

RESOLUTION

WHEREAS, Wonderland Charter School ("Wonderland") was granted a charter, and two five year renewals thereafter; and

WHEREAS, by letters dated July 20, 2017 and September 1, 2017 to the State College Area School District ("District"), Wonderland sought to have its charter renewed for a further term; and

WHEREAS, the District, pursuant to the authority given to it in the Charter School Law ("CSL"), commenced an administrative review of Wonderland's operations during the most recent five (5) year cycle; and

WHEREAS, the District's administrative review uncovered evidence that Wonderland had multiple discrete and/or ongoing material violations of the CSL itself, and to include but not be limited to applicable provisions of law from which Wonderland has not been exempted, including Federal laws and regulations governing children with disabilities; and

BE IT RESOLVED, the Board hereby authorizes the initiation of non-renewal and/or revocation proceedings against Wonderland, pursuant to 24 P.S. § 17-1729-A(a), and hereby adopts the following grounds in support of the non-renewal and/or revocation of Wonderland's charter:

1. One or more material violations of any of the conditions, standards or procedures contained in the written charter signed pursuant to section 1720-A. 24 P.S. § 17-1729-A(a)(1).
2. Violations of provisions of the CSL. 24 P.S. § 17-1729-A(a)(4).
3. Violation of any provision of law from which the charter school has not been exempted, including Federal laws and regulations governing children with disabilities. 24 P.S. § 17-1729-A(a)(5).

The violations include the following:

1. Individuals with Disabilities Education Act. 22 U.S.C. Chapter 33.
2. Section 504 of the Rehabilitation Act. 29 U.S.C. § 701 et seq.

3. Chapter 14 of the Pennsylvania Code.
4. Chapter 15 of the Pennsylvania Code.
5. Chapter 300 of the Pennsylvania Code.
6. Chapter 700 of the Pennsylvania Code.
7. Public Official and Employee Ethics Act. 65 Pa.C.S.A. § 1101 et seq.
8. Right to Know Law. 65 P.S. § 67.101 et seq.
9. Wonderland Child Find Policy (13.5).
10. Certificate and Staffing Policy Guidelines 24 (CSPG 24) - Appropriate Certification in Charter Schools in Pennsylvania (November 1, 2015).
11. Certificate and Staffing Policy Guidelines 95 (CSPG 95) - Principal, K-12 (August 1, 2013).
12. Civil Rights Act of 1964, Title VI (not following the requirements of the English Learner Identification Procedures and using one of the mandatory screening tools).
13. Pennsylvania Department of Education Basic Education Circular (Charter Schools).
14. Pennsylvania Department of Education Basic Education Circular (Special Education FAPE and One-to-One Support Obligations for Students with Disabilities).

BE IT FURTHER RESOLVED that the Board shall conduct a public hearing(s) on the non-renewal and/or revocation of Wonderland's Charter commencing on July 2, 2018, at 7:00 p.m., and at such other dates and times to be agreed upon by the parties, at which time the School District will present evidence in support of the grounds set forth herein, and Wonderland will be given a reasonable opportunity to present witnesses and evidence in support of its defense, pursuant to 24 P.S. § 17-1729-A(c); and be it

FURTHER RESOLVED, that, for purposes of the non-renewal and/or revocation hearing, the Board authorizes the appointment of a hearing officer to: (1) preside at and regulate the conduct and course of the public hearing(s) pursuant to the Charter School Law, 24 P.S. § 17-1729-A, and the Local Agency Law, 2 Pa.C.S.A §§

551 *et seq.*; (2) administer oaths and affirmations; (3) issue subpoenas; (4) make all necessary evidentiary rulings and receive evidence; (5) hold appropriate conferences before or during the hearings; (6) dispose of procedural matters and motions made during the hearings; (7) take other action necessary or appropriate to the discharge of duties consistent with statutory or other authority; and (8) certify the record and prepare proposed findings of fact and conclusions of law and a proposed Adjudication to the Board within thirty (30) days of the completion of the hearing process, including briefing; and be it

FURTHER RESOLVED, that the Board shall take formal action regarding the non-renewal and/or revocation of the Charter following the hearing, receipt of the proposed findings of fact and conclusions of law and recommendation from the hearing officer, and passage of at least thirty (30) days for the public to provide comments, the timing of which may occur simultaneously with any of the proceedings described above; and be it

FURTHER RESOLVED, that the Board authorizes the appointment of Jeffrey D. Litts, Esquire and Kegel, Kelin, Almy & Lord LLP to preside over the non-renewal and/or revocation hearing process.

ADOPTED this 4th day of June, 2018, by a vote of _____.

BOARD OF SCHOOL DIRECTORS
STATE COLLEGE AREA SCHOOL
DISTRICT

Mary Jenn Dorman
Board Secretary