



MEMORANDUM

February 7, 2014

TO: BOARD OF SCHOOL DIRECTORS

FROM: STACY M. GOBER, BOARD SECRETARY

SUBJECT: SPECIAL BOARD MEETING – February 10, 2014

A Special Meeting of the Board of School Directors of the Bethlehem Area School District will be held on *Monday, February 10, 2014*, at *6:00 p.m.*, in the *Edgeboro Room of the Education Center*. The agenda is attached.

SMG:bac
Attachment
pc: Dr. Roy
Dr. Silva

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania

MISSION STATEMENT

The Bethlehem Area School District, in partnership with the home and community, is committed to providing a safe and supportive environment in which each student will attain the knowledge, skills, and attitudes necessary to become a productive citizen and lifelong learner in our technologically demanding and culturally diverse society.

A G E N D A
SPECIAL BOARD MEETING – February 10, 2014

1. Roll Call
2. Pledge of Allegiance
3. Silent Meditation
4. Courtesy of the Floor to Visitors (30 minutes allowed)
5. Approval of Minutes/Committee Minutes
6. President's Communication/Special Meetings
7. Superintendent's Report/Federal Program Update
8. Unfinished Business
9. Recommendations of the Administration
10. New and Miscellaneous Business
11. Courtesy of the Floor to Visitors (30 minutes allowed)
12. Open Forum
13. Adjournment

February 10, 2014

BETHLEHEM AREA SCHOOL DISTRICT
BOARD OF SCHOOL DIRECTORS
SPECIAL BOARD MEETING

The Special Meeting of the Board of School Directors of the Bethlehem Area School District (BASD) was held on Monday, February 10, 2014, at 6:04 p.m. in the Edgeboro Room at the Education Center, 1516 Sycamore Street, Bethlehem, PA 18017.

President Faccinetto asked for the Roll Call by the Board Secretary:

ROLL CALL

Members present: Director Basilio Bonilla, Director Michele Cann, Director Eugene McKeon, Director Craig Neiman, Director Rogelio Ortiz, Director Shannon Patrick, Director Angela Sinkler, Director Sudantha Vidanage (arrived at 6:11 p.m. after roll call) and President Michael Faccinetto – 9

Others present: Dr. Joseph Roy, Superintendent of Schools; Stacy Gober, Board Secretary; Attorney Donald Spry, Solicitor; Administrators; members of the press; and other interested citizens and staff members.

The Pledge of Allegiance was recited by all those present.

PLEDGE OF ALLEGIANCE

President Faccinetto requested a moment of Silent Meditation.

MOMENT OF SILENT MEDITATION

President Faccinetto offered Courtesy of the Floor to visitors. Speakers are asked to come to the podium, stating their name and address. The first Courtesy of the Floor will pertain to matters on the Board agenda. The second Courtesy of the Floor will deal with matters pertaining to school district business. Speakers are limited to five (5) minutes each unless extended at the discretion of the Board President. The Board requests that, when possible, all individuals supporting a like position on a topic select a speaker to present their views to avoid repetition. If that is not possible, all are welcome to speak. As per school board policy, generally, speakers are limited to taxpayers, residents, or employees of this school district. At the conclusion of the School Board Meeting, another block of time will be allocated for public comment. At that time, the same rules will apply. It is asked that speakers observe proper decorum, without personal attacks towards a specific individual or individuals. It is not the custom for the Board to enter into a dialogue at these meetings about concerns. However, the Board does listen with care to issues raised. Speakers will receive responses, in some form, by the Administration.

COURTESY OF THE FLOOR TO VISITORS

Carlton Rohrbach (1306 Butztown Road, Bethlehem) – Mr. Rohrbach stated that the budget game is upon the District with the Superintendent recommending increases, then it is the Board that reduces it to three (3) to four (4) percent, and then they look good. Who wins and who loses in the game? The Board believes taxpayers have deep pockets. He wants Bethlehem to be different. He wants the Board to request that the Superintendent present a balanced budget that includes only revenue available of 1.9% with no rainy day funds and no new taxes. If that means teachers, administrators, and programs have to be cut, so be it. If families must live within their budget, then the District should also live within their budget. The taxpayers cannot afford any increase. The District should stay within the revenues that are projected.

