midtown II. The facility is currently leased by Harrisburg

Area Community College (“HACC”). The third floor and a portion of the second floor would be initially subleased by HACC to the Charter School for operations in Year 1. (PSACS 127; 12/13/18 N.T. 81-82).

9. The Applicant has not yet identified a proposed school leader for the Charter School or other potential staff members. (12/13/18 N.T. 81; 2/5/19 N.T. 111). None of the individuals associated with the founding team are proposed to work for the Charter School.

Curriculum and Educational Programming

10. The Charter School’s mission “is to provide students with rigorous academic content, emphasizing Science, Technology, Engineering, Arts and Math . . .” (PSACS 5).
11. The Applicant expects the Charter School to use a project-based approach to integrate English Language Arts (“ELA”), related arts, environment and ecology, science and social studies topics. (PSACS 33).
12. A sample integration chart providing a high-level overview of how topics might be integrated into various subject areas is provided on PSACS 66-73.
13. The School District administration presented a report on the curriculum and instructional aspects of the Application at the February 5, 2019 hearing. (PSACS 1154-1158; 2/5/19 N.T. 17-41). Observations by the School District administration in that regard are found to be credible and supported by the record, and are highlighted in pertinent part herein.
14. The Applicant did not provide a locally-developed, written curriculum establishing planned instruction for K-2 in Mathematics, Science, Social Studies, Computer Science, Engineering, Spanish, Music, Art, Dance, or physical education, which would include the applicable Pennsylvania standards, a pacing guide to teach each unit, the required or recommended instructional strategies that would assist teachers to understand what to use

while teaching the unit's content and skills; critical vocabulary to teach students for each unit; alignment to selected curricular resources chosen for each course and grade; and required and/or recommended assessments to administer to students throughout the unit. (PSACS 1155). The ELA curricular documents were the most developed of any of the subjects, but also lacked aspects of planned instruction such as assessments.

15. Students will have a related arts block for 40-minutes each day where students will rotate from Spanish, visual art, movement, music and computer science class one day per week. (PSACS 45, 60, 62). Students will also have a 60 minute engineering design class each afternoon. (PSACS 51, 151).
16. For ELA, Mathematics, Science, Social Studies, music, dance and visual arts, the Applicant has printed out the curriculum framework from Pennsylvania Department of Education's ("PDE") Standards Aligned System ("SAS") website, but these resources are not a locally-developed curriculum and do not reflect all aspects of planned instruction. (PSACS 1155-1158).
17. The Applicant did not provide a curriculum framework for what would be taught or assessed to students in any subject area, including what students would be doing during the instructional time or how they would be assessed. This is particularly true for the ELA and literacy aspect of the program. (PSACS 1155-1156).
18. Differing curriculum frameworks in Math (PDE SAS, NY Engage, Eureka Math/Great Minds, PA Mathematics Design Collaborative Community, Balanced Mathematics) are cited without an explanation for how those resources would be meshed together into a coherent, unified framework. (PSACS 1156). The Mathematics units have not yet been designed. (PSACS 23). Similar problems exist for ELA and Science. (PSACS 1155-1157).

19. One of the Science resources identified in the Application is the Smithsonian Science's K-5 Science Units. According to the Applicant, Smithsonian Science has not yet completed its K-5 instruction modules at this time, and no timetable was provided for the completion process. (PSACS 31, 1157).
20. If a charter school could satisfy the application curriculum requirements by simply printing off the SAS framework for each subject area, no charter school would be unique or innovative in its programming.
21. For Social Studies, no curricular resources are identified for teacher or student use. (PSACS 1157).
22. The related arts (dance, visual arts and music), computer science, Spanish and physical education are not proposed to be taught by in-house employees of the Charter School, but rather provided wholly through contracting entities. The curriculum that would be taught by those contracting entities is not provided. Nor is it known who would prepare such curriculum. Because no unit plans or other documents identifying the instruction to be provided to students in order to meet the various State standards that apply to those areas is provided, the School District cannot ascertain whether those entities understand the requirements for planned instruction aligned with State standards.
23. Many assessments are identified in the Application, including DIBELS, Scantron performance, IRLA, Affirm, Classroom Diagnostic Tools, SchoolPace, and ECAM. (PSACS 86-90). An assessment calendar was not provided outlining the assessment and the frequency of administration for each grade. (PSACS 1158).
24. The Applicant did not provide any lesson plans, locally-developed assessments or any guide for how and when newly hired teachers are expected to develop such lesson plans or

locally-developed assessments. Teachers are only expected to begin working two weeks before the start of the school year.

25. The Application indicates that teachers will be undertaking an “intensive” professional development (“PD”) and orientation session during an unidentified two week period, presumably prior to the arrival of students on August 19, 2019 (PSACS 79, 138); however, a PD calendar and plan were not provided to ascertain the specific opportunities and learning experiences that teachers would be having in those two weeks, or any other time throughout the school year, or when teachers would be preparing curriculum for the new school during that time period. The list of opportunities identified on PSACS 137-138 is not specific to the 2019-2020 school year and does not identify what learning experiences would be provided at what times; who would be responsible for each training; and which employees would benefit from the experiences. The list provided on PSACS 137-138 also does not reflect any of the legally mandated trainings that all public schools must offer.
26. While the Applicant utilized the services of a curriculum consultant for purposes of developing the information contained in Appendices A-F, such services are not expected to continue into the operating years of the Charter School, according to the budget. (PSACS 484). It is not known who would be responsible for the creation of curriculum, or the supervision of curriculum creation, should the Charter School receive a Charter. The brief description of qualifications for the Principal/CEO found on PSACS 82 and 122 do not provide any assurances that a candidate for this position would have a curriculum supervision background or credential, or would even be responsible for the creation of curriculum at the school.

