



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF EDUCATION

July 2, 2015

Mr. Elbert Sampson  
Synergy Cyber Charter School  
222 North Keswick Avenue  
Glenside, PA 19038

SENT VIA CERTIFIED MAIL AND E-MAIL

Dear Mr. Sampson:

Thank you for your continued interest in opening a cyber charter school in Pennsylvania. After reviewing the Synergy Cyber Charter School revised application, it is the decision of the Pennsylvania Department of Education to deny your application. Please review the enclosed decision for more information.

If you have any question, please contact Steven Carney at (717) 214-5708 or [stevcarney@pa.gov](mailto:stevcarney@pa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Pedro A. Rivera".

Pedro A. Rivera  
Secretary of Education

Enclosure

**Synergy Cyber Charter School  
Revised 2014 Cyber Charter School Application**

**Background**

Pursuant to the Charter School Law (CSL), 24 P.S. §§ 17-1701-A – 17-1751-A, the Pennsylvania Department of Education (Department) has the authority and responsibility to receive, review, and act on applications for the establishment of a cyber charter school. A cyber charter school applicant must submit its application to the Department by October 1 of the school year preceding the school year in which the applicant proposes to commence operation. After submission of an application, the Department is required to hold at least one public hearing and grant or deny the application within 120 days of its receipt. A cyber charter school has a one-time opportunity to revise and resubmit its application to the Department. To allow sufficient time for the Department to review the revised application, the revised application must be received by the Department at least 120 days prior to the originally proposed opening date for the cyber charter school.

The Synergy Cyber Charter School (Synergy) timely submitted an application to operate as a cyber charter school (Application). The Department provided 30 days' notice of a public hearing held on November 10, 2014. The Department issued a decision to deny Synergy's Application on January 15, 2015 (January 15, 2015 Decision). Synergy timely submitted a revised application on May 4, 2015 (Revised Application).

**Decision**

Based on a thorough review, the Department denies Synergy's Revised Application. Deficiencies were identified in the following areas:

- Facility Requirements
- Governance
- Sustainable Support
- Use of Physical Facilities
- Technology
- Special Education
- English as a Second Language
- Assessment and Accountability/School Improvement
- Finance
- Professional Development/Teacher Induction

**I. The applicant failed to provide sufficient information concerning the ownership or any lease arrangements of all facilities and offices of its school.**

A cyber charter applicant must demonstrate that its application meets the requirements of 24 P.S. § 17-1747-A, which includes the requirements of 24 P.S. § 17-1719-A. A cyber charter applicant must provide the addresses of all facilities and offices of the cyber charter school, the ownership thereof and any lease arrangements. An executed lease is not required, but pertinent

information about proposed facilities—such as letters of intent, documentation concerning the ownership of potential properties, or any proposed lease arrangements associated with proposed properties—is required.

The January 15, 2015 Decision identified that Synergy did not provide consistent information about the school’s proposed facility. Furthermore, Synergy failed to provide a letter of intent, a proposed lease arrangement, ownership information, or any other information associated with the proposed facility.

In its Revised Application, Synergy clarifies its intention to use the facility in Glenside, PA. However, Synergy once again failed to provide any of the following: a letter of intent; a proposed lease arrangement; ownership information; or any other information associated with a proposed facility in Glenside, PA.

**II. The applicant failed to submit sufficient evidence of proper governance and of the necessary support and planning to provide a comprehensive learning experience to students.**

A cyber charter applicant must provide information to identify the cyber charter applicant, the name of the proposed school, and the proposed governance structure. This must include governing documents such as the articles of incorporation filed with the Pennsylvania Department of State, bylaws, and the proposed governing body or board of trustees.

***(a) The applicant failed to submit consistent information about members of the board of trustees.***

The January 15, 2015 Decision identified inconsistent information in the Application regarding the school’s initial board of trustees. In one part of its Application, Synergy stated that the school’s founders would constitute the initial board of trustees. However, in another part of the Application, Synergy stated that the school’s founders would not serve on the board of trustees and provided the names and resumes of the initial board of trustees who are not the school’s founders.

