THE BOARD OF PUBLIC EDUCATION

PITTSBURGH, PENNSYLVANIA  15213
Administration Building
341 South Bellefield Avenue

February 16, 2011

SPECIAL LEGISLATIVE
AGENDA
Continued from
February 8, 2011

ROLL CALL

Committee on Education

1. Leadership Academy for Math and Science Pittsburgh Charter School     [Roll Call]

2. Three Rivers Charter School for Public Service    [Roll Call]

3. Propel Charter School – Northside     [Roll Call]

4. Urban Pathways K-5 College Charter School    [Roll Call]
RESOLUTION

RESOLVED, That the Board denies the Leadership Academy for Math and Science Pittsburgh Charter application.

Based upon the criteria described in section 1717-A(c)(2) of the Charter School Law, the review team’s recommendation is to deny the application for reasons including, but not limited to:

1) Failure to demonstrate sustainable support by way of current petitions and letters of support from teachers, parents, students and the community.

2) Failure to demonstrate sustainable support at the public hearing.

3) Failure to provide the School District of Pittsburgh with expanded choices in the types of educational opportunities currently being offered.

4) Failure to consider all the information requested in section 1719-A and conform to the legislative intent outlined in section 1702-A.

5) Failure to describe a complete and comprehensive curriculum that is aligned to state standards.

6) Failure to provide a continuum of services to meet the needs of all students, including students with disabilities, English language learners and at-risk students.

7) Failure to identify and describe a location that can comply with all federal, state and local health and safety regulations.

8) Failure to demonstrate that the charter school can serve as a model for other schools in the District.
RESOLVED, That the Board denies the Three Rivers Charter School for Public Service application.

Based upon the criteria described in section 1717-A(e)(2) of the Charter School Law, the review team’s recommendation is to deny the application for reasons including, but not limited to:

1) Failure to provide the School District of Pittsburgh with expanded choices in the types of educational opportunities currently being offered.
2) Failure to consider all the information requested in section 1719-A and conform to the legislative intent outlined in section 1702-A.
3) Failure to describe a complete and comprehensive curriculum that is aligned to state standards.
4) Failure to provide a continuum of services to meet the needs of all students, including students with disabilities, English language learners and at-risk students.
5) Failure to demonstrate that the charter school can serve as a model for other schools in the District.
RESOLUTION

RESOLVED, That the Board denies the Propel Charter School – Northside application.

Based upon the criteria described in section 1717-A(e)(2) of the Charter School Law, the review team’s recommendation is to deny the application for reasons including, but not limited to:

1) Failure to provide the School District of Pittsburgh with expanded choices in the types of educational opportunities currently being offered.
2) Failure to consider all the information requested in section 1719-A and conform to the legislative intent outlined in section 1702-A.
3) Failure to describe a complete and comprehensive curriculum that is aligned to state standards.
4) Failure to provide a continuum of services to meet the needs of all students, including students with disabilities, English language learners and at-risk students.
5) Failure to demonstrate that the charter school can serve as a model for other schools in the District.
RESOLUTION

RESOLVED, That the Board grants the charter for Urban Pathways K-5 College Charter School application pursuant to the Charter School Law, 24 P.S. § 17 - 1717 - A (e)(4), and in accordance with the Review Team’s February 7, 2011 report and presentation to the Board.

The administration is hereby directed to provide written notice of the Board’s action to the applicant, the Department of Education and the State Charter School Appeal Board. A written Charter Agreement shall be drafted by the Law Department to memorialize the terms of the charter.
TRANSCRIPT OF PROCEEDINGS

PITTSBURGH BOARD OF PUBLIC EDUCATION
SPECIAL LEGISLATIVE MEETING
TUESDAY, FEBRUARY 8, 2011
5:35 P.M.
CONFERENCE ROOM A

COMMITTEE ON EDUCATION

BEFORE:

SHERRY HAZUDA, BOARD PRESIDENT
DR. DANA WARE ALLEN
MARK BRENTLEY
WILLIAM ISLER
THOMAS SUMPTER, SECOND VICE PRESIDENT
FLOYD McCREA

MEMBERS ABSENT:

