

**IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW**

**IN RE: APPOINTMENT OF A RECEIVER
FOR THE CHESTER UPLAND SCHOOL
DISTRICT**

NO. CV 2012-009781

Robert DiOrio, Esquire for Ronald Tomalis

James R. Flandreau, Esquire, Gregory G. Schwab, Esquire and Sean Fields, Esquire,
for Pennsylvania Department of Education

William A. Jacobs, Esquire for Chester Upland School Board

Kevin M. McKenna, Esquire, Mark G. Morford, Esquire, Timothy W. Garvey, Esquire, and
Ashley M. Scrivner, Esquire

For Agora Cyber Charter School, Chester Charter School for the Arts,
Pennsylvania Cyber Charter School, Pennsylvania Virtual Charter School,
Pennsylvania Leadership Academy, Commonwealth Connections Charter
Academy, the Pennsylvania Coalition of Public Charter Schools and
Pennsylvania Leadership Charter School

Kathleen O'Connell Bell, Esquire
For Widener Partnership Charter Schools

Mark Tepper, Esquire, Francis Catania, Esquire, James J. Byrne, Jr. Esquire, Kathleen M.
Nagle, Esquire and Clifford E. Haines, Esquire
for Chester Community Charter School

Brian H. Leinhauser, Esquire
For Achievement House Cyber Charter School, Pennsylvania Leadership
Charter School, Pennsylvania Distance Learning Charter School, Education
Plus Academy Cyber Charter School

Michael Churchill, Esquire, Mary M. McKenzie, Esquire, Maura McInerney, Esquire,
Claudia DePalma, Esquire, , Thomas J. Miller, Esquire and Sozi Tulante, Esquire
For Parent Petitioners

William A. Jacobs, Esquire, Jacquie Jones, Esquire, George B. Dawson, Esquire, and Leo
A. Hackett, Esquire
For Chester Upland School District

Michael Puppio, Esquire, Friends of Chester Community Charter School

Guy A. Donatelli, Esquire and Kenneth Schuster, Esquire, for Receiver, Nafis J. Nichols

ORDER APPROVING THE JOINT SETTLEMENT AGREEMENT

AND NOW, this 18 day of September 2024, upon consideration of the Joint Petition to Approve Settlement Agreement filed by the Receiver for the Chester Upland School District, Nafis Nichols, and the Chester Community Charter School, any responses thereto, and the Hearing held on September 18, 2024, it is hereby ORDERED and DECREED that the Petition is **GRANTED** and the fully executed Settlement Agreement and Release attached to the Petition as Exhibit B is **APPROVED**.

The Chester Upland School District's financial recovery and security as well as budget predictability and savings, requires and necessitates the terms and conditions of this settlement and the renewal(s) of the term(s) therein.

The examination and review of performance and compliance with the law, of the Charter Schools is inherent and an annual assessment and comprehensive review shall be conducted within a year of July 1, 2031.

This Court finds overwhelming credible testimony and clear and convincing credible evidence to approve the Joint Petition to Approve Settlement Agreement and all the terms and renewals therein. The Settlement Agreement serves the best interests of the Financial Recovery of the Chester Upland School District.

It is further ORDERED and DECREED, that the Receiver, Nafis Nichols, is directed to implement, administer, and enforce the terms and conditions of the Settlement Agreement.

The Amended Recovery Plan and Settlement Agreement does not affect the rights and timely payments on a monthly basis, each year from the Chester Upland School District, the full amounts of funding due to the Respondent Charter Schools, calculated in accordance with the Charter School Law.

The Respondent Charter Schools are not a party to the Settlement Agreement and are not bound by said Settlement Agreement.

BY THE COURT:



Barry C. Dozor, J.