In its Revised Application, Synergy did not even attempt to address the deficiency regarding the inconsistent information provided in the Application regarding members of the board of trustees. Thus, this deficiency remains since Synergy failed to clarify the inconsistency regarding the initial board of trustees.

***(b) The applicant failed to provide accurate information regarding distribution of assets upon dissolution.***

The January 15, 2015 Decision identified Synergy’s failure to provide for the proper distribution of a cyber charter school’s assets upon dissolution in its Articles of Incorporation (Articles).

The Revised Application fails to address this deficiency. While Synergy states its intent to comply with any and all regulations that govern the operation of a cyber charter school, it did not

provide any evidence to show that the improper language in its Articles regarding distribution of assets had been amended.

**III. The applicant failed to demonstrate sustainable support for the cyber charter school plan and the necessary support and planning to provide a comprehensive learning experience to students.**

A cyber charter applicant must submit evidence that it has demonstrated, sustainable support for the cyber charter school plan and the necessary support and planning to provide a comprehensive learning experience to students. “[S]ustainable support means support sufficient to sustain and maintain the proposed charter school as an on-going entity.” *In Re: Ronald H. Brown Charter School*, CAB 1999-1, p. 18. The indicia of support are to be measured in the aggregate rather than by individual categories. *Id.* The Department looks for letters or other indications of support from teachers, parents or guardians and students submitted with the application.

The January 15, 2015 Decision identified the lack of information in the Application surrounding the alleged group of individuals compiled by Synergy who are lifelong educators, advocates for choice in education, and service providers involved with the charter school community. Specifically, Synergy failed to: specify the number of individuals within the group; identify the group members; and produce any evidence of their support. Furthermore, the January 15, 2015 Decision identified that the one petition of support Synergy provided in its Application—containing signatures from only 35 parents who have a total of 65 children—did not demonstrate sustainable support for the cyber charter school plan or the necessary support and planning to provide a comprehensive learning experience for students.

While the Revised Application clarifies the projected first-year enrollment<sup>1</sup>, it still does not provide any additional information about the alleged group of individuals Synergy compiled who are lifelong educators, advocates for choice in education, and service providers involved with the charter school community. Moreover, Synergy did not provide any additional indicia of support beyond reference to its original petition of support. As such, Synergy has not provided any additional evidence in its Revised Application to demonstrate that Synergy has the sustainable support for the cyber charter school plan or the necessary support and planning to provide a comprehensive learning experience for students.

**IV. The applicant failed to provide sufficient information to establish that it will operate as a cyber charter school and use physical facilities in a proper manner.**

Cyber charter schools must be able to function and provide all curriculum and instruction to all of its students without the need for students to attend any physical facility designated by the cyber charter school. A cyber charter school may only use a physical facility as an administrative office or as a resource center for providing no more than supplemental services to students, and the school must provide equitable access to such services for all students enrolled in the school. The cyber charter school must also be able to demonstrate the ability to enroll

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<sup>1</sup> The projected first-year enrollment is 225 students.

students from across the state and provide all services to those students in a materially consistent way, regardless of where they reside.

The January 15, 2015 Decision identified the potential use of physical facilities for purposes other than providing supplemental services. More specifically, the Application referenced the use of face-to-face instruction, direct instruction in a classroom setting, and blended learning techniques, including direct instruction.<sup>2</sup>

The Revised Application reiterates Synergy's commitment to operate as a "pure" cyber charter school and use the proposed Glenside, PA facility in an administrative function only. However, the Revised Application fails to address the references to direct, face-to-face instruction and blended learning techniques.<sup>3</sup> Furthermore, in its Revised Application, Synergy specifically states that "[i]t is true that the locations of instruction have not been provided, but those locations will be secured as soon as possible after a charter has been granted." This reference to "locations of instruction" certainly indicates that Synergy intends to have physical locations where direct instruction will occur. Thus, notwithstanding Synergy's alleged commitment to operate as a "pure" cyber charter school, Synergy's statements in its Application and its Revised Application demonstrate that it will not comply with the requirement of using physical facilities only for supplemental services.