27. The only administrator identified for employment in Years 1-3 is a Principal/CEO. (PSACS 136). It is not known who else would provide PD to staff members throughout the school year given this administrative staffing and the lack of discussion in the Application.
28. The Applicant submitted several academic and non-academic goals related to the Charter School's operations on PSACS 6-8. With respect to the academic goals "to promote student learning" on PSACS 6, three of the four goals related to academic performance refer to the Charter School's overall student population by grade and subject area to be measured by PSSA/PASA results and the fourth goal relates to student promotion rate.
29. The academic and non-academic goals do not correlate to the majority of the accountability areas identified in Pennsylvania's Consolidated State Plan in compliance with the Every Student Succeeds Act ("ESSA") and the Future Ready PA Index, which was launched during the 2017-2018 school year. Those goals would include subgroup performance, academic growth expectations, English Learner proficiency and college and career measures. Contrary to the Applicant's representations that it did not know what those components would be because the Future Ready PA Index was not launched until after the Application was submitted (PSACS 1328), the Future Ready PA Index components have been known for some time, as PDE submitted its final Consolidated State Plan to the United States Department of Education in September 2017 and it was approved in January 2018. <https://www.education.pa.gov/K-12/ESSA/Pages/default.aspx>.
30. The Applicant did not provide any measure to track, monitor, or assess any safety issues that arise within the school related to non-academic Goal 4, to provide a "safe, stable environment in which students can learn, thrive, and succeed academically." (PSACS 8).

31. The stated academic goals on PSACS 6 do not correlate with the goals and metrics articulated on PSACS 79-80 as the means to ensure that the school is meeting its stated mission and objectives.
32. Instructional hours for the 2019-2020 school year are represented to be 1350 instructional hours, based upon a 7 hour, 15 minute instructional day, Monday-Friday, from 8:15 a.m. to 4:00 p.m. (PSACS 78). The School District's administration analyzed the proposed school schedule and other representations about instructional hours, and found that the actual instructional hours to be provided by the Charter School are significantly less than what has been represented if one factors in the actual starting time for school rather than breakfast (8:30 a.m.), lunch, snack time, parent-teacher conferences (2 per year according to the Applicant's Concluding Document at PSACS 1335), and half day dismissals for PD several times during the school year. (PSACS 1162). The School Board finds this conclusion to be accurate and supported by the record.
33. An outline of the school calendar is discussed on PSACS 78-79. According to the outline, during the 2019-2020 school year, students would be in school on Fridays throughout the month of May, with the last day of school being on Friday, May 29, 2020. That information is inconsistent with the "Dates and Hours of Operation" found in Exhibit B in the sublease provided between the Charter School and HACC, which states in pertinent part:

The Charter School will be located in the Midtown 2 building located at 1500 North Third Street, Harrisburg, PA 17102.

Charter School agrees that the space will only be available when the college is officially open. Limited access to the building outside of normal operating hours will [sic] made available to employees that the Charter School has specifically identified as authorized individuals to access the space. The college calendar is available on www.hacc.edu. HACC notifies employees and students via a text notification system in the case of emergency closing. Charter School is encouraged to sign up for the notification to monitor official college closings. *Furthermore,*

HACC operates on a four-day work week from mid-May through mid-August. Charter School understands that the space will not be available on Fridays during those weeks.

(PSACS 353) (italics added).

Community Support and Engagement

34. The Applicant has only held one open house/community meeting to date. (PSACS 109; 12/13/18 N.T. 91-92; 2/5/19 N.T. 111-112).³
35. A list of community members and partners are described in the Application on PSACS 92 and 110, but only two of those individuals/entities submitted letters of support in Appendix G – Susquehanna Art Museum and State Street Academy of Music (PSACS 153-169).
36. Sixteen (16) letters of support from elected officials, former elected officials, businesses, non-profits and individuals are included in Appendix G. (PSACS 153-169).
37. Five individuals spoke in support of the proposed Charter School at the first hearing. (12/13/18 N.T. 21-33). No one desired to give public comment at the second hearing. (2/5/19 N.T. 14).
38. Intent to enroll forms are provided in Appendix H. Of the 131 non-duplicative forms provided, 103 are for Harrisburg-resident children. Of the 103 forms, only 53-61 might be grade eligible to attend school in the 2019-2020 school year based upon the information provided in the forms, assuming the individual who filled out the forms has legal authority to enroll the student. (PSACS 1170-1325).

Student Supports

39. The Applicant anticipates a population of students that “largely mirrors” the School District’s and City’s demographics. (PSACS 108). The Applicant cited the School

³ The 2/5/19 transcript uses the word “committee” to describe the question posed, but the question asked whether only one “community” meeting had been held to date.

District's English Learners ("ELs") population of 13.6% and special needs population of 16.06%. (PSACS 108). However, according to the School District administration, as of October 1, 2018, the School District was educating an EL population of 16.5% and a 19.1% population of special education students. (PSACS 1165).

40. If the Applicant expects its student body to "largely mirror" the School District's student body, in Year 1, approximately 20 of the 120 students would be ELs and approximately 23 of the 120 students would be students in need of special education services.
41. The Applicant did not submit a Language Instruction Education Plan describing the program model(s) that will be utilized to provide services to ELs, and did not provide a discussion in the narrative or in the curriculum appendices regarding the program model and services to be offered to EL students in compliance with Chapter 4.
42. In the section of the Application where the Applicant is to discuss its "mandatory student attendance plan and its fit with the code of conduct" (PSACS 144-145), the Applicant did not address truancy, or the process to be utilized to enforce the truancy requirements, whatsoever. (PSACS 1163).
43. The response in the attendance section of the narrative further states: "A pattern of unexcused or illegal absences may be grounds for suspension from the school as detailed in the previous questions." (PSACS 145). According to guidance from PDE, attendance issues should not be used as a basis for disciplinary suspensions from school. <https://www.education.pa.gov/Documents/Codes%20and%20Regulations/Basic%20Education%20Circulars/Purdons%20Statutes/Truancy.pdf>.
44. The Applicant did not submit a Code of Student Conduct with the Application, and indicated that such a document had not yet been prepared. (PSACS 142).

