



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION

January 15, 2015

Dr. George Toth
Central Pennsylvania Digital Learning Foundation Charter School
721 N. Juniata Street, Suite 3
Hollidaysburg, PA 16648

Dear Dr. Toth:

The Pennsylvania Department of Education (Department) received the charter renewal application of Central Pennsylvania Digital Learning Foundation Charter School (CPDLF) by October 1, 2011. Based on a thorough review of the charter renewal application and other documentation, the Department is renewing the charter of CPDLF. The Department will continue to monitor and examine CPDLF's operations over its renewed charter term to determine whether it is meeting the terms of its charter and requirements of the Charter School Law. By granting a renewed charter, the Department does not waive and expressly reserves the right to notify CPDLF of any violation(s) of its charter or the Charter School Law and seek correction of the violation(s) and to take action against CPDLF, if necessary, including revocation or nonrenewal of the charter, including for reasons which may have been addressed through this charter renewal.

The Department also notes that particular attention will be given to the academic performance of CPDLF's students. In October 2013, the Department released the Pennsylvania School Performance Profile (SPP). SPP provides a quantitative building level academic performance score based on several academic indicators, including, but not limited to, academic achievement, closing the achievement gap and academic growth.

The benchmark for academic success is closing one-half of the achievement gap over a six-year period. The six-year target was defined in 2012-2013, which is the baseline year. As each year progresses, the annual cumulative closure will be calculated. A school that is meeting the overall closure will be defined as meeting its annual target.

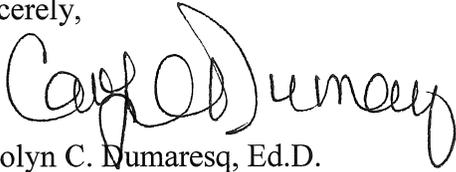
The Department will use SPP to review each cyber charter school's performance on state assessments, standardized tests and other performance indicators. Although closing the achievement gap is the benchmark, the Department will review all academic indicators to assess whether each cyber charter school is making progress over time in bringing students up to grade level.

Beginning with the issuance of 2015-2016 SPP data, the Department may require corrective action during the charter term when a cyber charter school fails to meet the academic performance benchmarks as described above. The Department may also use a cyber charter school's persistent failure to meet these academic performance benchmarks as a basis for revocation or nonrenewal of the cyber charter school's charter during the charter term.

Enclosed with this letter is a copy of the decision to renew the charter, including areas of deficiencies that must be addressed in accordance with the guidance provided in the decision, and a copy of the new charter for CPDLF. Please have the charter executed by all members of the Board of Trustees for CPDLF and return a fully executed copy within 30 days to the Charter Schools Office. The charter will then be executed by the Department and a fully executed copy will be returned to you.

If you have any questions regarding this letter, please contact Steven Carney by email at stevcarney@pa.gov or by telephone at (717) 214-5708.

Sincerely,

A handwritten signature in black ink, appearing to read "Carolyn C. Dumaresq". The signature is fluid and cursive, with the first name "Carolyn" written in a larger, more prominent script than the last name "Dumaresq".

Carolyn C. Dumaresq, Ed.D.
Acting Secretary of Education

Enclosure

PENNSYLVANIA DEPARTMENT OF EDUCATION

Central Pennsylvania Digital Learning : **Charter Renewal Effective:**
Foundation Charter School : **July 1, 2015 – June 30, 2020**
Renewal Application :

Decision to Renew Charter

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 renew or not renew the charter of a cyber charter school. 24 P.S. § 17-1741-A(a)(3). The Department may decide not to renew a charter based on the criteria set forth in section 1729-A of the CSL, 24 P.S. § 17-1729-A. In addition, a cyber charter school must be in compliance with the material conditions, standards and procedures contained in the written charter, meet the requirements for student performance set forth in 22 Pa. Code Ch. 4, meet generally accepted standards of fiscal management and audit requirements, be in compliance with the CSL and all other applicable law, provide all material components of each student’s education, and maintain the financial ability to provide services.