THERESA COLAIZZI
JEAN FINK
SHARENE SHEALEY, FIRST VICE PRESIDENT

ALSO PRESENT:

DR. LINDA LANE  MR. IRA WEISS
MR. MAX JUNKER  DR. PAULETTE PONCELET
MR. DERRICK LOPEZ  DR. CHRISTIANA OTUWA
MR. PETER CAMARDA  MR. MARK CAMPBELL

REPORTED BY: DEBORAH L. ENDLER
PROFESSIONAL COURT REPORTER

COMPUTER-AIDED TRANSCRIPTION BY
MORSE, GANTVERG & HODGE, INC.
PITTSBURGH, PENNSYLVANIA
412-281-0189
MRS. HAZUDA: I call the special Legislative Meeting of the Pittsburgh Board of Education for Tuesday, February 8, 2011 to deal specifically with charter recommendations. I call to order. Okay.

Mr. Weiss, will you do a roll call, please?

MR. WEISS: Dr. Allen?

DR. ALLEN: Present.

MR. WEISS: Mr. Brentley?

MR. BRENTLEY: Here.

MR. WEISS: Mrs. Colaizzi?

Mrs. Fink?

Mr. Isler?

Mr. McCrea?

MR. McCREA: Here.

MR. WEISS: Ms. Shealey?

Mr. Sumpter?

MR. SUMPTER: Present.

MR. WEISS: Mrs. Hazuda?

MRS. HAZUDA: Here.

MR. WEISS: There are five members present.

Mrs. Hazuda, the Charter School Law requires that a vote, an affirmative vote of the entire Board is
necessary to take action either to approve or disapprove a charter application.

Given the fact that we have a bare majority here this evening, it is perhaps unlikely that this Board will reach that point.

So it is my recommendation that the Board consider recessing this meeting until next Wednesday, which would be the 16th of February at 6:30 p.m. in this room for the purpose of considering these applications.

MRS. HAZUDA: Do I have a motion?

MR. SUMPTER: So moved.

MR. McCREA: Second.

MRS. HAZUDA: Motion made by Mr. Sumpter. Seconded by Skip McCrea.

Mr. Brentley?

MR. BRENTLEY: I just want to ask at what point -- I mean does this change at all? Is there a minimum required for the Board to vote? Or does it have to be before the entire Board? We have a quorum now.

MR. WEISS: It does not have to be before the entire Board. But the problem is that I don't know what the results of the vote will be.

But if a vote on any of these applications
to affirm or to approve or deny them, has less than 5, which is the statutory number needed, which is a majority of 9, then there is effectively no action taken.

And at that point the Board would have to come up with a way to reconsider this at a later time before the deadline imposed by the Charter School Law.

My thought is to make this as simple as possible, that the Board would consider simply deferring this until next Wednesday in the hopes that there would be a larger number of members.

If the motion to recess does not pass, it only requires a majority of those here to do that, then, of course, the Board would consider these four applications and we would just deal with the results as they come in.

MR. BRENTLEY: Okay. Well, I will of course, we would have to go with whatever the majority decides to. I just wanted to make a note for the record this is a perfect example as to why the rules need to be clarified as to what districts can and can't do, accepting or by rejecting applications.

This is a new maneuver here. This one is new. I've seen this with some other things since I've been here. But this one is pretty interesting and
it's new.

My concern with in the past, I think a year or so ago, we had an applicant, late application. And we sent this particular applicant through some changes, eventually denied his application. Denied anything he wanted to do in the District, with the purchase of a building and so on.

So I want to point that out to show that we are all over the board in terms of how we treat applications.

This is not necessarily for you, Mr. Weiss, to respond. I just want to just put this for the record.

This is why some raised concerns about the process being highly political and highly slanted for certain individuals who have influence in the District or within the Board's structure.

So I want to make my comments for the record. I will abide by whatever the majority.

Also, just to state for the record the date that we actually set, Dr. Lane, I didn't set it, I don't know anything about the date to vote, was set by you or set by the committee? It was your recommendations to actually have the vote today? Who set the date?
DR. LANE: Well, I know that several people were engaged in deciding on the vote for today. So it wasn't solely my decision. I did confer with others. I know, I think actually Lisa Fischetti contacted the Board office. Mrs. Hazuda talked to whoever she may have talked with, I'm not sure about that. But she can speak to that.