Randy Toman (359 Tenth Avenue, Bethlehem) – Mr. Toman stated that he wanted to thank Mr. Rohrbach for his comments. When did the Board receive the Five (5) Year Plan? President Faccinnetto responded in their Friday mailing. He asked if the Board read the document. On page 24 of the document the taxpayers needs to see this information. Do you think the citizens can afford \$300 million in 2018-2019? Did you include the Nitschmann Middle School project money in this projection? Dr. Roy responded that each department will talk about their section at the respective committee meetings, and yes the Nitschmann Middle School project was included in the projection.

Esther Lee (627 Cherokee Street, Bethlehem) – Mrs. Lee stated that she wanted to speak about the charter schools. Legislation came around in 1997 about charter schools. She is the President of the Bethlehem NAACP, and NAACP does not support charter schools as they drain the public schools as tuition is not free and transportation is not free. They know charter schools are taking taxpayer money to provide individualized education. Charter schools take school money away from the public schools and their facilities. NAACP does not see any different academic standards from charter schools versus public schools. Are they college ready? The charter schools are merely a business venture organized for profit and not for the interest of children they represent. Bethlehem has an amazing Vocational-Technical School. NAACP suggests that the Board study and incorporate charter school concepts that attract students in the District setting, such as music, art, medicine, and ROTC. These needs could be met in the traditional school setting. People outside are trying to blindside parents and children to incorporate their thoughts into charter schools. When her children wanted to take lessons, she provided that as a parent. Charter schools are an educational entrepreneurship using parents as guinea pigs. Parents always had a right to enroll in religious schools but paid for it. If parents feel their child should attend a charter school, then they should pay for their child to attend and not the taxpayers. There is no guarantee that the student will learn any better, particularly if the change is made for disciplinary purposes. Public schools cannot afford to lose another dollar for charter school education. As Negroes, our ancestors struggled to eliminate segregation. NAACP has no intention to put children in segregated schools. As President Obama stated, children must improve their skills in English, science and math in order to succeed. She asked the Board members to limit approving charter schools in Bethlehem.

President Faccinnetto stated that there were no minutes to approve this evening.

APPROVAL OF
MINUTES/REGULAR
AND COMMITTEE

President Faccinnetto stated that he did not have anything to report.

PRESIDENT'S
COMMUNICATION

Dr. Roy stated that he did not have anything to report.

SUPERINTENDENT'S
REPORT

President Faccinnetto stated that the guidelines that the Board and District follow for handling charter applications are specified in the "Charter School Law" of 1997. The role of the Board is to review the application and hold a public hearing to gather information, and then work with the District's solicitor to determine whether the application meets the criteria specifically listed in the Charter School Law. The Advanced Military Aerospace Science Academy Charter School submitted an application and a public hearing was conducted on December 9, 2013. The Board has reviewed the information presented in the application, and at the public hearing and has received legal advice from the District's solicitor as to whether or not the

UNFINISHED BUSINESS

application meets the criteria listed in the law. Specifically, the Board finds that the application and supplemental information do not satisfy the requirements of the Charter School Law and, as a result, the recommendation on tonight's agenda is to deny the application. The application fails for several reasons and are specifically spelled out in the written Resolution.

The charter applicant failed to prove there is a demonstrated, sustainable support for the charter school plan by teachers, parents and other BASD community members and students. Twenty members of the public spoke at the public hearing with 15 speaking against the charter applicants. Of the five (5) members of the public who spoke in favor of the charter at the public hearing, only two (2) were BASD residents. The charter applicant failed to demonstrate a viable, sustained funding plan for the school. Of the four letters of individual support submitted by the charter applicant, only two (2) were written by people who either live in or work in BASD. Three (3) letters of opposition were submitted by BASD residents. Of 10 prospective charter board members listed in the application only three (3) are BASD residents, and five (5) attended the public hearing. Five (5) letters of support from local institutions/businesses were submitted two (2) of which were authored by the same person. The charter applicant has not received any financial donations or financial pledges from any local community organization to support its proposed programs.