45. On PSACS 143-144, lists of some types of behavior that could lead to an out-of-school suspensions or expulsions are provided, although how the levels of progressive discipline for any infraction will be implemented is not provided, nor is the exact correlation between a particular offense and the length of a suspension, for example. (PSACS 1159). Included on the list of out-of-school suspensions are “unexcused or illegal absences”. (PSACS 143). The section discussing suspensions and expulsions does not identify any due process protections or procedures that would be followed for regular education students or students with disabilities.
46. The enrollment and admission requirements are not specified in the Application, in terms of what would be required from enrollee for proof of residence and proof of age, and how potential ELs would be screened in accordance with ESSA and PDE guidance. (PSACS 1164).
47. A Response to Intervention model (“RtI”) is mentioned in the Application related to academic interventions with students, but the Applicant does not discuss whether it will have a Multi-Tiered System of Support in terms of both academic and behavioral success with students, which is important for the student body from the School District that the Charter School would educate. (PSACS 1159). In addition, the RtI interventions disclosed in the Application suggest that Tier 3 interventions would be special education interventions, which is inconsistent with the RtI steps being the pre-cursor to special education identification. (PSACS 86-87, 1160).

Financial Planning and Staffing

48. The budget submitted by the Applicant lacks any detailed narrative to ascertain the type of services, scope of services and expenditures included in most line items. Notwithstanding

those deficiencies, the following issues were identified based upon the limited information presented and questioning at the various hearings.

49. To balance the budget, the Applicant relies on the receipt of \$350,000 in the 2019-2020 school year from a source identified as a “loan”. (PSACS 484). Of that amount, \$100,000 is reflected in the Application through a Promissory Note with The Comet Foundation. The Promissory Note also proposes to give \$150,000 to the Charter School for start-up expenses in Year 0, the 2018-2019 school year. (PSACS 126, 419-423).
50. Other than the line item in the budget, the Application does not discuss the need for additional funds beyond the loan from The Comet Foundation. (2/5/19 N.T. 88). The Application does not discuss the origin of the additional \$250,000 in “Loan” needed to balance the budget for the 2019-2020 school year. No potential lender has been identified, and no lending terms have been identified. It is not known whether there is a lender willing to provide those funds for a start-up Charter School in order to balance the budget.
51. The Promissory Note with the Comet Foundation is signed by Ralph Dyer, the President of the Comet Foundation, who is also the Board President of Commonwealth Charter Academy Charter School (“CCA”). (PSACS 421). According to the repayment terms of the Promissory Note, the Charter School “may only use the Principal Sum for executing its operating budget and for making payment of any service fees due any payable to the CCA.” (PSACS 420).
52. The Applicant does not know what the relationship is between The Comet Foundation and CCA. (2/5/19 N.T. 108).
53. According to the Application, the Charter School intends to contract with Capital Area Intermediate Unit (“CAIU”) to provide all special education services for students,

including but not limited to: special education teachers, school psychologists and all related services providers. (PSACS 74, 76). Due to the brevity of discussion in the Application about special education services and staffing, the Applicant did not provide information on how it will ensure that a continuum of services would be available to all special education students, regardless of need, given that all special education staffing and programming will come from CAIU. (PSACS 1161).

54. At the first hearing, the Applicant was asked if CAIU would “be providing any other services beyond special education services” to the Charter School, and the Applicant responded, “No”. (12/13/18 N.T. 76-77). However, that representation is inconsistent with information in the Application itself and the answers elicited from the Application during further questioning at the second hearing.

55. According to the Application, CAIU is the only entity identified who would be providing school health services, including a school physician, school nurse and dentist. (PSACS 148-149). No information was provided about the staffing for school nursing services in terms of the qualifications of the person(s) serving in that role or the frequency with which a school nurse would be on-site at the Charter School. (PSACS 148-149).

56. At the second hearing, the Applicant disclosed for the first time that CAIU would also be providing an English as a Second Language (“ESL”) teacher and school counselor, in addition to the special education teachers, related service providers and school health service providers referenced in the Application. (2/5/19 N.T. 91-97). The Applicant’s Concluding Document also indicates that CAIU will provide a counselor and the “procedures, evaluation, instruction and monitoring of ESL [sic] students”. (PSACS 1330).

57. The budget, however, does not include any staffing for the provision of services to ELs. No ESL teacher or EL instructional aides are budgeted for either employment or as contractors with the Charter School in any year.
58. No contract, memorandum of understanding, letter or other document was provided from CAIU to verify CAIU's interest and ability to provide the full gamut of services represented by the Applicant, or the cost structure for those services.
59. The Applicant's estimated special education population for budgetary purposes in Year 1 is 18 special education students, which equates to a 15% population. (PSACS 74, 484). That is a lower population than the incidence of special education students in the School District schools.
60. The Charter School's budget for the 2019-2020 school year contains one line item for proposed services from CAIU in the amount of \$117,000. The description of the line item states: "Estimated \$6,500 related service costs times 18 students which is 15%". (PSACS 484). If CAIU were only providing related services to special education students enrolled in the Charter School, that figure may be sufficient, from a planning perspective. However, the Applicant testified at the second hearing that the \$117,000 is intended to cover the full gamut of services to be provided by CAIU (special education teacher, all related service providers, an ESL teacher, counseling services, and all school health services). (2/5/19 N.T. 91-97). This representation is inconsistent with the description in the budget that the costs are only for related services.
61. Further, the School Board finds as fact that \$117,000 is insufficient to provide the full gamut of services described above, given its experience and market factors. While the Applicant suggests in its Concluding Document that CAIU has indicated that it could

provide the full scope of services for the amount listed in the budget (PSACS 1336), no one from CAIU came to the hearing to attest to this and the Applicant did not provide any evidence to support that representation in the Application.