MR. BRENTLEY: I just want to just make my comment for the record. Just also to once again just thank the panel, the committee for their hard work, what an excellent opportunity to see politics at its best here. Not in terms of how these decisions are made.

So we will wait til next week and I guess that's what the plans are. So thank you.

MRS. HAZUDA: Thank you, Mr. Brentley. Actually when we were talking before the meeting started, we were trying to figure out how late we could wait to see if any other Board Members showed up and Mr. Isler has arrived.

So that does give us six. So at this time we have a motion to recess. So I think we need to take a vote, either withdraw the motion or take a vote on that motion.

MR. ISLER: Point of order, has a motion
been made and seconded?

MRS. HAZUDA: Yes.

MR. ISLER: Thank you.

MR. WEISS: Roll call on the motion to recess.

Dr. Allen?

DR. ALLEN: No.

MR. WEISS: Mr. Brentley?

MR. BRENTLEY: No.

MR. WEISS: Mr. Isler?

MR. ISLER: Yes.

MR. WEISS: Mr. McCrea?

MR. McCREA: Yes.

MR. WEISS: Mr. Sumpter?

MR. SUMPTER: Yes.

MR. WEISS: Mrs. Hazuda?

MRS. HAZUDA: Yes.

MR. WEISS: The motion carries 4 to 2, the meeting is recessed until next Wednesday, February 16th, 2011 at 6:30 in this room for the purpose of considering the four applications. It will be a continuation of this meeting.

MR. ISLER: Mrs. Hazuda, I know that this is an unusual request, but I would hope that that meeting is advertised.
MR. WEISS: It will be advertised.

MR. ISLER: We have enough time to get in to be totally transparent and visible to everybody concerned, all the individuals who are in this room, representing the charters and anybody else.

MR. WEISS: When this was discussed with Dr. Lane prior to the meeting, we said it would be advertised.

MR. ISLER: Thank you.

MRS. HAZUDA: I want to apologize for all those who came out this evening for us to vote. It's in the best interests that we have a full discussion of the Board and the opportunity to vote.

So again, I apologize for the time and hope we see you next Wednesday.

(THEREUPON, at 5:45 o'clock p.m. the hearing was adjourned.)
C-E-R-T-I-F-I-C-A-T-E

I, Deborah L. Endler, the undersigned, do hereby certify that the foregoing eight (8) pages are a true and correct transcript of my stenotypy notes taken at the Special Legislative Meeting held at the Pittsburgh Public Schools, Board of Education, Pittsburgh, Pennsylvania, on Tuesday, January 8, 2011.

[Signature]
Deborah L. Endler, Court Reporter

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TRANSCRIPT OF PROCEEDINGS

PITTSBURGH BOARD OF PUBLIC EDUCATION
SPECIAL LEGISLATIVE MEETING
WEDNESDAY, FEBRUARY 16, 2011
6:43 P.M.
ADMINISTRATION BUILDING - BOARD COMMITTEE ROOM

BEFORE:

SHERRY HAZUDA, BOARD PRESIDENT
SHARENE SHEALEY, FIRST VICE PRESIDENT
THOMAS SUMPTER, SECOND VICE PRESIDENT
MARK BRENTLEY
THERESA COLAIZZI
JEAN FINK
SHERRY HAZUDA
WILLIAM ISLER
FLOYD McCREA
SHARENE SHEALEY

ALSO PRESENT:

DR. LINDA LANE
DR. PAULETTE PONCELET
MR. IRA WEISS
MS. CHRISTIANA OTUWA
DR. JEANNINE FRENCH

MR. DERRICK LOPEZ
MR. MARK CAMPBELL
MR. PETER J. CAMARDA
MS. LISA FISCHETTI

REPORTED BY:  MELISSA L. FENSTER
PROFESSIONAL COURT REPORTER

COMPUTER-AIDED TRANSCRIPTION BY
MORSE, GANTVERG & HODGE, INC.
PITTSBURGH, PENNSYLVANIA
412-281-0189

ORIGINAL
Good evening, ladies and gentlemen. Welcome to the continuation of February 16, 2011 Special Legislative Agenda.