The charter applicant failed to demonstrate its ability to encourage the use of different and innovative teaching methods and to provide parents with expanded choices regarding educational opportunities available within the public school system. The charter applicant identifies a curriculum aligned with the PA Common Core and participation in Project Lead The Way (PLTW). BASD's curriculum aligns with the PA Common Core and is implementing PLTW. The charter applicant identifies one innovative teaching method, the JROTC program but provided no evidence of a formal partnership or that it has met the rigorous standards required to establish a JROTC unit. The charter applicant identifies career awareness and job shadowing type experiences all of which are available in BASD and Bethlehem Area Vocational-Technical School.

The charter applicant failed to establish that the school would provide comprehensive learning experiences to students as required under the charter school law. The applicant failed to identify how it will address the needs of special education students. The budget relies on enrollment levels unsupported by the application and the evidence.

In regards to the facility, no budget or plan has been provided to address renovations necessary to bring the building into ADA compliance, abate asbestos and adequately renovate the facility to support the highly technical academic programs proposed.

President Faccinnetto asked if anyone had any other items under Unfinished Business. Seeing none, he moved to Recommendations of the Administration.

President Faccinnetto asked for a motion to approve Agenda Items 1 and 2.

Director McKeon made a motion to approve Agenda Item 1 and 2 and was seconded by Director Patrick.

President Faccinnetto asked if there was any discussion regarding these items.

RECOMMENDATIONS
OF THE
ADMINISTRATION

MOTION TO APPROVE
AGENDA ITEM 1 AND 2

February 10, 2014

Director Bonilla spoke about Agenda Item 1 regarding the Preliminary Budget adoption. When raising taxes the Board cannot forget that 31.7% of the BASD residents are 65 years and older, 3.9% are unemployed, 33% percent have a household income of less than \$34,900 or less. Of that, 7.5% of the senior citizens are below poverty. He spoke to two senior citizens who were widowed and provided a breakdown of their income and expenses. We do have a responsibility to the students as well as the taxpayers and cannot continue to tax the citizens and the senior citizens. He is against the House Bill on property tax and hopes the legislators will find a solution to property tax in Pennsylvania. With the citizens in mind, he cannot support the preliminary budget with a tax increase above the Index.

President Faccinnetto asked if there was any other discussion. He wanted to remind the Board that when voting Agenda Item 2's recommendation from the administration is to deny the application. Board members should vote yes if they wish to deny the charter application or vote no to not deny the charter application. He called for a roll call vote for Agenda Items 1 and 2.

Director McKeon – Yes
Director Neiman – Yes
Director Ortiz – Yes
Director Patrick – Yes
Director Sinkler – Yes
Director Vidanage – Yes
Director Bonilla – No to Agenda Item 1 and Yes to Agenda Item 2
Director Cann – Yes
President Faccinnetto – Yes

ROLL CALL VOTE ITEM
1 AND 2

Motion passes 8-1 for Agenda Item 1
Motion passes 9-0 for Agenda Item 2 to deny the charter application

President Faccinnetto asked if there was any New or Miscellaneous Business. Seeing none, he moved to Courtesy of the Floor.

NEW OR
MISCELLANEOUS
BUSINESS

President Faccinnetto asked if there was anyone who would like to speak at Courtesy of the Floor.

COURTESY OF THE
FLOOR

None

President Faccinnetto asked if there was any item to be discussed under Open Forum.

OPEN FORUM

None

President Faccinnetto asked for a motion for Adjournment. Director Patrick made a motion and was seconded by Director Bonilla. He stated that the Board Finance Committee Meeting will begin in five (5) minutes. The meeting adjourned at 6:30 p.m.

ADJOURNMENT

Attest,

Stacy M. Gober
Board Secretary

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1. 2014-2015 Bethlehem Area School District Preliminary Budget Adoption**RECOMMENDATION:**

The Administration recommends the adoption of the Preliminary General Fund Budget for the 2014-2015 fiscal year of the Bethlehem Area School District and authorizes filing of referendum exceptions in accordance with Act 1 of 2006, be granted and, that the Board of School Directors:

- A. Approves the Preliminary 2014-2015 Preliminary General Fund Budget in the amount of \$242,546,422;
- B. Authorizes the advertising and regulatory filing of Act 1 Referendum exceptions included in the Preliminary Budget;
- C. Authorizes the posting and advertising of the General Fund Budget with final adoption scheduled for June 16, 2014; and
- D. Authorizes the Superintendent, Chief Financial Officer, and Solicitor to take any and all actions necessary to ensure legal compliance with preliminary budget approval and filing of referendum exceptions.

