

*COMMONWEALTH OF
PENNSYLVANIA CHARTER*

To operate a public school known as

Arts Academy Charter Middle School

WHEREAS, the Salisbury Township School District ("STSD") is a school district organized and existing under the laws of the Commonwealth of Pennsylvania;

WHEREAS, STSD conducted a public hearing to consider the application ("Application") of the Arts Academy Charter Middle School ("Charter School") on December 12, 2011;

WHEREAS, STSD allowed, and Charter School provided, additional documentation on or before January 26, 2012;

WHEREAS, between December 12, 2011, and January 26, 2012, STSD's School Board and Administration reviewed the Charter School's application and other relevant materials for the purpose of making a decision to approve or deny the Charter School's Application;

WHEREAS, no less than forty-five (45) days and no more than seventy-five (75) have elapsed from the date of Charter School's application; and

WHEREAS, pursuant to the authority vested in the STSD School Board, under the Public School Code of 1949, as amended, and the Charter School Law, 24 P.S. §§ 17-1701-A-1751-A, as amended, in accordance with 24 P.S. 17-1720-A, the Board of Trustees of the Arts Academy Charter Middle School was granted a Charter to operate a public charter school by the STSD School Board on February 8, 2012;

WHEREAS, after a review of the Charter School's renewal application and other relevant renewal materials and a school site visit by District Administration, the STSD Board of School Directors approved the renewal of the Charter of the Arts Academy Charter Middle School on June 17, 2015 and on March 18, 2020;

NOW THEREFORE, it is specifically understood and agreed between the Board of Trustees of the Charter School and the Board of School Directors of the Salisbury Township School District that:

1. The Charter School shall function solely under the name "Arts Academy Charter Middle School". The Charter School shall not change its name without prior written consent of the STSD School Board.

2. The Charter School Board of Trustees shall operate Charter School in

accordance with the provisions of the Charter School Law, 24 P.S. 17-170 I *et seq* and any applicable amendments thereto enacted during the term of this charter and any regulations or standards applicable to charter schools.

3. The Charter School shall be organized as a public, non-profit corporation.

4. The granting of this Charter is specifically contingent upon operation of the Charter School for grades 5 through 8 in strict adherence to the terms of the Charter.

5. The Charter School shall fully and faithfully comply with the representations and promises made in its Application as finally presented to the STSD School Board or as modified via this Charter.

6. The Charter School shall not relocate its facility or add additional dedicated classroom facilities at a location other than 1610 East Emmaus Avenue, Allentown, Pennsylvania, without the written consent of the STSD School Board.

7. This Charter constitutes a legally binding agreement for a time period commencing upon the execution of this Agreement and ending with the last day of the school term as defined by the Pennsylvania School Code, 24 PS 1-102 in the school year 2024-2025. This Charter may then be renewed by action of the STSD School Board for an additional period. Upon any renewal, a new Charter shall be executed by the parties.

8. All persons elected or appointed as members of the Board of Trustees for Charter School shall serve without pay and shall not engage in any business transaction with, be employed by, or receive any payment for services rendered to Charter School during said term of this Charter in violation of the Public Official and Employee Ethics Act or any other applicable law. Members of the Board of Trustees for Charter School shall not financially benefit from the Charter School.

9. Any administrator of the Charter School shall not receive compensation from another charter school or from a company that provides management or other services to another charter school. "Administrator" shall include the chief executive officer and all other employees of the Charter School who, by virtue of their positions, exercise management or operational oversight responsibilities in violation of Section 1715-A(12) of the Charter School Law.

10. The Charter School Board of Trustees shall approve all payments to vendors at public meetings.

11. The Charter School shall permit STSD to have ongoing access to the Charter School records and facilities to ensure that Charter School is in compliance with its charter and the law, and that the requirements for testing, civil rights and student health and safety are being met. Ongoing access shall mean that STSD shall have access to records, including but not limited to, financial reports, financial audits, aggregate

standardized test scores without student identifying information and teacher certification and personnel records. The Charter School shall provide those documents designated in Attachment "A" directly to STSD in accordance with the frequency/time period set forth in Attachment "A" All other records and documentation shall be provided to STSD within seven (7) business days upon written request by STSD, its Superintendent, Associate Superintendent(s), Business Administrator and/or designee.