I ask that everyone please turn off your cell phones or put them on vibrate.

Would you all please stand for the Pledge of Allegiance.

(Flat saluted.)

Thank you.

Mr. Weiss, could we have a roll call, please.

Dr. Allen.

Present.

Mr. Brentley.

Here.

Mrs. Colaizzi.

Here.

Mrs. Fink.

Here.

Mr. Isler.

Present.

Mr. McCrea.

Here.

Ms. Shealey.
MS. SHEALEY: Here.

MR. WEISS: Mr. Sumpter.

MR. SUMPTER: Present.

MR. WEISS: Ms. Hazuda.

MS. HAZUDA: Here.

MR. WEISS: All members present.

MS. HAZUDA: Thank you, Mr. Weiss.

We'll begin with a resolution that the Board denies the Leadership Academy for Math and Science Pittsburgh Charter application.

You all have the resolution in front of you. I ask if there are any questions, we'll address them now.

We'll start with Dr. Ware Allen.

DR. ALLEN: No.

MS. HAZUDA: Mr. Brentley.

MR. BRENTLEY: Yes. I just wanted to ask Dr. Lane has there been any additions or deletions in terms of the recommendation by the panel that was made a couple weeks ago.

And so in other words, are all the recommendations still the same as that was made by the committee?

DR. LANE: Yes, Mr. Brentley, they are.

MR. BRENTLEY: Thank you. That's all.
MRS. COLAIZZI: Thank you, Madame Chair.

Dr. Lane, I'm assuming that each of these charters that we'll be voting on are the recommendations, so a yes vote is what the recommendation of the staff is. Am I correct?

DR. LANE: Yes. An affirmative vote confirms the resolution, which is either to deny or to grant the charter.

MRS. COLAIZZI: Okay. And we're doing these as separate roll calls. Am I correct?

MR. WEISS: Yes.

MRS. COLAIZZI: Okay. Thank you.

MS. HAZUDA: Mrs. Fink.

MRS. FINK: No. I'm good.

MS. HAZUDA: Mr. McCrea.

MRS. FINK: Mr. Isler.

MS. HAZUDA: Sorry, Mr. Isler. Mr. Isler, do you have any questions?

MR. ISLER: No, ma'am. Thank you, Ms. Hazuda.

MS. HAZUDA: Mr. McCrea.

MR. McCREA: I just want to note that they pretty much failed to do anything right, so I'm definitely going to support this.

MS. HAZUDA: Ms. Shealey.
MS. SHEALEY: No thank you.

MS. HAZUDA: Mr. Sumpter.

MR. SUMPTER: No.

MS. HAZUDA: Mr. Weiss, can we have a roll call -- no. We need a motion first --

Wait. We're back to Mr. Brentley.

MR. BRENTLEY: Just one other question, and I just wanted to say once again publicly thank the committee for all their hard work and extra time they put in for this, so we really appreciate that. Thank you so much.

MS. HAZUDA: I need a motion and a second to vote on this resolution.

MR. McCREA: Motion.

MRS. COLAIZZI: So moved.

MS. HAZUDA: Mrs. Colaizzi and Mr. McCrea.

Mr. Weiss, roll call.

MR. WEISS: This is a roll call on the Leadership Academy for Math and Science. The recommendation is to deny it, so an affirmative vote denies the charter.

Dr. Allen.

DR. ALLEN: Yes.

MR. WEISS: Mr. Brentley.

MR. BRENTLEY: Yes.
MR. WEISS: Mrs. Colaizzi.

MRS. COLAIZZI: Yes.

MR. WEISS: Mrs. Fink.

MRS. FINK: Yes.

MR. WEISS: Mr. Isler.

MR. ISLER: Yes.

MR. WEISS: Mr. McCrea.

MR. McCREA: Yes.

MR. WEISS: Ms. Shealey.

MS. SHEALEY: Yes.

MR. WEISS: Mr. Sumpter.

MR. SUMPTER: Yes.

MR. WEISS: Ms. Hazuda.