62. The Charter School's budget does not include any expenditures for the direct employment of any special education teachers or other special education staff, ESL teachers, a school counselor or a school nurse.
63. The organizational chart on PSACS 123 identifies a "Special Education Manager", "ELL Lead" and "Counseling Manager" as three distinct positions at the Charter School. None of those positions appear in the staffing chart or in the budget in any year. (PSACS 136, 479-487). The Manager of Special Education is supposed to be "employed" by the Charter School, per the representation on PSACS 135, but that is not allotted for in the budget in any of the first five years of the Charter. (12/13/18 N.T. 77-79).
64. The Charter School will not employ any teachers to implement the arts programming, computer science programming, physical education, or Spanish curriculum; no employees are identified in the budget for those curricular areas. (PSACS 484). Rather, the Charter School would contract out the provision of services for those aspects of the curriculum. (2/5/19 N.T. 98-103).
65. The Application does not contain any cost or service proposals from any individual or entity with respect to the provision of any aspect of the daily or weekly (depending on the subject) arts, computer science, physical education, or Spanish programming, including but not limited to: Susquehanna Art Museum; State Street Music Academy; Splat, Inc.; and Carlisle Reach Group Movement and Dance Labs. Because this information is not provided, it cannot be ascertained whether the \$61,500 budgeted in Year 1, or the amounts

budgeted for later years, are sufficient to provide the full scope of programming (personnel, fees, curricular materials, supplies, etc.) outlined in the Application narrative to fulfill the STEAM mission and other educational components of the school for the entire school year.

66. Notwithstanding the fact that the instruction in these areas would be provided by contractors versus teachers employed by the Charter School, because information is omitted about the contracted service providers, the Applicant also does not address the qualifications of the individuals who would provide these contracted services, including certification and clearance requirements.
67. The Application contains several references to the Charter School hiring 7 Success Coaches in Year 1, who will serve as paraprofessionals. (PSACS 136, 484; 12/13/18 N.T. 80). The Applicant admitted at the second hearing that the amount budgeted for the salary and benefits for the 7 Success Coaches is incorrect, and is underbudgeted by \$33,750 in Year 1. (PSACS 1169; 2/5/19 N.T. 115-117).
68. Under the Statement of Work (“SOW”) attached to the Master Service Agreement between CCA and the Charter School, CCA is to provide the detailed list of Human Resources, business office and attendance/billing services at a cost of \$600 per student. (PSACS 338). The detailed list of services to be provided does not include budget preparation services or Information Technology services. (Id.) At the second hearing and in its Concluding Document, the Applicant suggests that such services will be included in the \$600 per student fee, but the clear terms of the SOW do not support that statement. (PSACS 1337; 2/5/19 N.T. 77-78, 89-91).

69. At the first hearing, the Applicant stated that each student beginning in Kindergarten will be given their own laptop, in accordance with the agreement with CCA to provide laptops at a cost of \$50 per student. (12/13/18 N.T. 87-89).
70. The SOW states that CCA “shall loan reconditioned laptop computers at the price of \$50 per laptop unit per year”. (PSACS 338).
71. When questioned at the second hearing, the Applicant could not find any expenditures in the budget for the payment of \$50 per laptop to CCA, and admitted that there was a contradiction in the budget compared to the SOW that had not yet been resolved. (2/5/19 N.T. 83-84).
72. The Applicant also does not know whether the reconditioned laptops are ones that had been utilized in the past by CCA’s own students enrolled in the cyber charter school; how CCA procured the laptops or through what funding; or what the specifications would be for the laptops that the Charter School would receive from CCA. (2/5/19 N.T. 78-79).
73. In the Concluding Document, the Applicant admits that the budget only contains sufficient funds to “equip one computer lab with 20 laptops and each teacher and administrator with their own laptop”. (PSACS 1337). This proposal is contrary to the representations in the Application and at the first hearing, and would not enable the Applicant to have computers for student use in any classroom in this STEAM school, other than one computer lab.
74. The Applicant did not identify or discuss safety or security arrangements for students, the proposed facility or school operations in terms of school safety teams, security staffing, entry systems, etc., designed to ensure the safety and well-being of students. The only discussion in the Application is found on PSACS 148, which is limited solely to the intent to obtain necessary inspections, insurance and approvals related to use of the building.

According to the sublease provided between the Charter School and HACC, HACC shall have no responsibility for the security of the school. (PSACS 342). There is no money identified in the budget for school security personnel (employees or contractors) or school security systems.

75. No information was provided in the Application about the health insurance plans or coverage to be provided to Charter School staff in order to determine the plans/coverages' similarity to the School District's health insurance coverage.

76. The Applicant did not provide a proposal for insurance coverage identified in the Application narrative, in order to ascertain the coverage amounts to be procured and the costs of such coverage. The narrative only identifies the type of insurance to be procured, not the actual limits of coverage, which could have a significant effect on adequacy and cost.

77. The proposed ending fund balance of \$42,275 is not sufficient to make up the deficiencies noted above. (PSACS 479).

Governance Issues

78. The Charter School's operating board ("Charter Board") has been constituted and has been meeting since May 2018, according to the Charter Board minutes supplied with the Application. (PSACS 424-447).

79. Ten individuals are listed in the Application as serving as members of the Charter Board. (PSACS 111-119, 121, 124-125, 448). At the second hearing, the Applicant clarified that one of those individuals identified, Doug Neidich, is not serving as a Charter Board member. (2/5/19 N.T. 67-68). Mr. Neidich is the Chief Executive Officer of Greenworks Development, LLC, which owns the Midtown II property. (PSACS 127, 461). That

relationship would cause him to have a conflict of interest related to the Charter School's proposed facility.

80. Bylaws submitted for the Charter School permit the Charter Board to have 5-9 directors. (PSACS 315). The Charter Board currently has 9 directors, none of whom are a parent representative. The Application states in multiple places that the Charter Board will have one or more parent representatives. (PSACS 92, 120, 123). The Applicant did not discuss how it will take steps to ensure that there is parent representation in the Charter Board given the fact that the director seats permitted in the Bylaws are already filled.
81. The Bylaws reference a "Head of School" as an ex officio, non-voting member of the Charter Board (PSACS 316), but no such position is identified elsewhere in the Application.
82. The Charter Board shall have a standing Executive Committee and Finance Committee per the Bylaws (PSACS 317-318), but the Bylaws do not identify whether those committees will meet in public.
83. The Application does not discuss any training for the Charter Board required under Act 55.
84. CCA is proposed to be a support services provider to the Charter School. (PSACS 124). CCA is an operating cyber charter school in the Commonwealth of Pennsylvania.
85. The Applicant did not provide any information from CCA or PDE relative to the determination of whether an operating cyber charter school can provide business or support services to an unrelated brick and mortar charter school, either pursuant to its Charter or the Charter School Law.