**V. The applicant failed to provide sufficient information to demonstrate compliance with technology requirements applicable to and necessarily part of the operation of a cyber charter school.**

A cyber charter applicant must demonstrate that it has the capability, in terms of support and planning, to provide comprehensive learning experiences to all its students, including in areas relating to technology requirements applicable to, and necessarily part of, the operation of a cyber charter school. A cyber charter applicant must also demonstrate that its application meets the requirements of 24 P.S. § 17-1747-A, which includes the requirements of 24 P.S. § 17-1719-A.

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<sup>2</sup> On page 138 of the Application it states "[t]hrough a system of virtual, online instruction, paired with opportunities of face-to-face instruction, each student will have a variety of media to discover, explore, and learn in order to achieve at high levels." Additionally, "[a] plethora of methods will be used, including methods for working with students synchronously and asynchronously online, as well as direct instruction with students in a classroom situation." On page 139 of the Application it states "[f]or delivery of student lessons, in concert with learning coaches, teachers will utilize blended learning techniques including direct instruction . . . ."

<sup>3</sup> If granted, an application becomes part of a cyber charter school's charter that governs the operation of the cyber charter school and the predominate mechanism by which the Department holds a cyber charter school accountable. Therefore, an application must contain accurate information.

***(a) The applicant failed to define the technology and equipment standards that promote equitable access to online learning.***

A cyber charter applicant must establish procedures for periodically assessing the performance of their equipment and infrastructure against established industry standards and identified educational needs. In addition, cyber charter schools must have a process by which technology is refreshed in a timely fashion to meet the new standards and needs.

The January 15, 2015 Decision identified the lack of information regarding the procedures for periodically assessing the performance of equipment and infrastructure or the process by which Synergy will refresh its technology.

In its Revised Application, Synergy indicates that it will use a “first-in, first-out” schedule for rotating computers and ancillary equipment. The Revised Application fails to provide, however, any processes and procedures regarding replacement schedules to explain how Synergy will periodically assess the performance of its equipment and infrastructure against industry standards and identified educational needs.

***(b) The applicant failed to demonstrate the establishment of minimum standards for effective technical support.***

A cyber charter applicant must establish minimum standards for effective technical support services, as well as protocols for assistance for end-user equipment. The minimum standards for technical support services should address, but are not limited to, operational hours consistent with peak usage (during and beyond the traditional school day), high rates of real-time availability of support staff, and rapidness of response and resolution.

The Department’s January 15, 2015 Decision identified that Synergy failed to provide the standards it had established to provide effective technical support.

The Revised Application cites to original sections in the Application without providing any additional information on the standards it has established to provide effective technical support. Specifically, the Revised Application fails to clarify the hours of operation for the help desk and fails to provide details on how parents and students can access the help desk.

***(c) The applicant failed to demonstrate enactment of measures to identify and deter plagiarism.***

A cyber charter applicant is required to have strict policies and procedures regarding plagiarism and copyright protections, including the steps that will be taken if suspected plagiarism occurs. A cyber charter applicant must provide technology solutions to assist instructors in the identification of potential plagiarism in student or teacher created content. A cyber charter applicant must also provide educational opportunities regarding plagiarism in relation to electronic resources available.

The January 15, 2015 Decision identified a lack of detailed procedures, including frequency, which Synergy teachers will be required to follow to check for plagiarism. Additionally, the January 15, 2015 Decision noted a failure to identify the technology tools that will be used to identify plagiarism or the curriculum that addresses plagiarism and the appropriate use of educational materials.

