



Eligibility Guide for Pennsylvania Charter Schools Program (PACSP) Applicants

Federal Program Title:	Expanding Opportunities Through Quality Charter Schools Program (CSP) to State Entities
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Eligible applicants must have an **approved** charter school application from a Pennsylvania authorizer in order to apply for federal CSP dollars under this program. Each school will be a nonprofit, brick-and-mortar charter school. PACSP cannot fund applicants through the charter application process prior to approval. Grant applicants must conform to the federal definition of a public charter school in the Elementary and Secondary Education Act (ESSA) [P.L. 114-95, Section 4310(2)] to be eligible for grant funds under the CSP.

PACSP will award three types of subgrants through the grant program. Eligible applicants may apply for development of a new charter school, expansion of an existing high-quality charter school, or replication of an existing high-quality charter school. PACSP follows Section 4310(2) of the ESSA as outlined below:

Definitions

1. **Charter school.** A charter school is a public school that—
 - a. In accordance with a specific State statute authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this paragraph;
 - b. Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;
 - c. Operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;
 - d. Provides a program of elementary or secondary education, or both;
 - e. Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;
 - f. Does not charge tuition;
 - g. Complies with the Age Discrimination Act of 1975, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the "Family Educational Rights and Privacy Act of 1974"), and part B of the Individuals with Disabilities Education Act;
 - h. Is a school to which parents choose to send their children, and that:
 - i. Admits students on the basis of a lottery, consistent with section 4303(c)(3)(A), if more students apply for admission than can be accommodated; or
 - ii. In the case of a school that has an affiliated charter school (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated charter school and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated charter school and the enrolling school, admits students on the basis of a lottery as described in clause (i);

- i. Agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such State audit requirements are waived by the State;
 - j. Meets all applicable Federal, State, and local health and safety requirements;
 - k. Operates in accordance with State law;
 - l. Has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school; and
 - m. May serve students in early childhood education programs or postsecondary students.
2. **Developer.** An individual or group of individuals (including a public or private nonprofit organization), which may include teachers, administrators, and other school staff, parents, or other members of the local community in which a charter school project will be carried out.
 3. **Expansion.** The term “expand”, when used with respect to a high-quality charter school, means to significantly increase enrollment or adding one or more grades to the high-quality charter school.
 4. **Replication.** The term “replicate,” when used with response to a high-quality charter school means to open a new charter school, or a new campus of a high-quality charter school, based on the educational model of an existing high-quality charter school, under an existing charter or an additional charter, if permitted or required by State law.
 5. **High-quality (federal definition).** The term “high-quality charter school” means a charter school that:
 - a. Shows evidence of strong academic results, which may include strong student academic growth, as determined by a State;
 - b. Has no significant issues in the areas of student safety, financial and operational management, or statutory or regulatory compliance;
 - c. Has demonstrated success in significantly increasing student academic achievement, including graduation rates where applicable, for all students served by the charter school; and
 - d. Has demonstrated success in increasing student academic achievement, including graduation rates where applicable, for each of the subgroups of students, as defined in section 1111(c)(2), except that such demonstration is not required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

How can I determine if my charter school is eligible to apply?

1. Development of new charter school
 - a. School must be a brick-and-mortar charter school;
 - b. School must have an approved charter in the state of Pennsylvania; and

- c. School must meet the federal ESSA definition of a charter school as defined on page 2 of this guide.

Eligible Example: XYZ Charter School has applied to the School District of Philadelphia on November 15, 2019. On June 1, 2020, XYZ Charter School received an approved charter from the School District of Philadelphia. XYZ Charter School is set to open their doors on August 24, 2021 and is eligible to apply to PACSP in February of 2021.

Not Eligible Example: ABC Charter School has applied to the School District of Philadelphia for their charter on November 15, 2020. As of March 18, 2021, ABC Charter School has not received an approved charter from the School District of Philadelphia. ABC Charter School is ineligible to apply for PACSP in February of 2021 because they do not hold an approved charter at the time of application submission in March of 2021.

Should ABC Charter School be granted its charter at some point later in 2021, it would be eligible to apply in the next grant cycle.

- 2. Expansion of an existing high-quality charter school
 - a. School must be a brick-and-mortar charter school;
 - b. School must have an approved charter in the state of Pennsylvania;
 - c. School must meet the federal ESSA definitions of a charter school, expansion, and high-quality on pages 2 and 3 of this guide; and
 - d. School can either “significantly increase enrollment”, or add one or more grades to the existing high-quality charter school.
 - i. PACSP definition of “significant increase in enrollment” – School must verify an increase in overall total enrollment by 20% (rounded to nearest whole number and not limited to the year in which the prospective applicant intends to apply).

Eligible Example: XYZ Charter School is in the second year (of five) of an approved charter with the School District of Philadelphia. The approved charter has an enrollment cap of 450 total students. Currently, XYZ Charter School has a verified total enrollment of 200 students and their leaders are looking to expand their enrollment by 100 students, for a total enrollment of 300. Since XYZ Charter School is expanding their enrollment by 50% (greater than the 20% threshold), they are eligible to apply to PACSP in February of 2021.

Not Eligible Example: ABC Charter School is in the second year (of five) of an approved charter with the School District of Philadelphia. The approved charter has an enrollment cap of 450 students. Currently, ABC Charter School has a verified total enrollment of 200 students and their leaders are looking to expand their enrollment by 30 students, for a total enrollment of 230. Since ABC Charter School is expanding their enrollment by 15% (less than the 20% threshold), then they are ineligible to apply to PACSP in February of 2021.

3. Replication of an existing high-quality charter school
 - a. School must be a brick-and-mortar charter school;
 - b. School must have an approved charter in the state of Pennsylvania; and
 - c. School must meet the federal ESSA definitions of a charter school, replication, and high-quality as defined on pages 2 and 3 of this guide.
 - d. Replication is defined: “to open a new charter school, or a new campus of a high-quality charter school, based on the educational model of an existing high-quality charter school, under an existing charter or an additional charter”

Eligible Example: XYZ Charter School is looking to replicate their already existing K-8 high-quality model. XYZ’s leadership has applied to the School District of Philadelphia on November 15, 2019, to open a second K-8 charter school (aka XYZ Charter School II). On June 1, 2020, XYZ’s leadership received an approved charter from the School District of Philadelphia for their second K-8 school. XYZ Charter School II is set to open their doors on August 24, 2021, and is eligible to apply to PACSP in February of 2021.

Not Eligible Example: ABC Charter School is looking to replicate their already existing K-8 high-quality model. ABC’s leadership has applied to the School District of Philadelphia on November 15, 2020, to open a second K-8 charter school (aka ABC Charter School II). As of March 18, 2021, ABC Charter School II has not received an approved charter from the School District of Philadelphia and is ineligible to apply for PACSP in February 2021 because they do not hold an approved charter at the time of application submission in March of 2021.

Should ABC Charter School II be granted its charter at some point later in 2021, it would be eligible to apply in the next grant cycle.

The contents of this document were developed under a Charter Schools Program (CSP) grant awarded to the Pennsylvania Coalition of Public Charter Schools by the U.S. Department of Education. However, those contents do not necessarily represent the policy of the U.S. Department of Education, and you should not assume endorsement by the Federal Government.