II. Discussion

The Charter School Law (“CSL”), Act of June 19, 1997, P.L. 225, as amended, 24 P.S. §17-1701-A *et seq.*, mandates that “[a] charter school application submitted under the [CSL] shall be evaluated by the local board of school directors based on criteria, including, but not limited to,” the following:

1. The demonstrated, sustainable support for the charter school plan by teachers, parents, other community members and students, including comments received at the public hearing;
2. The capability of the charter school applicant, in terms of support and planning, to provide comprehensive learning experiences to students pursuant to the adopted charter;
3. The extent to which the application addresses the issues required by the CSL; and
4. The extent to which the charter school may serve as a model for other public schools.

24 P.S. § 17-1717-A(e)(2); 53 Pa. C.S.A. § 303(2).

The CSL requires charter school applicants to address the following issues in their applications:

1. The identity of the applicant;
2. The name of the proposed charter school;
3. The grade or age levels served by the school;
4. The proposed governance structure, including a description and method for the appointment or election of members of the board of trustees;
5. The mission and education goals of the charter school, the curriculum to be offered and the methods of assessing whether students are meeting educational goals;

6. An admission policy and criteria for evaluating the admission of students that complies with the CSL;
7. The procedures that will be used regarding the suspension or expulsion of pupils;
8. Information on the manner in which community groups will be involved in the charter school planning process;
9. The financial plan for the charter school and the provisions that will be made for auditing the school;
10. Procedures to review parent complaints regarding the operation of the school;
11. A description of and address of the physical facility in which the charter school will be located, the ownership of the facility, and the lease arrangements;
12. Information on the proposed school calendar, including the length of the school day and school year;
13. The proposed faculty and a professional development plan for the faculty of a charter school;
14. Whether any agreements have been entered into or plans developed with the local school district regarding participation of the charter school student in extracurricular activities with the school district;
15. A report of criminal history record for all individuals who shall have direct contact with students;
16. An official clearance statement from the Department of Public Welfare; and
17. How the charter school will provide adequate liability and other appropriate insurance for the charter school, its employees and the board of trustees of the charter school.

24 P.S. §17-1719-A. In addition, cases interpreting these requirements from the State Charter School Appeal Board (“CAB”) and the appellate courts provide additional parameters for the School District’s review.

Against this backdrop, the School Board examines the Application.

III. Analysis Under the CSL

A. The Applicant Has Not Demonstrated Sustainable Support for the Charter School Plan by Teachers, Parents, Other Community Members and Students.

Section 1717-A(e)(2)(i) of the CSL requires the applicant to demonstrate “sustainable support for the charter school plan by teachers, parents, other community members and students” within the community where the charter school is to be located. 24 P.S. § 17-1717-A(e)(2)(i). “Sustainable support” has been defined by CAB as “support sufficient to sustain and maintain a proposed charter school as an ongoing entity.” *Bear Creek Community Charter School*, CAB No. 2003-3; *Ronald Brown Charter School*, CAB No. 1999-1. Sustainable support is “an inherent variable based upon the size of the proposed school, the size of the community and other factors.” *Environmental Charter School*, CAB No. 1999-4. Sustainable support is measured in the aggregate and not by individual categories. *Carbondale Area School District v. Fell Charter School*, 829 A.2d 400, 405 (Pa.Cmwlth. 2003). The appropriate measurement for sustainable support is against the initial opening and operation plan of the charter school. *Bear Creek Community Charter School*, CAB No. 2004-2, at 6-7.

The proper community to determine sustainable support is the school district in which the charter school is to be located. *Legacy Charter School*, CAB No. 2000-14. The support documents, including petitions, must clearly identify that the signers or supporters are school

district residents to be considered as evidence of sustainable support. *Dr. Lorraine K. Monroe Academy Charter School*, CAB No. 2000-16.

Although the idea for the Charter School was conceived several years ago among a core group of individuals who are involved in the founding of the proposed school (PSACS 109-110), the Applicant has not taken steps to garner significant support for the Charter School from those who live in the Harrisburg community. Only one community meeting has been held to date. The public, advertised hearings before the School Board on the Application were not well-attended, and virtually all of the attendees were associated with the Applicant group, in terms of founders and representatives from CCA. Only sixteen letters of support were received, and only five individuals spoke in favor of the Application at the first hearing, one of whom, Mayor Papenfuse, is already reflected in the letters of support submitted with the Application. The Application contains information to support that only 53-61 grade-eligible students are interested in enrolling in the school, despite the Charter School being several years in the works, according to the Applicant.

Reviewing all of the submitted evidence of community support in the aggregate, the Applicant has not met its burden of showing sustainable support for the proposed school and for the overall charter school plan set forth in the Application, as required by Section 1717-A(e)(2)(i) of the CSL.

B. The Applicant Has Not Established That It Has Properly Planned To Provide Comprehensive Learning Experiences To Students Pursuant To The Adopted Charter.

The CSL requires charter school applications to demonstrate “the capability of the charter school applicant, in terms of support and planning, to provide comprehensive learning experiences to students pursuant to the adopted charter.” 24 P.S. § 17-1717-A(e)(2)(ii). A careful review of

the Application establishes that the Applicant has not demonstrated, based upon its support and planning, the capability of providing comprehensive learning experiences to students under the standards articulated by CAB and the appellate courts in Pennsylvania.

Governance Structure

A charter school must be organized and operated as a non-profit entity. 24 P.S. § 17-1703-A. To determine whether a charter school will be operated in accordance with the CSL, the appellate courts in Pennsylvania require a review of several different types of documents: the articles of incorporation filed by the applicant; the proposed Bylaws of the school; and the management agreement, if any, between the applicant and any proposed management company. *Carbondale Area School District v. Fell Charter School*, 829 A.2d 400, 407-408 (Pa.Cmwlth. 2003).

The Bylaws submitted for PA STEAM indicate that the Charter Board will have an Executive Committee and a Finance Committee. The Charter Board is statutorily required to hold the powers described in 24 P.S. § 17-1716-A; committees established by the Charter Board cannot hold or exercise these powers. The documents submitted with the Application did not provide evidence that the Charter Board as a whole would maintain all of the powers set forth in Section 1716-A. Further, the Application does not address when the Executive Committee and Finance Committee would meet and whether those two committees would meet in public, given the fact that the Charter School would be subject to the Sunshine Act.