MS. HAZUDA: Yes.

MR. WEISS: The resolution is approved.

MS. HAZUDA: Thank you, Mr. Weiss.

We'll move onto the second resolution that the Board denies the Three Rivers Charter School for Public Service application.

Mr. Sumpter, we'll begin with you.

MR. SUMPTER: No questions or comments.

Thank you.

MS. HAZUDA: Ms. Shealey.

MS. SHEALEY: No thank you.

MS. HAZUDA: Mr. McCrea.
MR. McCREA: Thank you.

I just want to note that our Junior ROTC program at Oliver cannot be beat. We get -- they're getting -- as a matter of fact, this month they're coming up for an award at the Legislative Meeting, so we do provide that aspect that this school is alleging that they can do better. I don't -- you definitely can't do better than we're doing at Oliver.

Also, I want to make note that we had a public safety academy, but it failed because we could not get enough children to come into it. Believe me, I know that one well. So I agree with the staff on this one again.

MS. HAZUDA: Thank you, Mr. McCrea.

Mr. Isler.

MR. ISLER: No thank you, Ms. Hazuda.

MS. HAZUDA: Mrs. Fink.

MRS. FINK: No. I'm good.

MS. HAZUDA: Mrs. Colaizzi.

MRS. COLAIZZI: No.

MS. HAZUDA: Mr. Brentley.

MR. BRENTLEY: No.

MS. HAZUDA: Dr. Allen.

DR. ALLEN: No.
MS. HAZUDA: Can I have a --

MRS. COLAIZZI: So moved.

MR. McCREA: Second.

MS. HAZUDA: Colaizzi and McCrea.

We'll take a roll call, Mr. Weiss.

MR. WEISS: This is a -- again, a resolution in an affirmative vote will deny the charter.

Dr. Allen.

DR. ALLEN: Yes.

MR. WEISS: Mr. Brentley.

MR. BRENTLEY: Yes.

MR. WEISS: Mrs. Colaizzi.

MRS. COLAIZZI: Yes.

MR. WEISS: Mrs. Fink.

MRS. FINK: Yes.

MR. WEISS: Mr. Isler.

MR. ISLER: Yes.

MR. WEISS: Mr. McCrea.

MR. McCREA: Yes.

MR. WEISS: Ms. Shealey.

MS. SHEALEY: Yes.

MR. WEISS: Mr. Sumpter.

MR. SUMPTER: Yes.

MR. WEISS: Ms. Hazuda.
MS. HAZUDA: Yes.

MR. WEISS: The resolution is approved.

MS. HAZUDA: Thank you.

And I've been doing things a little backwards. We should be having the motion prior to the discussion, so on this one, I'll read it. We'll do the motion and then --

MR. SUMPTER: You do the motion. Then --

MS. HAZUDA: Right. Okay.

So the third one is resolved that the Board denies the Propel Charter School Northside application.

Is there a motion?

MRS. COLAIZZI: So moved.

MS. SHEALEY: Second.

MS. HAZUDA: Okay. Colaizzi and Shealey. All right. Now, we'll go for questions.

DR. ALLEN: I am abstaining from voting and participating in the deliberations of the Propel application under provisions of the Ethics Act whereby my employer, Youth Works, has a business relationship with Propel.

MS. HAZUDA: Thank you, Dr. Ware Allen.

Mr. Brentley.

MR. BRENTLEY: No thanks.
MS. HAZUDA: Mrs. Colaizzi.

MRS. COLAIZZI: No.

MS. HAZUDA: Mrs. Fink.

MRS. FINK: No.

MS. HAZUDA: Mr. Isler.

MR. ISLER: No thank you.

MS. HAZUDA: Mr. McCrea.

MR. McCREA: I'm ready. I drove by 901 Pennsylvania Avenue. It's a warehouse. They want to put our children into a warehouse and try to educate them. It's next to the rail road track. It's an industrial area.

I do not like it, and I haven't seen a tree there either. So I will definitely agree with the District.

MS. HAZUDA: Thank you.

Ms. Shealey.

MS. SHEALEY: I guess my drive by was actually to a Propel school, and they deliver a type of education that I don't see happening in the District.