12. The Charter School shall appoint an independent, Certified Public Accountant to make annual audits of Charter School's finances. The Charter School shall retain each annual auditor's report as a permanent record of the Charter School. Charter School shall advise STSD of any change in the firm selected to conduct the annual independent financial audit.

13. All employees and Trustees of the Charter School and any other persons seeking reimbursement from the Charter School shall be required to complete formal reimbursement forms for any expenses to be reimbursed. The Charter School shall keep these records on file for at least six (6) years after the completion of the state audit covering the period in which the expenses were incurred. Such reimbursement forms must include the original receipt for the item or service for which the employee or other person is seeking reimbursement and an explanation of the reason for reimbursement.

14. The Charter School shall maintain detailed records and receipts of any and all purchases made on lines of credit opened, utilized, paid for, or otherwise maintained by the Charter School. Such records shall include detailed explanations of expenditures and payments for a period of at least six (6) years.

15. The Charter School shall retain the minute book and each annual financial report as a permanent record of the Charter School. The Charter School shall retain all other financial records, including financial account books, orders, bills, contracts, invoices, receipts and purchase orders for a minimum of six (6) years.

16. The Charter School shall comply with the statutory requirements governing construction projects and construction-related work set forth in 24 PS 17-1715-A(10)(i)-(v).

17. The Charter School shall obtain any and all insurance required by any applicable federal, state or local law. The Charter School shall provide proof of said insurance to STSD.

18. The Charter School shall generate monthly financial reports which document fully the financial information requested by the District's Business Office and automatically forward copies of those reports to the STSD Superintendent and/or designee.

19. The Charter School Board of Trustees shall meet no less ten times annually

and shall conduct all of its meetings in compliance with the Sunshine Act, 65 Pa.C.S. §701, *et seq.* The Charter School Board of Trustees shall generate complete and accurate minutes of each meeting and shall forward copies of those minutes to the STSD Superintendent and/or designee within thirty (30) days of the Charter School Board's approval.

20. The Charter School shall timely submit all required reports, including but not limited to its Annual Report, Special Education Reports required by the Pennsylvania Department of Education, the Elementary and Secondary Professional Personnel Report, ELL Reports required by the Pennsylvania Department of Education, the Safe Schools Reports required by the Pennsylvania Department of Education, reports to the Department of Health, to the appropriate parties and shall forward a copy of said report to STSD's Superintendent and/or designee within thirty (30) days of submission.

21. The Charter School shall not discriminate in employment related decisions, its overall operations and/or student admission policies or practices on the basis of intellectual ability, unless excepted by the Charter School Law, athletic ability, measures of achievement or aptitude, disability status, proficiency in the English language or any other basis that would be illegal under federal or state law.

22. The Charter School shall ensure that it fully complies with the relevant portions of the School Code in making employment decisions, including but not limited to 24 P.S. §§ 1-108 (religious or political tests prohibited), 5-527 (drug law convictions), 8-808 (employee of district as agent) 11-1111 (employment of relatives of school directors), and 11-1112(a)(religious garb, etc.). The Charter School shall require all individuals who will have direct contact with students, including volunteers who work on a full-time or part-time basis, to submit a report of criminal history record information as per Section 1-111 prior to accepting a position with the Charter School. The Charter School shall require all applicants for an employment position, and any volunteer who works on a full-time or part-time basis, to submit the official clearance statement regarding child injury or abuse from the Department of Human Services as required by 23 Pa.C.S. Ch. 63, Subch. C.2.

23. The Charter School shall comply with Chapter 4 of Title 22 of the Pennsylvania Code regarding Academic Standards and Assessments.