In terms of the proposed Charter Board membership, 5-9 directors are to make up the Charter Board, but at least one of those seats would be filled by a parent representative. The Applicant does not disclose how at least one parent representative will be chosen when 9 individuals currently sit on the Charter Board.

Beginning in the 2018-2019 school year, the Public School Code now requires charter school trustees to complete required training programs pursuant to Act 55 of 2017. Neither the Application nor the Bylaws addresses these required training programs or identify how the Charter School will comply with Act 55.

Curriculum and Educational Program

The proposed curriculum for a charter school must, *inter alia*, show how the applicant will offer comprehensive planned instruction to fulfill Chapter 4 requirements, how the particular subject areas will meet Pennsylvania standards, and how the applicant will deliver special education services to students with disabilities. *Bear Creek Community Charter School*, CAB No. 2003-3. This is required in order to show how the proposed charter school will offer comprehensive learning experiences to its students as required under Section 1717-A(e)(2)(ii). For the following reasons, the Applicant has not fulfilled this burden.

“The curriculum of a school, any school, is one of the most significant building blocks of the educational program at that institution. To not have the curriculum completed and fully aligned shows a lack of adequate planning.” *Thomas Paine Charter School*, CAB No. 2009-04, at 9. Section 4.4(a) of the State Board of Education regulations, 22 Pa. Code § 4.4(a), applies to charter schools. 24 P.S. § 17-1732-A, n.8. That regulation provides as follows: “It is the policy of the Board that the local curriculum be designed by school entities to achieve the academic standards under § 4.12 (relating to academic standards) and any additional academic standards as determined by the school entity.” 22 Pa. Code § 4.4(a). A curriculum is defined by the State Board of Education regulations as: “A series of planned instruction aligned with the academic standards in each subject area that is coordinated and articulated and implemented in a manner designed to result in the achievement at the proficient level by all students.” 22 Pa. Code § 4.3. Planned

instruction is defined as: “Instruction offered by a school entity based upon a written plan to enable students to achieve the academic standards under § 4.12 (relating to academic standards) and any additional academic standards as determined by the school entity.” *Id.*

A charter school applicant’s failure to submit curricular materials that establish the planned instruction required by the State Board of Education regulations for the grade levels to be served by the applicant is a basis for denial of the application. *Allentown Engineering Academy Charter School v. Allentown School District*, CAB No. 2014-01, at 16-18. The charter school’s curricular plan must be fully developed at the time the application is filed. *Environmental Charter School at Frick Park*, CAB No. 2007-05, at 6-7. In addition, the complete curriculum plan must be submitted to determine if the proposed charter school could be a model for other public schools. *Duquesne Charter School*, CAB No. 2013-01, at 9 (citing *In Re: Environmental Charter School*, CAB No. 1999-14, at 21). An applicant would not be a model for other public schools if the curriculum submitted was not fully developed. *Duquesne Charter School*, CAB No. 2013-01, at 12.

To meet the definition of “curriculum” in the State Board of Education regulations, the curricular documents submitted must include the indicators of planned instruction set forth in the regulations, including resources and assessments that will be utilized in each subject area. *Spartansburg Community Charter School v. Corry Area School District*, CAB Docket No. 2016-02, at 33. The documents must establish a program that is fully aligned with Pennsylvania standards; if PA Core Standards for the appropriate grade levels are missing, or if the curricular documents cite to standards in use in other States or academic standards that do not exist in Pennsylvania, the curricular documents are not fully aligned. *Id.*, at 35-37. The curricular documents submitted must also give an idea of “how the teacher of the course is to lead the students through the course or gauge whether students understand the concepts and have attained the

competencies at the heart of the course.” *Id.*, at 33. The resources and materials to be used in each course must be age-appropriate for the grades to be served by the charter school. *Id.*, at 33-35. Failure to use age-appropriate material creates barriers to learning. *Id.*, at 35.

The curricular materials submitted by an applicant must also address the nontraditional elements of the Charter School and how those elements will be integrated into the curriculum; failure to do so will render the curriculum insufficient. *In re Appeal of Community Service Leadership Development Charter School*, CAB No. 2010-02, at 11 (citing *In re David P. Richardson Academy Charter School*, CAB No. 2001-08). For example, where an applicant touted the use of hands-on learning outside the classroom, CAB expected to see lesson plans or instructional timelines to indicate where and how those themes and hands-on learning would be integrated into the charter school’s education programming, and found fault with the applicant where the two lesson plans provided did not reflect any such hands-on learning outside the classroom. *Spartansburg Community Charter School, supra*, at 39. Further, if an applicant represents that a theme will be integrated into the curriculum, evidence of such integration in the overall curriculum must be apparent from the curriculum maps or documents submitted. *Id.*, at 39-40.

Here, the Applicant has not taken sufficient steps to provide evidence of planned instruction that meets and is aligned with all of the Pennsylvania Standards in every subject area and grade to be offered in year 1 of the charter, as detailed in the factual findings above. If the Applicant is going to be relying on the teaching staff to design the curriculum, as stated in the Concluding Document (PSACS 1326-1328), the Applicant has not provided any rational explanation as to when such staff would be hired, when the hired staff would receive training on the proposed educational programming, and when the complete curriculum to be implemented

would be completed by those new hires prior to the start of the school year. The three-stage Understanding by Design (“UBD”) model (PSACS 1327) does not align with a brand-new start-up charter school that would need to have curriculum in place by the first day of school, which is less than 6 months from now. This is not a scenario where the charter school is already in existence and needs to update its existing complete curriculum to ensure compliance with all State standards. None of the three stages of UBD have been completed to date for all subject areas and grades to be served in Year 1. No plan has been provided to show that teachers would begin working prior to the two-week in-service period at the start of the school year. The curriculum consultant is not identified as providing further services beyond the submission of the Application. No one with a curriculum focus is to be hired by the Charter School.

The Applicant also did not provide an assessment calendar or provide any sort of detail to guide teachers in the development of local assessments in any subject area. In terms of behavioral support, the Application provides few details for how the Applicant intends to implement the Response to Intervention program proposed in the Application.

