

26. Impact Charter School West, formerly known as Independence Charter School West – Application for Charter Renewal - Added 9.16.2024/Updated 9.19.2024

Action Item - 26

Board of Education Meeting Date: 9/19/2024

Title: Impact Charter School West, **formerly** known as Independence Charter School West – Application for Charter Renewal - Added 9.16.2024/Updated 9.19.2024/Updated 6.10.2025

Term: July 1, 2024 through June 30, 2029

Amendment: Impact Charter School West, which currently serves students in K-Grade 8 in Southwest Philadelphia, has terminated their support services agreement with Independence Charter School

Description:

Impact Charter School West applied for renewal of its charter in the 2023-24 school year. A renewal evaluation of this charter school was completed by the Charter Schools Office in 2023-24, and the latest Annual Charter Evaluation with renewal recommendation was completed in 2024 ([ACE-R - Renewal Recommendation](#)).

The CSO has recommended a five-year renewal with school-specific conditions, effective July 1, 2024. The renewal includes school-specific conditions related to: (i) proficiency targets and/or growth targets based on outcomes on the 2027-28 PSSA English Language Arts test; (ii) proficiency targets and/or growth targets based on outcomes on the 2027-28 PSSA Math test; (iii) the demonstration of meeting State required criteria and procedures for Reclassification, Monitoring, and Redesignation of English Learners; (iv) exiting students from the English as Second Language program when they meet the appropriate exit criteria; (v) the maintenance of safe and clean food facilities and prompt remediation of any non-compliance identified by the City of Philadelphia Department of Public Health and Office of Food Protection; and (vi) the selection and engagement of an independent organization to support the planning and execution of the Charter School's current mission fully and with fidelity or to support the definition of a new mission for the Charter School. The Board of Education will consider this application for charter renewal.

Office Originating Request:

Board of Education

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Office Originating Request:

Board of Education

Re: Impact Charter School West – Application for Charter Renewal

WHEREAS, pursuant to the Charter School Law, 24 P.S. § 17-1701-A, *et seq.*, the School Reform Commission of the School District of Philadelphia (“School District”) granted a charter (“Charter”) to the Board of Trustees of Independence Charter School West, predecessor in interest to IMPACT CHARTER SCHOOL WEST (“Charter School”) to operate a charter school for a three-year term commencing in 2016; and

WHEREAS, the Board of Education renewed the Charter for a five-year term in 2019; and

WHEREAS, on July 1, 2024, the Charter School changed its name from “Independence Charter School West” to “Impact Charter School West”; and

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

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

RESOLVED, that the Board of Education hereby RENEWS the Charter School’s Charter, subject to the terms and conditions agreed to by the Charter School as set forth below, for a five-year term commencing on July 1, 2024 and ending on June 30, 2029, effective upon the full execution of the Charter Agreement by the School District and by the Chair of the Board of Trustees of the Charter School or another member of the Board duly designated by the Board; and be it

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

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

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

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

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

- a. shall include provisions on: (i) application deadlines; (ii) enrollment preferences, order and allocation of preferences, and methods by which preferences would be identified; (iii) student recruitment procedures and communications, including details on methods to be used to recruit students Citywide or in an applicable attendance zone, and to monitor any specified enrollment targets; (iv) lottery dates, and (v) communication of lottery results, in a form and with provisions that are acceptable to the Charter Schools Office;
- b. shall provide that the application will be made clearly and plainly available on the Charter School's website in English, Spanish, and any additional language the Charter School deems appropriate without any barriers to enrollment requiring technology;
- c. shall provide that families will have at least four (4) weeks to complete and submit enrollment packets in person or digitally after lottery acceptance; with exceptions made for extenuating circumstances for families with language barriers;
- d. shall provide that an ordered, up-to-date waitlist be continuously maintained, reflecting at any given time the next eligible student to be offered admission in each grade served by the Charter School, identifying any applicable preference(s) for each student, and indicating the date any student is removed from the waitlist with the reason for removal;

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

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

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

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

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

8. The Board of Trustees shall submit to the Charter Schools Office signed, complete, and accurate Statements of Financial Interest, pursuant to guidelines established by the Charter Schools Office. These documents are required by the Ethics Act and the Charter School Law to be completed annually for each trustee on the Board's roster for that school year.