Synergy's Revised Application included more details regarding how Synergy plans to ensure teachers address plagiarism and students acknowledge the consequences of plagiarism. However, Synergy failed to identify the technology tools that will be used to identify plagiarism or the curriculum that addresses plagiarism and the appropriate use of educational materials.

**VI. The applicant failed to demonstrate that it is prepared to meet the needs of students with disabilities.**

A cyber charter applicant must demonstrate that its application meets the requirements of 24 P.S. § 17-1747-A, which includes the requirements of 24 P.S. § 17-1719-A. A cyber charter applicant must also demonstrate that it has the capability, in terms of support and planning, to provide comprehensive learning experiences to all its students, including those with disabilities. A cyber charter school must comply with federal and state requirements applicable to educating students with disabilities. To this end, a cyber charter applicant must describe the provision of education and related services to students with disabilities, including evaluation and the development and revision of individualized education programs (IEP).

***(a) The applicant failed to demonstrate that it has reasonable knowledge of the requirements for providing special education programs and services.***

A cyber charter applicant must have a general understanding of the special education program design, process, service delivery and implementation. This should include the following: child find, evaluation, invitation, IEP, placement and procedural safeguards. A cyber charter applicant must demonstrate the ability to provide a free appropriate public education (FAPE) by having written policies and procedures, or a narrative that reasonably address the implementation of federal and state special education requirements.

The January 15, 2015 Decision noted Synergy's general understanding of the special education program design. However, it was unclear whether Synergy had an accurate understanding of cyber charter school services and programs for children with disabilities. The January 15, 2015 Decision also identified areas of fundamental misunderstandings and the failure to submit policies and procedures for key areas of special education.

Synergy's Revised Application cites to numerous sources for general information regarding special education components without providing additional information to demonstrate that it has the understanding of a special education program and how to specifically tailor such program to the cyber charter school environment. Synergy lifted information regarding Child Find, Chapter 711 of State Board regulations, IDEA and Section 504 from many sources. These are excellent resources; however, Synergy did not explain how this information applies to a special education program in a cyber environment.

Additionally, Synergy provided a narrative touching upon topics such as Child Find, Section 504 and SAP in what appears to be an attempt to demonstrate its general understanding of a special education program. However, mentioning one special education activity, one section of a special education law and one special education process does not demonstrate that Synergy has a general understanding of the overall special education program.

Synergy also discussed professional development activities, but failed to identify professional activities that it will offer related to special education.

Synergy also attempted to address the portion of this deficiency relating to transition services. Synergy again simply lifted Chapter 711.41 of State Board regulations. There continues to be a lack of specific information regarding how Synergy, as a cyber charter school, will provide transition planning for each eligible student. Specifically, Synergy did not identify the process for determining what a student requires in his or her transition plan, how it would assist a student in accomplishing long-term goals or what agencies would be available to develop activities that would enable a student to reach successful post-school outcomes.

***(b) The applicant failed to demonstrate that it has sufficient resources established across the state to meet the needs of students with disabilities.***

A cyber charter applicant is required to accept students who reside anywhere within the Commonwealth and provide all necessary services to those students. A cyber charter applicant must demonstrate that it can comply with federal and state special education requirements within the appropriate operation of a cyber charter school. A cyber charter applicant must identify all actual or potential service providers, including transportation providers, which will or may provide special education or related services to children with disabilities along with the services to be provided, pricing, location, transportation and qualifications.