Given the STEAM focus of the Charter School, one would have also expected to see curricular documents that evidence the technology, computer science, engineering and arts programming that make up a fundamental part of the proposed programming. These areas were the least developed areas of the Application. Due to the contracted nature of the services for computer science, Spanish, and the arts, which are discussed further below, it is not known what curriculum will be provided by outside contractors who will be responsible for the instruction in these areas or whether that instruction will meet the State standards or the programming descriptions in the Application. The Application does not contain proposals or evidence of

agreement to provide the contracted instruction and services, or the scope of such services, by these outside entities such as CAIU, Susquehanna Art Museum or State Street Music Academy.

Reliance on the SAS framework documents published by PDE for many subject areas taught in public schools should be not sufficient in terms of the curriculum to be submitted by the charter school applicant. Any person could go onto PDE's SAS website, download those documents and submit them as an applicant's curriculum. Not only is the SAS-provided curriculum frameworks insufficient as evidence of planned instruction on its own, but such actions would wholly defeat the intent and purpose of the CSL to "[i]ncrease learning opportunities for all pupils", "[e]ncourage the use of different and innovative teaching methods", and "[p]rovide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system". 24 P.S. § 17-1702.

All of these observations cause the School Board to conclude that the Applicant has not established that it is prepared, in terms of curriculum and planning, to offer a comprehensive learning environment to students at the proposed school or comprehensive planned instruction to fulfill the mandates of Chapter 4.

English Learners

Charter schools are required to "provide a program for each student whose dominate language is not English for the purpose of facilitating the student's achievement of English proficiency and the academic standard under § 4.12 (relating to academic standards). Programs under this section shall include appropriate bilingual-bicultural or English as a second language (ESL) instruction." 22 Pa. Code § 4.26. On July 1, 2017, PDE areviewed and re-issued its Basic Education Circular ("BEC") on *Educating English Learners (ELs)* pursuant to 22 Pa. Code § 4.26. The BEC on *Educating English Learners* states in pertinent part:

The purpose of this circular is to provide local education agencies (LEAs) with the requirements and interpretations of the legal mandates governing the education of students who are English Learners (ELs). The information included should be used in designing, staffing, and evaluating effective programs for ELS. These mandates and interpretations are based on the Pennsylvania Regulations, Chapters 4 and 11; and on federal law, including Title VI of the Civil Rights Act, the Equal Educational Opportunity Act (EEOA), the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA), and regulations and case law under those statutes.

BEC at 1.

Here, the Application does not discuss at all how ELs will be served in terms of program and instruction models, staffing or the other components of an EL program identified in the BEC. A Language Instruction Education Program is not included in the Application or otherwise described in the narrative. The Applicant expects to serve a significant EL population that mirrors the demographics of the School District, but has not provided evidence that it is ready and prepared to serve this population of students. These concerns are additional deficiencies in the Charter School's planning.

Staffing

All of the teachers at a charter school must be employees of the charter school and not employees of a management company or a contractor. *See, e.g. Insight PA Cyber Charter School v. Pennsylvania Department of Education*, 162 A.3d 591, 598 (Pa.Cmwlth. 2017); *West Chester Area School District v. Collegium Charter School*, 812 A.2d 1172 (Pa. 2002). Here, the Applicant proposes that a multitude of teachers would not be employed by the Charter School, but would render services based upon omitted contracts and service arrangements with various entities – some of which are not identified – to provide teachers for these positions. Those teachers include all special education teachers, ESL teachers, computer science teacher, related arts teachers, Spanish teacher, and the school counselor. The Applicant's budgetary and staffing structure is

based around the proposition that it can contract for all of these services, which is not permitted under the CSL. Such a fundamental misunderstanding evidences deficiencies in the Applicant's planning. The Applicant's budget in its current form, as discussed in more detail below, would not provide sufficient revenue to support employment (with salaries and benefits) for these additional teaching staff, all of whom are fundamental to the Applicant's programming and mission.

Financial Planning and Services

An item that must be addressed in the application and which is relevant to the determination whether the proposed school has the capacity to provide comprehensive learning experiences pursuant to Section 1717-A(e)(2)(ii) is the school's financial planning. *Bear Creek Community Charter School*, CAB No. 2003-3. A charter school is required to submit a budget that provides a sufficient basis from which to conclude that the charter school has considered fundamental budgeting issues and has determined that it will have the necessary funds to operate. *Thomas Paine Charter School*, CAB No. 2009-04, at 12; *Voyager Charter School*, CAB No. 2005-09. The budget must be complete, and must clearly identify a plan to address start-up expenses and the source of such funds. *New Castle Arts Academy Charter School v. New Castle Area School District*, CAB Docket No. 2014-14. Deficiencies in the budget submitted by the applicant can be grounds to reject an application under Section 1717-A(e)(2)(ii). *Bear Creek Community Charter School*, CAB No. 2003-3.

The budget submitted by the Applicant did not provide sufficient explanation for the majority of line items included. What is known is that there are a multitude of concerns related to the Applicant's financial plan, which prohibit the Applicant from operating the Charter School in the manner proposed in the Application. Those items known to the School District at this time are

as follows: (1) unidentified revenue sources for \$250,000 of needed revenue in Year 1; (2) staffing issues relative to the teachers, as identified above; (3) failure to include the Manager of Special Education, ELL Leader and Counselor Manager in the staffing; (4) the failure to include any CAIU costs other than related services costs, as stated in the budget document; (5) the underbudgeting of salaries and benefits for the 7 Success Coaches; (6) the failure to include costs related to the procurement of laptop computers in accordance with the SOW and representations of the Applicant; and (7) the failure to include or identify any staffing or expenditures relative to school security and safety. Rectifying these issues would cause the Applicant to engage in significant deficit spending. These issues are an additional deficiency in the Applicant's planning to offer comprehensive learning experiences to students.