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

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

and be it;

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

1. Based on the results of the 2027-2028 PSSA ELA test, the Charter School's proficiency rate shall be no more than five (5) percentage points below either the School District average proficiency rate for the 2027-2028 school year or the Similar Schools Group average proficiency rate for the 2027-2028 school year. Alternatively, if the Charter School does not meet the proficiency target for the PSSA ELA test, as set forth in the preceding sentence, the Charter School shall either: (i) meet the Pennsylvania Academic Growth Standard as measured by the Average Growth Index ("AGI") in at least two (2) of the school years for which data are available during the Charter Term; or (ii) achieve an annual increase in the proficiency rate for the PSSA ELA test, year over year, for each year of the Charter Term for which data are available.

2. Based on the results of the 2027-2028 PSSA Math test, the Charter School's proficiency rate shall be no more than five (5) percentage points below either the School District average proficiency rate for the 2027-2028 school year or the Similar Schools Group average proficiency rate for the 2027-2028 school year. Alternatively, if the Charter School does not meet the proficiency target for the PSSA Math test, as set forth in the preceding sentence, the Charter School shall either: (i) meet the Pennsylvania Academic Growth Standard as measured by the Average Growth Index ("AGI") in at least two (2) of the school years for which data are available during the Charter Term; or (ii) achieve an annual increase in the proficiency rate for the PSSA Math test, year over year, for each year of the Charter Term for which data are available.

3. By October 15 of each school year during the Charter Term, the Charter School shall submit to the Charter Schools Office: (i) a list of any newly reclassified English Learners and all students receiving monitoring following reclassification including the date of reclassification; and (ii) evidence that for all reclassified students, the Charter School has met the State required criteria and procedures for Reclassification, Monitoring, and Redesignation of English Learners.

4. The Charter School shall achieve a "Meets Standard" for the EL Exiting standard at the time of the Charter School's next renewal evaluation as reflected on the ACE-R or the subsequent similar document.

5. During every year during the Charter Term, the Charter School shall maintain safe and clean food facilities and shall promptly remediate any non-compliance identified

by the City of Philadelphia Department of Public Health and Office of Food Protection. The Charter School shall achieve a "Meets Standard" for the Food Safety standard as reflected on the Annual Charter Evaluation ("ACE") or the subsequent similar document. This condition will be assessed annually during the Charter Term.

6. The Charter School shall select and engage an independent organization ("School Design Partner") by September 15, 2024, to support the planning and execution of the Charter School's current mission fully and with fidelity or to define a new mission for the Charter School. The Charter School shall be responsible for the cost of the services of such School Design Partner. By October 15, 2024, the Charter School shall prepare a scope of work for the School Design Partner services and submit it to the Charter Schools Office for review and approval. If the Charter School Board of Trustees decides it would like to amend its stated mission and educational program, the Charter School Board of Trustees must submit an amendment request to change the Charter School's Mission and Educational Plan to the Charter Schools Office by October 15, 2024;

and be it;

FURTHER RESOLVED, the School District and the Charter School acknowledge and agree that the Charter School will enroll students in Kindergarten to Grade 8 with a maximum of 900 students during the Term of the Charter, unless the parties agree in writing to other terms. Under no circumstances will the Charter School request payment from the School District or the Commonwealth of Pennsylvania for more students than set forth herein nor enroll students in different grades including Kindergarten, without Board of Education approval by action item; and be it

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

1. The Charter School agrees to participate in the School District's Charter School Performance Framework. The Charter School Performance Framework includes an annual assessment of the Charter School's academic, financial, and organizational performance as well as compliance with Applicable Laws. Organizational performance includes, but is not limited to, a review of the Charter School's admissions and enrollment policies and practices, student discipline practices, special education programming, ELL programming, and Board of Trustees governance in order to assess compliance with the Charter and Applicable Laws, federal, state and local guidance, policies, and Charter Schools Office procedures. Financial performance includes, but is not limited to, a review of the Charter School's financial health and long-term sustainability, and generally accepted standards of fiscal management.

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

under the Charter School Performance Framework, timely and pursuant to Charter Schools Office procedures.

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

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

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