The Department's January 15, 2015 Decision identified Synergy's failure to demonstrate sufficient contact with related service providers to verify that they are available and willing to provide special education services to its students. Synergy stated that it would consider engaging Intermediate Units (IU) or Approved Private Schools to meet the needs of students with disabilities and provided the Department's Directory of Approved Private Schools and Chartered Schools for the Deaf and Blind (Directory). This Directory, however, does not include information about pricing, location or transportation and indicates that Approved Private Schools do not serve children with all types of disabilities. Synergy also did not include any information about the IUs, including services to be offered, pricing, location, and transportation.<sup>4</sup>

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<sup>4</sup> In its Application, Synergy noted that Charter Choices, Inc., (Charter Choices) the organization that will provide Synergy with financial services, has the information regarding potential special education service providers, pricing, location and transportation, when needed by Synergy. However, in its Revised Application, Synergy stated that it had no obligation to contract with Charter Choices and the Board would select vendors through a competitive process. Therefore, if Charter Choices is not selected to provide services to Synergy, Synergy will not be able to rely on Charter Choices for information about potential special education service providers. Regardless, simply referencing Charter Choices' knowledge of potential special education

In its Revised Application, Synergy assures the Department that the deficiencies the Department noted in the January 15, 2015 Decision will be “cured” when Synergy is granted a charter and has the ability to enter into agreements with special education service providers across the state and that all of the services Synergy will need are readily available. Synergy is not required to have contracts with such service providers now. Rather, Synergy must demonstrate that it has made preliminary contact with potential services providers throughout Pennsylvania to assess their availability of services, locations, estimated costs, and transportation information. Synergy has failed to do this and thus has failed to address this deficiency.

***(c) The applicant failed to demonstrate that it has allocated sufficient special education teacher and support staff resources to meet the needs of students with disabilities.***

A cyber charter applicant must demonstrate that it will have enough special education teachers, support staff and related services personnel to meet the needs of the school’s students with disabilities. Although cyber charter schools are not subject to Chapter 14 of the State Board of Education regulations, 22 Pa. Code Ch. 14, the Department typically evaluates the adequacy of special education personnel by comparing teacher-to-student ratios to the caseload chart in the Pennsylvania regulations.

The Department’s January 15, 2015 Decision identified insufficient budgeting and planning to accommodate the assumption that Synergy would enroll 46 special education students. Furthermore, Synergy stated that the school will adopt appropriate staffing levels in accordance with the registration of students who require these services, but did not indicate that it will adopt staffing levels using the statutory caseload maximums as a guideline.

Synergy’s Revised Application cites to its Application for how educational needs of students with disabilities will be met, including information about how special education teachers will be deployed and a caseload chart. Although Synergy provided a caseload chart in its Application, Synergy did not indicate that it has adopted staffing levels using the statutory caseload maximums as a guideline. Synergy did not provide any information and a revised budget to indicate it will have adequate staffing levels based on its projected special education student population.

***(d) The applicant failed to demonstrate that it has a continuum of placement options available to meet the needs of students with disabilities.***

A cyber charter applicant must educate children with disabilities in the least restrictive environment. A cyber charter school must demonstrate that a continuum of alternative placements will be available to meet the needs of students with disabilities for special education and related services. The continuum must include the following: alternative placements, supplementary services, Extended School Year services and approved private placement.

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service providers is insufficient evidence of sufficient resources being established across the state to meet the needs of students with disabilities.

The January 15, 2015 Decision noted Synergy's failure to demonstrate that it has a continuum of placement options available. Synergy identified early intervention services as its continuum of placement options, but early intervention is not applicable to cyber charter schools.

The Revised Application fails to adequately address this deficiency. Synergy simply states that it is committed to ensuring proper placement in accordance with Chapter 711 of the Pennsylvania Code. A stated commitment alone without any information that describes a continuum of placement options available to meet the needs of students with disabilities in a cyber charter environment is insufficient.