Central Pennsylvania Digital Learning Foundation Charter School (CPDLF) was granted a charter by the Department for the term of July 1, 2007 through June 30, 2012. CPDLF submitted a renewal application to continue operating a cyber charter school and has been permitted to continue to operate its cyber charter school by extension of the previous charter term until such time as the Department completed its review of the renewal application.

Based on a comprehensive review of CPDLF’s operation of the cyber charter school during the charter term of July 1, 2007 through June 30, 2012, including the information submitted with the renewal application, the Department is renewing CPDLF’s charter to operate a cyber charter school. CPDLF may continue to operate its cyber charter school by extension of the existing charter term, until the commencement of the term of the renewed charter.

The renewed charter shall be effective for a term of five (5) years beginning July 1, 2015, and ending June 30, 2020.

The Department reserves the right to continue to assess and review CPDLF’s operation of the cyber charter school and to take action to revoke CPDLF’s charter based on any information that was or could have been reviewed prior to this charter renewal or discovered during future or ongoing assessments or reviews. The Department does not waive and expressly reserves the right to notify CPDLF of any violation of its charter, the CSL, or other applicable requirements and seek correction of the violation and to take action against the CPDLF, if necessary, including revocation or nonrenewal of the charter.

The Department is also providing written notice to CPDLF of areas of the operation of the cyber charter school that require particular attention and correction. This notice is provided to allow CPDLF the opportunity to address areas of operation of the cyber charter school that may not be in compliance with applicable requirements. Failure to address areas identified by

the Department by June 30, 2015, may result in additional action by the Department, including revocation of the charter.



Carolyn C. Dumaresq, Ed.D.
Acting Secretary of Education



Date Mailed

APPENDIX A

Pursuant to section 1742-A of the Charter School Law (CSL), 24 P.S. § 17-1742-A, the Pennsylvania Department of Education (Department) has conducted an assessment and review of the operation of the cyber charter school by Central Pennsylvania Digital Learning Foundation (CPDLF). Based on this assessment and review, the Department has identified areas of the operation of the cyber charter school which CPDLF should further examine and implement corrective action to remediate any noncompliance with applicable requirements.

CPDLF must be prepared to provide information and documentary evidence to the Department during any future review by the Department of the cyber charter school's operations that demonstrates that the cyber charter school operates in compliance with all applicable requirements. The Department will review these areas no earlier than June 30, 2015.

Areas identified for examination by CPDLF:

- English as a Second Language
- Professional Development/Teacher Induction
- Technology
- Assessment and Accountability

CPDLF should examine its English as a Second Language Program.

A cyber charter school must have an effective English as a Second Language (ESL) Program 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. A Department Basic Education Circular (BEC) entitled *Educating Students with Limited English Proficiency (LEP) and English Language Learners (ELL)*, 22 Pa. Code § 4.26, (ESL BEC) states that each local education agency (LEA) must have a written Language Instructional Program, and provides information relating to the required components for the Program.

CPDLF demonstrated its awareness of the requirements in the Department's ESL BEC. CPDLF's ESL Policy references key components of an ESL program, including the program model, identification, instruction, ESL standards, exit and post-exit monitoring. In addition, CPDLF also provided an English Language Learners Report, which demonstrates the school has allocated sufficient funds to its ESL program.

CPDLF did not:

- (1) provide a policy or narrative to explain the implementation of its ESL processes and program, including the processes that CPDLF uses for identification, placement, monitoring, exit, and post-exit monitoring;
- (2) provide a policy or narrative to address all of the ESL program requirements outlined in the Department's ESL BEC;
- (3) identify its program model and explain the educational theory upon which it is based;

- (4) describe the manner in which teachers deliver daily instruction to support the program model or the types of adaptations to daily instruction based on proficiency level;
- (5) identify the number of courses required for elementary and secondary ESL students and the amount of on-line time required for ESL instruction;
- (6) provide a list of ESL courses with course descriptions;
- (7) demonstrate that its ESL planned instruction and curriculum are aligned to Pennsylvania English Language Proficiency Standards (PA ELPS) and Pennsylvania Reading, Writing, Listening and Speaking Standards;
- (8) describe a procedure to administer the annual English Language Proficiency assessment (ACCESS for ELLS) or the Pennsylvania System of State Assessment (PSSA) and Keystone Exams with appropriate accommodations.