Board Action

President Faccinnetto asked for a motion to approve Agenda Items 1 and 2. Director McKeon made a motion to approve Agenda Item 1 and 2 and was seconded by Director Patrick.

President Faccinnetto asked if there was any discussion regarding these items.

Director Bonilla spoke about Agenda Item 1 regarding the Preliminary Budget adoption. When raising taxes the Board cannot forget that 31.7% of the BASD residents are 65 years and older, 3.9% are unemployed, 33% percent have a household income of less than \$34,900 or less. Of that, 7.5% of the senior citizens are below poverty. He spoke to two senior citizens who were widowed and provided a breakdown of their income and expenses. We do have a responsibility to the students as well as the taxpayers and cannot continue to tax the citizens and the senior citizens. He is against the House Bill on property tax and hopes the legislators will find a solution to property tax in Pennsylvania. With the citizens in mind, he cannot support the preliminary budget with a tax increase above the Index.

President Faccinnetto asked if there was any other discussion. He wanted to remind the Board that when voting Agenda Item 2's recommendation from the administration is to deny the application. Board members should vote yes if they wish to deny the charter application or vote no to not deny the charter application. He called for a roll call vote for Agenda Items 1 and 2.

Director McKeon – Yes
Director Neiman – Yes
Director Ortiz – Yes
Director Patrick – Yes
Director Sinkler – Yes
Director Vidanage – Yes
Director Bonilla – No to Agenda Item 1 and Yes to Agenda Item 2
Director Cann – Yes
President Faccinnetto – Yes

Motion passes 8-1 for Agenda Item 1

Motion passes 9-0 for Agenda Item 2 to deny the charter application

2. *Advanced Military Aerospace Science Academy Charter School*

INFORMATION:

On November 15, 2013, the Advanced Military Aerospace Science Academy Charter School (AMASACS) submitted a Charter School Application (Application) to the Bethlehem Area School District (District). The AMASACS proposes a charter school with a charter to be granted by the District. The District is required to review the Application and must hold a public hearing to obtain information necessary to determine whether the application shall be granted or denied.

On December 9, 2013, the District conducted a public hearing, after public notice, at which it received testimony and exhibits from representatives of AMASACS and comment from the public.

The Board of School Directors (Board) and its Administrators have reviewed the application, testimony, exhibits, supplemental information provided by AMASACS as well as public comment, attended the public hearing and had the opportunity to review the transcript and record of the public hearing.

The District's Administration finds that the Application does not satisfy the requirements of the Pennsylvania Charter School Law, 24 PA. STAT. ANN § 17-1701-A et seq.

RECOMMENDATION:

That the Board of School Directors denies the Application of the Advanced Military Aerospace Science Academy Charter School.

Unfinished Business

President Faccinnetto stated that the guidelines that the Board and District follow for handling charter applications are specified in the "Charter School Law" of 1997. The role of the Board is to review the application and hold a public hearing to gather information, and then work with the District's solicitor to determine whether the application meets the criteria specifically listed in the Charter School Law. The Advanced Military Aerospace Science Academy Charter School submitted an application and a public hearing was conducted on December 9, 2013. The Board has reviewed the information presented in the application, and at the public hearing and has received legal advice from the District's solicitor as to whether or not the application meets the criteria listed in the law. Specifically, the Board finds that the application and supplemental information do not satisfy the requirements of the Charter School Law and, as a result, the recommendation on tonight's agenda is to deny the application. The application fails for several reasons and are specifically spelled out in the written Resolution.