**VII. The applicant failed to provide sufficient evidence of an English as a Second Language program.**

A cyber charter applicant must demonstrate that it has the capability, in terms of support and planning, to provide comprehensive learning experiences to all its students, including those whose dominant language is not English. A cyber charter applicant must also demonstrate that the programs outlined in its application will enable students to meet the academic standards under 22 Pa. Code Chapter 4 or subsequent regulations. An effective English as a Second Language (ESL) Program is required to facilitate a student's achievement of English proficiency and the academic standards under 22 Pa. Code § 4.12. Programs under this section shall include appropriate bilingual-bicultural or ESL instruction. In addition, the Department's Basic Education Circular, *Educating Students with Limited English Proficiency (LEP) and English Language Learners (ELL)*, 22 Pa. Code § 4.26, states that each local education agency (LEA) must have a written Language Instructional Program that addresses key components, including a process for identification, placement, exit, and post-exit monitoring; instructional model used; curriculum aligned to PA standards; and administration of annual proficiency and academic assessments.

The January 15, 2015 Decision identified that Synergy's Application did not include sufficient evidence of an ESL Program that is appropriate for the education of ELL students. The deficiencies included: failure to provide details on its process for identification; failure to describe the instructional model to be used; lack of an ESL curriculum aligned to academic standards, PA Core Standards, and PA English Language Proficiency Standards (PA ELP); failure to demonstrate that instruction would not be delivered during other content classes; failure to explain how Synergy would provide daily ESL instruction to support the program model chosen; failure to demonstrate that instruction would be commensurate with students' proficiency level; failure to provide a procedure to ensure that the annual PA ELP assessment is administered to all ELLs; failure to describe a procedure to apply Pennsylvania's required exit criteria; and failure to provide a detailed explanation of what will be monitored and maintained during the post-exit time period.

Synergy failed to address this deficiency in its Revised Application. The only information Synergy submitted to address these deficiencies was criteria for assessing a student's exit from the ESL program. However, the information fails to identify the current Pennsylvania required exit criteria or a procedure for applying those criteria in order to exit ELLs from the program.

**VIII. The applicant failed to demonstrate a necessary understanding of applicable academic assessment and accountability programs and of the resources available to schools and students.**

The Department uses the School Performance Profile (SPP) score and supporting data to ensure uniformity in the review of whether a cyber charter school is meeting the goals of its charter and is in compliance with its charter and the assessment of a cyber charter school's performance on state assessment tests, standardized tests and other performance indicators. Therefore, a cyber charter applicant must demonstrate a working knowledge of SPP, including its data components and information sheets.

***(a) The applicant failed to define the measurable goals and objectives for the school.***

A cyber charter applicant must set measurable academic and nonacademic goals and objectives for all its students, including specific goals and objectives for all subgroups and content areas defined by federal and state requirements. In addition, a cyber charter applicant must explain strategies and plans to achieve the stated goals for the defined subgroups and contents, and how the school will measure each student's progress.

The January 15, 2015 Decision identified Synergy's failure to demonstrate an understanding that all public schools are expected to have an SPP score of 70 or above. In addition, Synergy's Application failed to provide strategies and plans for how the school intends to achieve the stated goals or sufficiently explain how Synergy intends to measure each student's progress.

The Revised Application states Synergy's intent to achieve an SPP of 70 or above but fails to detail any plans or strategies for how the school intends to achieve this goal or how the school intends to close achievement gaps if incurred.

**IX. The applicant failed to demonstrate the necessary financial support and planning.**

A cyber charter applicant must demonstrate that its application meets the requirements of 24 P.S. § 17-1747-A, which includes the requirements of 24 P.S. § 17-1719-A. A cyber charter applicant must demonstrate the capability, in terms of financial support and planning, to provide a comprehensive learning experience for its students.

***(a) The applicant failed to provide sufficient evidence of start-up funding and expenditures.***

The January 15, 2015 Decision identified that Synergy did not provide sufficient evidence of start-up funding for the steps identified by Synergy as leading to the opening of the school. While Synergy secured a letter of intent from Meridian Bank to extend a line of credit to the school in an amount of \$200,000, the only revenues included in the year one budget are school district payments and federal grant revenues. Synergy cannot rely upon these revenue sources to be available in sufficient amounts or on a schedule to fund the steps identified by Synergy as leading to the opening of the school.

