Guidance for Comments to PDE Proposed Rulemaking on Charter School Regulation

The PA Department of Education is looking for feedback to help develop regulations to address the many problems in the charter school law and create more accountability.

You may find the advance notice of proposed rulemaking here: http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol49/49-34/1274.html

It is crucial that the public education community use this opportunity to make its voice heard.

This is the first step in the process. After the comment period is closed, PDE will develop draft regulations and publish them in the spring. The public will once again have a chance to comment on these rules. After that period, the whole thing will go to the Interagency Regulatory Review Commission (IRRC), which will consider the comments and shape the final regulations.

The legislative committees also have a chance to weigh in, and the legislature will be putting ENORMOUS pressure on PDE and the IRRC to water down the regulations, so pro public education advocates have to send a POWERFUL message that we want change now.

You don’t need to be an expert to comment on the draft. This is truly an opportunity for citizens’ voices to be heard. The real story of the challenges that charters have created for local school districts has not been fully told, and this is the chance to do so.

The number of comments is as important as the content. Multiple people from a school district can submit comments. For example, a superintendent, business administrator, board members, and others from one school district can all submit comments and should be encouraged to do so.

It will be most helpful if public comments are submitted by no later than December 31, 2019.

Your written comments can be as long as you want, but can be as short as a paragraph. It is up to you.

How to comment:
Write a letter to Pedro Rivera, Secretary of Education
Pedro A. Rivera, Secretary
Pennsylvania Department of Education
333 Market St.
Harrisburg PA 17120

Email your letter to adschott@pa.gov

How to write your comments

1. Tell who you are.

2. Explain the problem, briefly. PDE and IRRC need to understand the extent of the problems which will help to support the effort to make changes. So give a sentence or two on the problem or problems you want to focus
on. It helps to be specific - use a real world example, a newspaper article, something that happened in your school district, anything to help make the case.

3. **Make suggestions for improvement.**
   You can address anything, but PDE is specifically looking for comments on the topics below. They are listed with some suggestions on approach:

   - **Charter school applications:** The application should be comprehensive, set high standards, ensure only operators with needed skills are approved and maintain maximum local control.

   - **Admissions policies:** There should be fair lotteries that don’t allow cherry picking, schools should be located in areas that are accessible to poor students and those relying on public transportation, charters should be required to create recruitment plans for specific groups of vulnerable students including EL students, students with disabilities, economically disadvantaged students and students in foster care.

   - **Accountability for boards of trustees:** Regulations should aim to prevent financial wrongdoing, eliminate conflicts of interest, and impose stronger penalties for the misuse of public funds.

   - **Information on charter management companies:** Regulations should end high fees paid to charter management companies and increase transparency of boards, budgets, costs and contracts.

   - **Insurance, financial and accounting standards:** There must be independent auditors and accountants and increased transparency.

   - **Funding:** This is about the subsidy redirection process that forces PDE to pay charters directly when they dispute a bill with a school district. Recommend that all disputed funds go into an escrow account rather than being paid.

   - **Academic accountability:** All charters should be part of a performance system that is used in renewal and revocation decisions. They lowest performing schools should be subject to closure without appeal.

   **We are recommending that your comments include the following:**

   1. We strongly support the Pennsylvania Department of Education’s decision to develop these regulations.

   2. The regulations must end the conflicts of interest, financial self-dealing and lack of transparency that occur in the charter sector today. Charters must be held accountable for their performance in operations, finance and academics.

   3. We strongly support local control over charter school opening and closing. Elected school boards know the needs of the community the best and are responsible to taxpayers and families.

   4. The charter school law acknowledges that charter schools have an impact on the finances of school districts. The districts should be able to consider that impact when making decisions to open or renew a charter.

   If you have questions, please feel free to contact Susan Spicka at sspicka@educationvoterspa.org. Happy writing and thank you for taking the time to make a difference!