The charter applicant failed to prove there is a demonstrated, sustainable support for the charter school plan by teachers, parents and other BASD community members and students. Twenty members of the public spoke at the public hearing with 15 speaking against the charter applicants. Of the five (5) members of the public who spoke in favor of the charter at the public hearing, only two (2) were BASD residents. The charter applicant failed to demonstrate a viable, sustained funding plan for the school. Of the four letters of individual support submitted by the charter applicant, only two (2) were written by people who either live in or work in BASD. Three (3) letters of opposition were submitted by BASD residents. Of 10 prospective charter board members listed in the application only three (3) are BASD residents, and five (5) attended the public hearing. Five (5) letters of support from local institutions/businesses were submitted two (2) of which were authored by the same person. The charter applicant has not received any financial donations or financial pledges from any local community organization to support its proposed programs.

The charter applicant failed to demonstrate its ability to encourage the use of different and innovative teaching methods and to provide parents with expanded choices regarding educational opportunities available within the public school system. The charter applicant identifies a curriculum aligned with the PA Common Core and participation in Project Lead The Way (PLTW). BASD's curriculum aligns with the PA Common Core and is implementing PLTW. The charter applicant identifies one innovative teaching method, the JROTC program but provided no evidence of a formal partnership or that it has met the rigorous standards required to establish a JROTC unit. The charter applicant identifies career awareness and job shadowing type experiences all of which are available in BASD and Bethlehem Area Vocational-Technical School.

The charter applicant failed to establish that the school would provide comprehensive learning experiences to students as required under the charter school law. The applicant failed to identify how it will address the needs of special education students. The budget relies on enrollment levels unsupported by the application and the evidence.

In regards to the facility, no budget or plan has been provided to address renovations necessary to bring the building into ADA compliance, abate asbestos and adequately renovate the facility to support the highly technical academic programs proposed.

Board Action

President Faccinnetto asked for a motion to approve Agenda Items 1 and 2. Director McKeon made a motion to approve Agenda Item 1 and 2 and was seconded by Director Patrick.

President Faccinnetto asked if there was any discussion regarding these items. There was discussion regarding Agenda Item 1.

President Faccinnetto asked if there was any other discussion. He wanted to remind the Board that when voting Agenda Item 2's recommendation from the administration is to deny the application. Board members should vote yes if they wish to deny the charter application or vote no to not deny the charter application. He called for a roll call vote for Agenda Items 1 and 2.

Director McKeon – Yes

Director Neiman – Yes

Director Ortiz – Yes

Director Patrick – Yes

Director Sinkler – Yes

Director Vidanage – Yes

Director Bonilla – No to Agenda Item 1 and Yes to Agenda Item 2

Director Cann – Yes

President Faccinnetto – Yes

Motion passes 8-1 for Agenda Item 1

Motion passes 9-0 for Agenda Item 2 to deny the charter application

**BOARD OF SCHOOL DIRECTORS OF THE
BETHLEHEM AREA SCHOOL DISTRICT**

**Resolution Denying the Charter School Application of the Advanced Military
Aerospace Science Academy Charter School**

(Adopted February 10, 2014)

RESOLUTION

WHEREAS, on November 15, 2013, pursuant to the Act of June 19, 1997, Pa. Laws 225, No. 22, as amended, 24 P.S. § 17-1701-A *et seq.*, known as the Charter School Law (“CSL”), the Advanced Military Aerospace Science Academy Charter School (“AMASACS”) submitted a Charter School Application (“Application”) to the Bethlehem Area School District (“BASD”); and

WHEREAS, AMASACS proposes a charter school with a charter to be granted by BASD; and

WHEREAS, pursuant to Section 17-1717-A of the CSL, BASD is required to review the Application and must hold a public hearing to obtain information necessary to determine whether the Application shall be granted or denied; and

WHEREAS, on December 9, 2013, BASD conducted a public hearing, after public notice, at which it received testimony and exhibits from representatives of AMASACS and comment from the public; and

WHEREAS, the BASD Board of School Directors (the “Board”) and its administrators have reviewed the Application and supplemental information provided by AMASACS and either attended the public hearing or had an opportunity to review the transcript and record of the public hearing; and

WHEREAS, the Board has reviewed the Application and record of the proceedings to evaluate the Application under the criteria set forth in the CSL; and

WHEREAS, the Board is required to evaluate the Application and grant or deny the Application, pursuant to CSL Section 1717-A(e); and

WHEREAS, the Board finds that the Application and supplemental information do not satisfy the requirements of CSL Section 1717-A(e)(2)(i) through (iv); and

WHEREAS, this resolution is adopted on February 10, 2014, within seventy-five (75) days of the first public hearing, as provided by the CSL at 24 P.S. § 17-1701-A(e)(1).