24. The STSD School Board and the Charter School affirm and agree that the Charter School shall be solely liable for any and all damages, including but not limited to costs and attorney's fees, resulting from any legal challenges involving the operation of the Charter School as well as the actions of its employees. For purposes of tort liability, employees of the Charter School shall be considered public employees and the Charter School Board of Trustees shall be considered the public employer in the same manner as political subdivision and local agencies.

25. The Charter School shall have an attendance policy designed to accurately

determine when an enrolled student has an unexcused absence and which complies with the provisions of the Public School Code regarding compulsory attendance. The Charter School shall report habitually truancies directly to PDE annually through the PIMS.

26. The Charter School shall provide the STSD School Board during each school year, a monthly report regarding attendance, absences, enrollment, or withdrawal of all students who attend the Charter School and reside or live within the boundaries of STSD. The Charter School shall provide STSD with a completed Enrollment Notification Form upon the initial enrollment of a student. At the beginning of each school year, the Charter School shall provide STSD a list of students enrolled in or returning to Charter School if STSD is their school district of residence.

27. The Charter School shall consistently implement its code of conduct and discipline policies to ensure compliance with Section 1318 of the Public School Code and Chapter 12 regulations. Code of Conduct and discipline policies shall be school-wide and uniform. The Charter School's discipline policies must be approved by the Charter School Board of Trustees.

28. The Charter School shall comply with Section 1317.2 of the School Code, reporting all incidents of weapons possession to local law enforcement officials and expulsions for weapons possession to the Pennsylvania Department of Education. Further, the Charter School shall comply with Section 13-1303-A of the Public School Code by completing and timely filing the Violence and Weapons Possession Report.

29. At least 75% of the Charter School's professional staff shall hold appropriate certifications in the assigned area of teaching as required by the Pennsylvania Department of Education. Professional employees who do not hold said appropriate Pennsylvania certification must meet the qualifications set forth in Sections 1109 and 1209 of the Public School Code and demonstrate satisfactorily a combination of experience, achievement and qualifications as defined in the charter school application in basic skills, general knowledge, professional knowledge and practice and subject matter knowledge in the subject area where an individual will teach.

30. The Charter School shall provide each employee with the same health care benefits as the employee would receive if he or she worked for the STSD, as interpreted by the State Charter School Appeal Board in Gillingham Charter School v. Pottstown Area School District, CAB Dkt. 2016-11, provided said decision remains good law and is not overturned. The Charter School shall provide STSD with documentation of employee benefits within thirty (30) days of its adoption of a new policy.

31. Salaries of all employees of the Charter School shall be fixed by a majority of the Board of Trustees of the Charter School. Any modifications of such compensation shall likewise be fixed by a majority of the Board of Trustees.

32. The Charter School shall prepare and implement an articulated curriculum for ESL. This plan shall contain clearly stated policies/procedures for

intake, identification, placement, program exit, monitoring and accountability.

33. Prior to the commencement of each school year, the Charter School shall prepare an annual Assessment Plan, which shall be approved by the Charter School Board of Trustees and submitted to the STSD Superintendent or his designee for review and comment., The annual Assessment Plan shall to utilize tests having appropriate benchmarks aligned to the Pennsylvania Standards to measure students' academic progress and achievement, including but not limited to the PSSA, and shall require staff to receive the professional development training necessary to properly implement the testing. The Charter School shall provide a copy of the final plan to the STSD's Superintendent, and/or designee.

34. The Charter School shall comply with the Individuals with Disabilities Education Improvement Act ("IDEIA"), Section 504 of the Rehabilitation Act, and Chapter 71 1 of the Pennsylvania Code regarding Charter School Services and Programs for Children with Disabilities.

35. The Charter School shall comply with the requirements of the Family Education Rights and Privacy Act ("FERPA").

36. The Charter School has prepared and submitted an Emergency Crisis Plan which was previously reviewed and commented upon by the STSD and approved by the Charter School's Board of Trustees. It was also submitted to the Pennsylvania Department of Education. If said Emergency Crisis Plan is revised or modified in the future, the Charter School shall provide a copy of the revised Emergency Crisis Plan to the STSD's Superintendent, and/or designee prior to the commencement of the school year in which the revised Plan is to be implemented.