Synergy's Revised Application indicates that the \$200,000 line of credit, expected to be obtained from Meridian Bank, would be used for three months of salaries, the initial deposits on equipment and facility leases, and expenditures for printing and recruiting. The response does not itemize these expenses, however, for the Department to verify the sufficiency of the line of credit. Furthermore, Synergy failed to include a revised budget that includes the start-up funding and expenditures.

***(b) The applicant failed to provide expenditure estimates that are sufficient, reasonable, and consistent with the rest of the application.***

The Department's January 15, 2015 Decision identified, among other inconsistencies, that the cash-flow projections in the Application were inconsistent with the Time Table included in its Application, that the budget and expenditure schedule fail to account for all of the start-up expenditures, and that the start-up expenditures are likely to exceed the \$200,000 line of credit. In addition, the letter of intent from Meridian Bank did not indicate when Synergy would be able to access the line of credit.

The Revised Application states that the deficiencies related to start-up funds in the cash-flow projections and the Time Table being inconsistent and insufficient are moot because start-up activities would now begin much later than contemplated in the Time Table. While it is true that the start-up activities will begin later than initially anticipated, Synergy failed to itemize its start-up expenses to show that the \$200,000 line of credit will be sufficient for the anticipated abbreviated timeline. In addition, the Revised Application indicates that the inconsistencies between the cash-flow projections and the Time Table that are discussed in the January 15, 2015 Decision are not disputed. However, Synergy failed to correct the inconsistencies. A stated intent to do so later is insufficient as the Department must grant or deny Synergy's Revised Application now based upon the content contained therein.

***(c) The applicant failed to provide sufficient and reasonable information regarding revenue estimates.***

The Department's January 15, 2015 Decision identified an overstatement in the growth rate in local revenue, which is the greater part of Synergy's revenue, from year one to year five. This overstatement was unreasonable based on statistics from previous years' growth rates.

Synergy's Revised Application concedes that the assumption of a three percent growth was "too optimistic" and states there is room to adjust the budget to account for the difference represented by the overstatement. However, the Revised Application does not include a revised budget to compensate for the lower revenues.

***(d) The applicant failed to demonstrate the school's ability to manage and oversee finances appropriately***

The January 15, 2015 Decision identified numerous areas where the Application failed to demonstrate Synergy's ability to manage and oversee finances appropriately. These areas included: failure to identify Charter Choices staff members, other than the Manager

Representative, who are proposed to provide these services, or minimum qualifications and professional experience required of such staff; failure to identify any minimum qualifications and professional experience that a Synergy board member or employee will be required to possess in order to adequately oversee Charter Choices' performance; failure to assign responsibility for monitoring and overseeing the quality of Charter Choices' performance to any Synergy board member or employee; failure to provide for sufficient information regarding the regular review of school budgets and financial records particularly since the bylaws only provide for a minimum of one Board meeting per year; and failure to provide for the Treasurer to make a report on finances at the annual meeting. Additionally, the proposed Charter Choices Services Agreement does not obligate Charter Choices to provide Synergy with a report regarding services provided to enable Synergy to determine whether the services provided are consistent with the fees paid to Charter Choices.

The Revised Application indicates that Synergy's Board will establish policies that will address the financial management issues identified in the January 15, 2015 Decision. Synergy did not include any proposed policies regarding minimum qualifications and professional experience required of the staff or contractor performing financial management functions or of the staff or Board member(s) responsible for overseeing school finances. In addition, Synergy did not revise the Application or the proposed Charter Choices Services Agreement to assign responsibility for the oversight of financial management functions to a Synergy board member or employee and to provide for reporting to enable Synergy to determine the consistency of fees with services provided or altering the basis of Charter Choices' compensation.<sup>5</sup>

It is stated in the Revised Application that monthly Board meetings will be suggested. However, Synergy did not include any information regarding policies or practices intended to ensure that financial management is reviewed by Board members with sufficient frequency to identify and address budgetary challenges.