NOW THEREFORE, the Application of AMASACS to operate a charter school named the “Advanced Military Aerospace Science Academy Charter School” is hereby denied. The deficiencies in the Application which were not adequately addressed at the public hearing or in the supplemental information provided by Applicant are as follows:

I. Sustainable Support.

AMASACS has failed to prove the demonstrated, sustainable support for the charter school plan by teachers, parents, other BASD community members, and students, as required by 24 P.S. § 17-1717-A(e)(2)(i), for the following reasons:

1. AMASACS has obtained pre-enrollment for thirty-seven (37) students, twenty-eight (28) of whom are BASD resident students, but proposes an enrollment of one hundred and sixty (160) students in the first year. Application, Exhibit C, p. 1, Exhibit E; N.T., Exhibits A-5 and A-6.

2. Despite participating in numerous community events and networking with various local businesses, AMASACS has obtained only three hundred and eighty (380) signatures in support of the Charter School. Application, Exhibit E; N.T., p. 15-21 and Exhibit A-7.

3. Twenty (20) members of the public spoke at the December 9, 2013 public hearing:

(a) Only five (5) supported granting AMASACS's charter application; of these (5) people, only (2) are BASD residents. N.T., p. 91-137.

(b) Fifteen (15) members of the public spoke against granting AMASACS's charter application; of these fifteen (15) people, fourteen (14) are BASD residents. N.T., p. 91-137.

4. In order to operate a viable, sustainable school, AMASACS relies upon the revenues generated by one hundred and sixty (160) students to satisfy its tight 2014-2015 budget. Application, Appendix C. AMASACS's enrollment projections - which bear directly upon the financial viability of the proposed school - are insufficient and/or are unreliable based upon the evidence.

5. Of the four (4) letters of individual support submitted by AMASACS, only two (2) were authored by individuals who work in or reside in BASD. Application, Appendix E; N.T., Exhibit A-3. Three (3) letters of opposition were submitted by BASD residents. N.T., Exhibits School-3, School-4, School-5.

6. AMASACS submitted only five (5) letters of support from local businesses/institutions, two (2) of which were authored by the same individual. Application, Appendix E; N.T., Exhibits A-2, A-4.

7. Of the ten (10) prospective AMASACS board members, only three (3) are residents of BASD. Application, Appendix D; N.T., p. 27, 55.

8. Of the ten (10) prospective AMASACS board members, only five (5) attended the public hearing. N.T., p. 2.

9. AMASACS has not received any financial donations or financial pledges from any local community organizations to support its proposed programs.

II. Curriculum/Comprehensive Learning Experience.

1. Curriculum. AMASACS has failed to demonstrate that it will provide BASD parents and pupils with expanded choices in the types of educational opportunities that are already available within BASD. The CSL requires that a charter school applicant demonstrate the extent to which the charter school may serve as a role model for other public schools. 24 P.S. § 17-1717-A(e)(2)(iv). The Pennsylvania Charter Appeal Board (“CAB”) has held that, to serve as a model to other schools, a charter school must in some way expand the curricular choices for students and encourage innovative and unique teaching methods. City College Prep Charter School, Docket No. 2006-01. CAB has also held that the CSL requires that a charter school propose using more than one innovative teaching method in order to be considered a model for other schools. Id.

AMASACS has failed to demonstrate its ability to encourage the use of different and innovative teaching methods, and to provide parents and students with expanded choices regarding educational opportunities available within the public school system. AMASACS purports to educate its students through (i) the use of curriculum aligned with the Common Core State Standards; (ii) participation in experiential scientific programs, science, aerospace, technology, engineering and math (“STEM”); and (iii) the Junior Reserve Officers’ Training Corps (“JROTC”) Program. Application, p. 1. Moreover, AMASACS’s study of aerospace is to be furthered by a project-based curriculum supplied by Project Lead The Way. N.T., p. 10. AMASACS has not established, however, that its proposed teaching methods are unique to

BASD, because the curricular areas posited as unique in the Application are programs that are already available in many cases throughout BASD:¹

(a) The BASD curriculum integrates Common Core State Standards as required by law.

