

**MINUTES  
STATE BOARD OF EDUCATION**

**333 Market Street | 1<sup>st</sup> Floor  
Harrisburg, PA 17126**

**September 11, 2019**

The 352<sup>nd</sup> meeting of the State Board of Education was convened on Wednesday, September 11, 2019. Public notice of the meeting was made in accordance with the Sunshine Meeting Act of 1986. The meeting was called to order at 1:03 p.m. by Chair Karen Farmer White.

**Attending:**

James Agras *(via phone)*

Carol Aichele

James Barker *(via phone)*

Nathan Barrett

Jamie Bracey-Green *(via phone)*

Nicole Carnicella

Sandra Dungee Glenn

Anne Griffin

Pamela Gunter-Smith

Kirk Hallett

Jeffrey Keeling *(via phone)*

Maureen Lally-Green *(via phone)*

Sen. Wayne Langerholc  
*(via phone)*

Jonathan Peri

Arynn Pratt

Ashley Svec

Jillian Sweigard

Karen Farmer White

A Lee Williams

**EXECUTIVE SESSION**

Chair Farmer White called for an Executive Session of the Board for the purpose of receiving a legal briefing from counsel on the William Penn School District litigation.

The Board adjourned its Executive Session and the Chair reconvened the 352<sup>nd</sup> meeting of the Board.

**APPROVAL OF MINUTES**

The minutes of the July 11, 2019, meeting of the State Board of Education were approved on a **Williams/Dungee Glenn** motion.

**REPORT OF THE SECRETARY OF EDUCATION**

**College Hunger Roundtable**

Secretary Rivera noted that September is National Hunger Action Month. He discussed issues related to food insecurity and reported that he attended a roundtable discussion hosted by First Lady Frances Wolf, higher education professionals, students, and anti-hunger advocates to discuss ways to address hunger and food insecurity on college campuses. The Secretary cited statistics released by the Government Accountability Office in January 2019 that found at least one in three college students do not always have enough to eat. He noted that 71 percent of college students today do not fit the model of a “typical” college student and may be financially

independent, work at least part time, enroll in and stay in college at a later age, or have dependent children. These factors, when paired with other challenges students face like cost of tuition, lodging and/or transportation, books, and supplies, can create significant barriers to making ends meet.

### **Charter School Policy**

Secretary Rivera discussed the administration's recent proposal to reform charter school policy. He said the Department of Education (PDE) will institute new fees to fund the growing costs of administering the Charter School Law and to recoup the rising costs to taxpayers. The Secretary said the fee-for-service model is part of the governor's commitment to improving charter school quality, accountability, transparency, and outcomes for students, while containing costs. The proposal includes executive action, overhauling regulations, and legislation to reform Pennsylvania's outdated charter school law.

Among the proposed changes, Secretary Rivera said PDE is developing new regulations for charter schools that will: provide school districts with the tools to hold charter schools accountable to provide a quality education; require more transparency with charter school admission and enrollment policies to prevent discrimination; hold charter schools and for-profit charter management companies to the same transparency standards as public schools; establish the same ethical standards for charter school Board of Trustees and management companies that apply to public schools; require regular financial audits and public contract bidding; and, establish requirements for charters to document costs to prevent school districts and taxpayers from being overcharged.

Sandra Dungee Glenn responded that the Governor should begin with defining the intention of public education and should consider that charter schools were a reaction to the failure of public education to be equitably provided to all children. She questioned why redirect fees would be born only by a charter school and not also by a district that failed to remit payment to a charter. She further stated that during her time as a charter school leader her school was held to the same accountability metrics as public school districts. Ms. Dungee Glenn said she wants to ensure that conversation regarding charter reform is even and fair and that the voice of single site charter schools is heard in that process.

Secretary Rivera replied that the proposal regarding charter school policy is not intended to create conditions in which charter schools cease to be part of the state's education system and said the Governor understands what charter schools can provide to underserved communities. He further replied that the accountability structure in Pennsylvania's ESSA State Plan treats all public schools equally, including charters.

Dr. Jamie Bracey-Green commented that is difficult to get support through the charter school office and that the office does not seem to have the capacity to provide technical assistance or professional services to charters to support accountability. Mr. Rivera replied that the new system of accountability and support outlined in the ESSA State Plan does not differentiate between charter or public school and said charter schools identified for Comprehensive Support and Improvement or Additional Technical Support and Improvement are receiving the same level of support as traditional public schools.

Dr. Jeffrey Keeling shared that his school district has a long-standing partnership with a local charter school that doubles as a residential treatment facility (RTFs). Dr. Keeling said such facilities are closing across the state and asked if there is any allowance that will be made available for charters that also serve as RTFs. Secretary Rivera discussed the need to ensure students with complex needs are not being isolated from other communities of students and discussed parameters of state and federal law the Department would apply in determining whether to approve programs to serve such students. He directed Dr. Keeling to Carole Clancy, PDE's Director of Special Education for additional assistance.

Jonathan Peri stated that PDE should prepare now to address matters that may arise from increased transparency of charter management companies. Secretary Rivera agree that as the Department builds its system of accountability, it also needs to focus on having a commensurate system of support.

Kirk Hallett asked if the proposal included differences in the charter school law for cyber charter schools and brick and mortar charter schools. Secretary Rivera shared that there are not specific recommendations other than accounting for special education costs.

### **REPORT OF THE PROFESSIONAL STANDARDS AND PRACTICES COMMISSION**

Shane Crosby, Executive Director of the Professional Standards and Practices Commission (PSPC), presented the PSPC's 2018 Annual Report. In 2018, the PSPC imposed professional discipline in 222 cases, an increase from 2017.

Mr. Crosby reported that the Governor recently nominated seven new members to the PSPC, one shy of a full complement. Mr. Crosby introduced Dr. Nicole Hill, Dean of the College of Education and Human Services at Shippensburg University, who recently was appointed as a new member of the PSPC and who also was named as the PSPC's new ex-officio member to the Board.

Sarah DiRito, Assistant Chief Counsel with the Department of Education, provided a snapshot of current data on pending disciplinary cases in the Office of Chief Counsel (OCC). Ms. DiRito noted that the educator discipline fee was increased three years ago to support the OCC's hiring of additional human resources to support its discipline work. In September, the OCC finally filled the complement.

### **PUBLIC COMMENT**

There was no public comment.

### **ACTION ITEMS**

There were no action items.

**ANNOUNCEMENTS**

Chair Karen Farmer White congratulated Board member Nathan Barrett on his recent appointment as Superintendent of the Hanover Area School District.

**ADJOURNMENT**

There being no further items of business, the meeting was adjourned at 2:10 p.m. on a **Peri/Barker** motion.



---

Stephanie Jones  
Administrative Assistant