**X. The applicant failed to provide evidence of a sufficiently developed professional education plan and teacher induction plan.**

A cyber charter applicant must demonstrate that its application meets the requirements of 24 P.S. § 17-1747-A, which includes the requirements of 24 P.S. § 17-1719-A. A cyber charter applicant must also demonstrate that it has the capability, in terms of support and planning, to provide comprehensive learning experiences to all its students through effective and qualified educators and administrators.

***(a) The applicant failed to provide evidence of a sufficiently developed professional education plan.***

A cyber charter applicant must identify the proposed faculty and a professional development plan for the faculty. A cyber charter school must have a detailed professional education plan that explains the following: (1) the professional development provider and participants, (2) the

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<sup>5</sup> As previously stated, it is imperative for an application to contain accurate information because it becomes part of a cyber charter school's charter.

assessment of student needs to develop the professional development program, (3) the professional development program, and (4) the evaluation of the professional development program.

The January 15, 2015 Decision identified that Synergy failed to: identify the specific type of data that the school would use to determine the degree of student learning needs in order for the school to select the types of professional development that would adequately address these needs; provide the names and descriptions of research based professional development offerings or any detailed information about the research or best practices to demonstrate that these offerings will be based upon the research or best practices; and identify the names of potential or actual providers.

Synergy fails to adequately address this deficiency in its Revised Application. As previously noted in the January 15, 2015 Decision, citing to the Department's guidelines alone does not demonstrate sufficient planning, to address all plan components in detail. Synergy's Revised Application does indicate that Synergy intends to contract with Study Island to provide professional development. However, the Revised Application still does not identify the names and descriptions of professional development offerings or any detailed information about the research or best practices upon which these offerings will be based.

***(b) The applicant failed to provide evidence of a sufficiently developed teacher induction plan.***

A cyber charter applicant must have a detailed Teacher Induction Plan that explains the following: (1) the teacher induction council, (2) the assessment of inductees' needs, (3) the teacher induction program, (4) the oversight and evaluation of the teacher induction program, and (5) recordkeeping. Synergy did not include a detailed Teacher Induction Plan or information sufficient to address a teacher induction program in the application.

The January 15, 2015 Decision identified that Synergy failed to: explain how mentors will be designated and the process by which they would be selected; list the goals of the induction program; provide a description of the activities and topics to be covered during the induction program to demonstrate that these activities and topics will be based upon the research; provide a timeline of activities; include a description of the procedures for monitoring and evaluating the induction program; or how records of participation and completion of the program will be maintained.

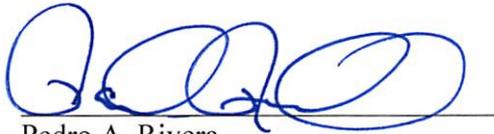
Synergy failed to adequately address this deficiency in its Revised Application as it simply resubmitted the exact language from its Application. As previously noted in the January 15, 2015 Decision, citing to the Department's guidelines alone, which Synergy did in both the Application and the Revised Application, does not demonstrate sufficient planning to address all plan components in detail.

**Conclusion**

Based on the deficiencies identified above, which were identified in the Department's January 15, 2015 Decision and not addressed or sufficiently corrected in the Revised Application, Synergy's Revised Application is denied.

Synergy may appeal this decision to the State Charter School Appeal Board (CAB) within 30 days of the date of mailing of the decision. 24 P.S. §§ 17-1745-A(f)(4) and 17-1746-A. If Synergy files an appeal with CAB, it shall serve a copy of its appeal on the Department at the following address:

Pennsylvania Department of Education  
Office of Chief Counsel  
333 Market Street, 9<sup>th</sup> Floor  
Harrisburg, PA 17126-0333.



Pedro A. Rivera  
Secretary of Education

7/2/15  
Date Mailed