Related to expenditures, concerns exist regarding the sufficiency of amounts budgeted for health care costs and insurance, as the Applicant has not provided any information about the scope of such coverages to determine sufficiency or, in terms of the health care coverage, similarity with the School District's coverage. The CSL requires that charter school employees "be provided the same health care benefits as the employe would be provided if he or she were an employe of the local district." 24 P.S. § 17-1724-A(d). The Applicant has not provided any information on which such a determination could be made, which is necessary to evaluate the proposed budget.

Another concern identified with the Application is the proposed plan to utilize the services of CCA for business functions, Human Resources and various attendance and reporting requirements. CCA is an operating cyber charter school in Pennsylvania, based upon a Charter issued by PDE as the authorizer. The Applicant did not provide any assurances or information from PDE that would indicate whether CCA could simultaneously serve as back office business provider to an unrelated brick and mortar charter school and an operating cyber charter school.

CCA's Articles of Incorporation were not provided to identify whether provision of business consultant services to an unrelated entity were consistent with its mission approved by the Pennsylvania Department of State, or whether CCA's governing Board had approved the proposed relationship with PA STEAM or the use of CCA personnel to provide services to PA STEAM. The related attributes of The Comet Foundation and CCA, and the Applicant's lack of knowledge about that situation, also raises questions as to what is being proposed.

For all of these reasons, the School Board finds the budgetary planning by the Applicant to be deficient.

C. The Application Does Not Consider All Of The Information Required Under Section 1719-A.

Section 1719-A of the CSL requires the charter applicant to include certain information in its application. The School Board believes that the Applicant has failed to include or properly address several items of information as required in this section of the CSL.

1. Section 1719-A(4) – The Proposed Governance Structure Of The Charter School, Including A Description And Method For The Appointment Or Election Of Members Of The Board Of Trustees.

Aspects of the proposed governance structure of the Charter School raise concerns, as discussed in more detail above.

2. Section 1719-A(5) – Mission And Goals Of The Charter School, The Curriculum To Be Offered And The Methods Of Assessing Whether Students Are Meeting Educational Goals.

The School Board fully discussed its conclusions about the Charter School's proposed curriculum and programming in part A above and reiterates that the deficiencies fail to establish that the Charter School will provide comprehensive learning experiences to enrolled students. In addition, the educational goals set forth in the Application are inconsistently stated, are not aligned

to the current accountability systems in place in Pennsylvania, and do not completely include means to measure success towards those goals.

3. Section 1719-A(6) – The Admission Policy And Criteria For Evaluating The Admission Of Students . . .

The Applicant did not provide an Attendance Policy; rather, the Applicant discussed its attendance practices in the narrative. The attendance discussion did not address truancy or the Charter School’s intended role and responsibility with respect to addressing truant students.

4. Section 1719-A(7) – Procedures Which Will Be Used Regarding The Suspension Or Expulsion Of Pupils. Said Procedures Shall Comply With Section 1318.

The Applicant did not provide a Code of Student Conduct with the Application. The discussion of disciplinary suspensions and expulsion contained in the narrative does not include any procedures that would govern those exclusions from school, either for regular education students or special education students. Nor does the discussion provide a clear understanding of the progression of disciplinary consequences for various types of offenses, given the age ranges to be served by the Charter School. Further, the indication that students may be disciplined for failing to attend school runs afoul of PDE’s guidance on this issue.

5. Section 1719-A(9) – The Financial Plan For The Charter School . . .

The Applicant’s financial planning is deficient, as discussed more fully above.

6. Section 1719-A(12) – Information On The Proposed School Calendar For The Charter School, Including The Length Of The School Day And School Year Consistent With The Provisions Of Section 1502.

With respect to the proposed school calendar and instructional hours, several concerns exist. First, the school calendar outline submitted does not correspond with the facility limitations identified in the sublease for Midtown II, which precludes the Charter School from operating on Fridays starting in mid-May. Other non-instructional days such as days for parent-teacher

conferences are not yet included in the calendar for planning purposes. Second, the instructional hours identified in the Application have been proven to be incorrect, with the actual instructional hours to be significantly less than that calculated by the Application. Given these issues, the Applicant has not clearly demonstrated how the Charter School would fulfill the required instructional days or hours requirements in 24 P.S. § 17-1715-A(9).

7. Section 1719-A(13) – The Proposed Faculty And A Professional Development Plan for the Faculty Of A Charter School.

The Applicant did not provide a PD plan to address how the Charter School will provide initial and ongoing training to teachers and other staff. No detail was provided about the knowledge and skills that would be addressed at any point during the school year in order to implement curricular programs proposed by the Charter School. This is particularly important in the first year of operation when all of the staff will be new and many, if not all, of the staff would not have experience implementing the unique curricular and educational focus of the school. While the narrative identified several general topics to be covered through PD, the Applicant never disclosed when such opportunities would occur; any specific details about the programming that would be provided; how or when mandated trainings would occur for staff or the Charter Board; or who would provide the programming. Also, no teacher induction plan was provided. These are deficiencies in the Application. *See e.g. New Castle Arts Academy Charter School v. New Castle Area School District, CAB No. 2014-14* (finding sufficient a professional development plan that contained topics, projects/outcomes, responsible parties and standards tied to the National Staff Development Council’s standards for staff development).

D. The Extent To Which The Charter School May Serve As A Model For Other Public Schools.

Pursuant to Section 1717-A(e)(2)(iv) of the CSL, the School District must evaluate the Charter School's Application with regard to the "extent to which it will serve as a model for other public schools." 24 P.S. § 17-1717-A(e)(2)(iv). "The failure of a charter school applicant to provide a sufficient curriculum plan has been found to be a basis for the denial of an application because it is evidence that the proposed charter school could not be a model for other public schools, as required under section 1717-A(e)(2)(iv)" *Spartansburg Community Charter School, supra*, at 31 (citations omitted). Upon examination and evaluation of the deficiencies in the Application identified above, the School Board concludes that the Applicant does not yet have the capacity to serve as a model for other public schools in Pennsylvania.

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ORDER

For the reasons set forth above, the Application to create the Pennsylvania STEAM Academy Charter School is hereby **DENIED**.

The applicant may appeal or take other action with respect to this decision in accordance with the procedures set forth in 24 P.S. § 17-1717-A(f)-(i).

Danielle Robinson
President