37. The Charter School has prepared a Professional Development Plan for its faculty containing timelines for observation and conferencing which was reviewed and commented upon by the STSD and approved by the Charter School's Board of Trustees. This Plan was already provided to the District. If said Professional Development Plan is revised or modified in the future, the Charter School shall provide a copy of revised or modified plan to the STSD's Superintendent, and/or designee no later than August 31st of the school year in which the plan is to be implemented.

38. The Charter School shall not be permitted to increase its enrollment from 400 students unless the Charter School provides evidence of sufficient space in the school for any increase in enrollment and the Charter School receives written approval of the increase in enrollment from the STSD School Board.

39. The Charter School shall not unlawfully discriminate in admissions, hiring, or operation, the Charter School shall be non-sectarian in all operations and shall neither provide any religious instruction nor display religious objects and symbols on the premises of the Charter School facilities and the Charter School shall not advocate unlawful behavior.

40. All of the Charter School's current employees shall be enrolled in the public school employees' retirement system in the same manner set forth in 24 P.S. § 8301(a) or in an alternative retirement plan approved by PSERS in accordance with 24 P.S. § 17-1724-A.

41. The Charter School shall comply with the applicable requirements of the Every Student Succeeds Act.

42. The Charter School Board of Trustees shall fully adopt, approve and execute this Charter and any Amendments thereto.

43. Commencing in the 2018-2019 school year, the Charter School shall offer Literary and Media Arts as an additional arts focus area.

44. The Charter School shall participate in the PSSA System as provided for in 22 Pa. Code Ch. 5, or subsequent regulations promulgated to replace 22 Pa. Code Ch. 5, in the manner in which STSD is scheduled to participate.

45. The Charter School shall comply with the Safe Schools Act, Chapter XIII-A of the Pennsylvania School Code.

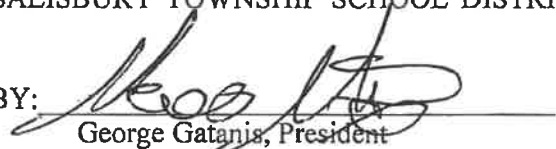
46. The Charter School shall comply with Article XIV of the Pennsylvania School Code regarding school health services.

WHEREFORE, the undersigned, intending to be legally bound, hereby set their hands this 30th day of March, 2020.

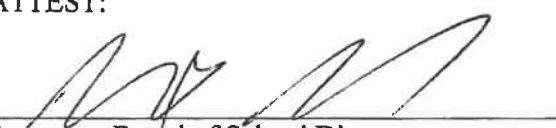
FOR THE Board of School Directors of the Salisbury Township School District:

SALISBURY TOWNSHIP SCHOOL DISTRICT

BY:


George Gatani, President


ATTEST:


Secretary, Board of School Directors


FOR THE Board of Trustees of the Arts Academy Charter School:

ARTS ACADEMY CHARTER SCHOOL

BY:



ATTEST:



Secretary, Board of Trustees

ATTACHMENT “A”

Document	Frequency/Time Period
Charter Board Meeting Minutes	Monthly, within 7 days of Charter Board Approval
Monthly Financial Statements	Monthly, within 7 days of Charter Board Approval
Annual Auditor's Report	Annually, no later than December 31st for previous fiscal year
Special Education Audit	As per PDE schedule, within 7 days of receipt
Safe Schools Report	Annually, July
ELL report	Annually, July
SHARRS Report (Dept. of Health)	Annually, July
Truancy Data	Annually, July
List of STSD students enrolled in AACMS	Annually, September
Attendance, absence, enrollment and withdrawal report for students living within STSD	Monthly
Annual Assessment Plan	Annually, August
Revisions to the Emergency Crisis Plan	Within 7 days of modification