RESOLUTION

WHEREAS, I-LEAD Charter School (“I-LEAD”) was granted a charter by the Board of School Directors of the Reading School District (“School District”) on October 27, 2010, based upon the submission of I-LEAD’s revised charter school application (“revised application”);

WHEREAS, I-LEAD began operations during the 2011-12 school year;

WHEREAS, prior to its receipt of I-LEAD’s academic data for the 2012-2013 school year, the Board of School Directors voted to renew I-LEAD’s Charter on October 30, 2013, with the five-year renewal term beginning on July 1, 2014;

WHEREAS, the terms of a renewal charter have never been agreed upon or executed by the parties;

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

1. Failure to meet the requirements for student performance set forth in 22 PA Code Ch. 5 (relating to curriculum) or subsequent regulations promulgated to replace 22 PA Code Ch. 5, or failure to meet any performance standards set forth in the written charter.

   A. During the 2011-12, 2012-13 and 2013-14 school years, despite the fact that I-LEAD enrolled students who did not meet the enrollment criteria set forth in the revised application (i.e. students who were 17 years or older and who were dropouts), the percentage of I-LEAD’s students scoring advanced or proficient in Reading and Math on the PSSA or Keystone Exams, as applicable, has been significantly lower than State targets; in the lowest performance category on the School Performance Profile (“SPP”); and significantly lower than the proficiency scores of students attending Reading Senior High School (“RSHS”). The academic proficiency of I-LEAD’s students has not consistently or substantially improved over the course of those three years for which the State has reported data for I-LEAD.

   B. I-LEAD did not make Adequate Yearly Progress during the 2011-12 school year.

   C. For the 2012-13 school year, I-LEAD’s SPP score was a 35.1 out of app. 100, and its federal designation was “Priority.” In comparison, the SPP score for RSHS was 54.5 out of 100 and RSHS had no federal designation.

   D. For the 2013-14 school year, I-LEAD’s SPP score was a 33.5 out of app. 100, and its federal designation was “Priority.” In comparison, the SPP score for RSHS was 60.2 out of 100 and RSHS had no federal designation. Upon information and belief, I-LEAD has the lowest SPP score of any high school in
Berks County and has one of the lowest SPP scores of any public school in the Commonwealth of Pennsylvania.

E. I-LEAD’s cohort graduation rate for the 2012-13 school year was 18.33% in comparison to RSHS’s cohort graduation rate of 61.09%.

F. I-LEAD’s cohort graduation rate for the 2013-14 school year was 27.10% in comparison to RSHS’s cohort graduation rate of 66.64%.

G. I-LEAD is also failing to progress towards meeting the academic and non-academic performance goals and standards set forth in its written charter, specifically those having to do with academic performance, attendance and graduation, which are represented on pages 4-9 of the revised application.

2. Violations of provisions of the Charter School Law and/or any provisions of law which the charter school has not been exempted, including federal laws and regulations governing children with disabilities.

   A. I-LEAD failed to meet the 100% highly qualified teacher (“HQT”) requirement of the No Child Left Behind Act. In 2012-13 school year, 42.1% of I-LEAD’s classes were not taught by HQTs. In the 2013-14 school year, 22.47% of I-LEAD’s classes were not taught by HQTs.

   B. I-LEAD failed to ensure that its operations are independent from that of its management company and/or vendor, I-LEAD, Inc. The two entities have common board members and/or administrators in violation of the Charter School Law and/or the Public Official and Employee Ethics Act, and do not have a written contract that delineates each entity’s responsibilities to the other or payment terms even though money has been exchanging hands between the two entities.

   C. In violation of the Public Official and Employee Ethics Act, Statements of Financial Interest filed by I-LEAD board members do not disclose their relationships and/or income received from I-LEAD, Inc. In addition, public employees, as that term is defined by the Ethics Act, of I-LEAD did not provide Statements of Financial Interest.

   D. I-LEAD has violated the Charter School Law, the Sunshine Act and its own Bylaws in that decisions relegated to the Board of Trustees are being made by others outside the public realm, including decisions about budgeting, contracts and leases, expenditures and employment of professional and nonprofessional employees.
3. Failure to meet generally accepted standards of fiscal management or audit requirements.

   A. I-LEAD failed to complete timely audits for the years ending June 30, 2013, and June 30, 2014, as the audits were not completed until June 5, 2014, and March 5, 2015, respectively.

BE IT FURTHER RESOLVED that the Board shall conduct a public hearing(s) on the revocation of I-LEAD’s Charter commencing on or around November 4, 2015, at which time the School District will present evidence in support of the grounds set forth herein, and I-LEAD 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 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 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 Levin Legal Group to represent the School District in the presentation of evidence in support of the grounds for revocation; and be it

FURTHER RESOLVED, that the Board President, in consultation with the Board’s Solicitor, shall promptly identify and appoint a hearing officer to preside over the revocation hearing process.