So if the recommendation of the team carries tonight, I would like to encourage Propel to resubmit an application to the District that addresses these issues because their schools and
their results are something that we should model, and I'm one who believes a little competition doesn't hurt anything.

Thank you, Ms. Hazuda.

MS. HAZUDA: Thank you, Ms. Shealey.

Mr. Sumpter.

MR. SUMPTER: No thank you.

MS. HAZUDA: Mr. Weiss, can we have a roll call, please.

MR. WEISS: Dr. Allen.

DR. ALLEN: Abstain.

MR. WEISS: Mr. Brentley.

MR. BRENTLEY: Yes.

MR. WEISS: Mrs. Colaizzi.

MRS. COLAIZZI: Yes.

MR. WEISS: Mrs. Fink.

MRS. FINK: Yes.

MR. WEISS: Mr. Isler.

MR. ISLER: Yes.

MR. WEISS: Mr. McCrea.

MR. McCREA: Yes.

MR. WEISS: Ms. Shealey.

MS. SHEALEY: No.

MR. WEISS: Mr. Sumpter.

MR. SUMPTER: Yes.
MR. WEISS: Ms. Hazuda.

MS. HAZUDA: Yes.

MR. WEISS: The motion carries seven, one, one.

MS. HAZUDA: Thank you, Mr. Weiss.

And the final resolution is resolved that the Board grants the charter for Urban Pathways K-5 College Charter School application pursuant to the Charter School Law 24 PS-17-1717-AE4. And in accordance with the review team's February 7, 2011 report and presentation to the Board.

MRS. COLAIZZI: So moved.

MS. SHEALEY: Second.

MS. HAZUDA: Colaizzi and Shealey.

Discussion on it, we'll start with Mr. Sumpter.

MR. SUMPTER: No comments.

MS. HAZUDA: Ms. Shealey.

MS. SHEALEY: No thanks.

MS. HAZUDA: Mr. McCrea.

MR. McCREA: I'll be consistent and agree with the District's findings.

MS. HAZUDA: Mr. Isler.

MR. ISLER: No, ma'am.

MS. HAZUDA: Mrs. Fink.
MRS. FINK: No.

MS. HAZUDA: Mrs. Colaizzi.

MRS. COLAIZZI: No.

MS. HAZUDA: Mr. Brentley.

MR. BRENTLEY: No.

MS. HAZUDA: Dr. Ware Allen.

DR. ALLEN: No.

MS. HAZUDA: Mr. Weiss, a roll call, please.

MR. WEISS: Dr. Ware Allen.

DR. ALLEN: Yes.

MR. WEISS: Mr. Brentley.

MR. BRENTLEY: Yes.

MR. WEISS: Mrs. Colaizzi.

MRS. COLAIZZI: Yes.

MR. WEISS: Mrs. Fink.

MRS. FINK: No.

MR. WEISS: Excuse me?

MRS. FINK: No.

MR. WEISS: Mr. Isler.

MR. ISLER: Yes.

MR. WEISS: Mr. McCrea.

MR. McCREA: Yes.

MR. WEISS: Ms. Shealey.

MS. SHEALEY: Yes.
MR. WEISS: Mr. Sumpter.
MR. SUMPTER: Yes.
MR. WEISS: Ms. Hazuda.
MS. HAZUDA: Yes.
MR. WEISS: Motion carries eight to one.
That completes the business subject that called
the meeting.
MS. HAZUDA: Thank you, Mr. Weiss.
Is there a motion to adjourn?
MS. SHEALEY: So moved.
MRS. FINK: Second.
MS. SHEALEY: We'll go with Shealey and
Fink.
This meeting is adjourned. Thank you.
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(Thereupon, at 6:53 p.m., the Special
Legislative Meeting was concluded.)
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C-E-R-T-I-F-I-C-A-T-E

I, Melissa L. Fenster, the undersigned, do hereby certify that the foregoing fourteen (14) pages are a true and correct transcript of my stenotypy notes taken of the Special Legislative Meeting held in the Pittsburgh Board of Public Education, Administration Building, Board Committee Room, on Wednesday, February 16, 2011.

Melissa L. Fenster, Court Reporter