(b) The BASD curriculum offers pre-engineering programs both at BASD and through its collaborative relationship with the Bethlehem Area Vocational-Technical School (“BAVTS”). N.T., p. 52, Exhibit School-2. Specifically, BAVTS provides BASD students with a vocational program entitled “The Academy for Applied Engineering”, structured much like a college level engineering course. N.T., Exhibit School-2.

(c) The BASD School Board has approved the inclusion of Project Lead The Way into programs of studies for both Liberty and Freedom High School. N.T., p. 52. Furthermore, no formal partnership exists between AMASACS and Project Lead The Way. Id.

(d) AMASACS purports to offer only one (1) innovative teaching method in its curriculum, the JROTC program, but no formal partnership agreements exist between AMASACS and the JROTC. N.T., 29, 53-54. Further, the Application does not state that AMASACS has met the rigorous standards² as required to establish a JROTC unit. Id.

(e) The Application lists educational components of career awareness, job shadowing, practical experience, and internships. BASD provides its students with such opportunities through its collaborative relationship with the BAVTS. N.T., p. 55. BAVTS students have the opportunity to engage in field-study programs and cooperative education,

¹ Importantly, AMASACS has not met with the BASD curriculum director or BASD officials to determine what programs were or were not already available within BASD or the Bethlehem Area Vocational-Technical School.

² Each state is allocated a proportionate share of Air Force Junior ROTC units based upon the number of secondary schools within the state. Each school that submits an application is evaluated as to the size of its student body, academic quality, physical facilities, administration, community interest and support, past instructor interest, local fill rates in other areas, and the length of time on the waiting list. N.T., p. 53-54.

providing occupational training that supplements the students' in-school educational experience. BAVTS students are able to gain college credit for courses taken at BAVTS. BAVTS students are eligible to receive national certification in their field, on-the-job training through apprenticeships and co-op placements, and college credit for specific courses taken at the school.

2. Comprehensive Learning Experience. AMASACS has failed to establish, in terms of support and planning, that the charter school will provide comprehensive learning experiences to students. The CSL requires that a charter school applicant demonstrate its ability to provide comprehensive learning experiences to students pursuant to the adopted charter. 24 P.S. § 17-1717-A(e)(2)(ii). AMASACS does not demonstrate its capability to provide comprehensive learning experiences to all students, because AMASACS lacks sufficient planning regarding its proposed curriculum and budget as follows:

(a) The Application recognizes that up to seventeen percent (17%) of its students may need special education services, but fails to identify how AMASACS will modify the instruction or assessment for special education students in mainstream classes. Specifically, the Application does not address how special education students will participate in a curriculum comprised largely of Project Lead The Way and JROTC. N.T., p. 56.

(b) AMASACS's budget relies upon enrollment levels unsupported by AMASACS's application and the evidence. Based upon pre-enrollment commitments and lack of community support, AMASACS does not have sufficient resources to acquire highly qualified staff.

III. Facility

Based upon an inspection performed by the BASD Director of Facilities and Operations, BASD has significant safety concerns regarding AMASACS's proposed facility, located at 1301

Sioux Street in Fountain Hill, Pennsylvania. N.T., p. 69, Exhibit School-6. Specifically, AMASACS has proffered no meaningful budgetary or practical plan for performing the renovations necessary to bring the facility into compliance with the Americans With Disabilities Act (“ADA”), abate asbestos, and adequately renovate the facility to support the highly technical academic programs described in the Application. N.T., p. 71-74.

CONCLUSION

The Board concludes that the deficiencies identified in this Resolution are serious and warrant denial of the Application. Based upon the foregoing, the Application is denied.

NOTIFICATION TO APPLICANT

The BASD Administration is directed to provide a copy of this Resolution to the Applicant, Charter School Appeal Board, and the Secretary of Education, pursuant to 24 P.S. § 1717-A(e)(5).

RESOLVED this 10th day of February, 2014.

BOARD OF SCHOOL DIRECTORS OF THE
BETHLEHEM AREA SCHOOL DISTRICT

Attest: Stacy Monahan
Board Secretary

By: [Signature]
Board President