At a minimum, CPDLF should be prepared to provide to the Department the following:

- Revisions to its ESL policy to explain the processes for identification, placement, monitoring, exit and post-exit monitoring of students.
- A written policy that addresses the ESL program requirements in the Department's Basic Education Circular.
- An identification of CPDLF's program model and an explanation of the educational theory upon which it is based.
- A description of the manner in which teachers deliver daily instruction to support the program model and the types of adaptations to daily instruction based on proficiency level.
- An identification of the number of courses required for elementary and secondary ESL students and the amount of on-line time required for ESL instruction.
- A list of ESL courses with course descriptions.
- Demonstration that CPDLF's ESL planned instruction and curriculum are aligned to PA ELPS and PA Reading, Writing, Listening and Speaking Standards.
- A description of CPDLF's procedure to administer ACCESS for ELLs as well as PSSAs and Keystone Exams with appropriate accommodations.

CPDLF should examine its Professional Development Plan and Teacher Induction Plan.

A cyber charter school must have a professional development plan for the faculty that explains the following: (1) the professional development provider and participants; (2) the assessment of student needs to develop the professional development program; (3) the professional development program; and, (4) the evaluation of the professional development program.

CPDLF provided its most recent Professional Development Plan, which indicated that board members, administrators, teachers, parents, community representatives and business representatives made up the planning committee. CPDLF's professional development action plan does not: (1) designate, or provide for the designation of, educational specialists on the planning committee; (2) identify the number of hours per session; (3) identify the number of sessions per year; (4) identify the estimated number of participants; (5) identify the knowledge and skills to be gained from the session; (6) identify the research and best practices on which each session is based; (7) identify the goals to be accomplished; (8) identify the follow-up activities to be conducted; and (9) identify the evaluation method to be used.

A cyber charter school 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.

CPDLF provided its most recent Teacher Induction Plan. The Teacher Induction Plan did not include the identification of the school's induction council, which must also include administrative representatives, teachers and/or educational specialists designated by their peers.

At a minimum, CPDLF should be prepared to provide to the Department the following:

- Documents evidencing that its professional education planning committee includes at least two educational representatives.
- A revised professional development action plan identifying each of the items required as noted above..
- Evidence that CPDLF has an induction council comprised of administrative representatives as well as teachers and/or educational specialist designated by their peers.

CPDLF should examine its technology policies .

A cyber charter school is required to provide or reimburse each student enrolled for all technology and services necessary for the on-line delivery of the school's curriculum and instruction. In order to ensure a continued, comprehensive learning experience for its students, a cyber charter school must ensure access to broadband connectivity in the student's home or regular place of instruction for every student to have the same level and quality of access to all instructional materials and collaboration tools within a cyber environment. Some students in Pennsylvania may live in areas not serviced with broadband connectivity delivered directly to the home. Regardless of the connectivity available, no student's cyber education should be limited based on where he or she lives. Formalized policies and procedures must be established defining the specific broadband requirements for students, including the options that will be offered to get high-speed access to cyber charter school students who may currently have only dial-up or no internet available to the home.

CPDLF reimburses families for the cost of baseline connection and states a dial-up is an acceptable option for internet connectivity. CPDLF must make broadband connectivity options, including satellite connections and air cards if needed, available to all students to ensure access to high-speed internet and the same level and quality of access to all instructional materials and collaboration tools within a cyber environment.

CPDLF also indicated that students may use their own technology if the technology meets the specific hardware and software requirements to access the school's curriculum and instruction. Cyber charter schools are required to provide its students with equipment, including a computer, a computer monitor, and printer as well as all technology necessary for the on-line delivery of the curriculum and instruction. Equipment provided by a student may not provide

required levels of internet security or access reliability that must be met by equipment provided by CPDLF.

In order to ensure a continued, comprehensive learning experience for its students, a cyber charter school must create and implement an Acceptable Use Policy (AUP)/Internet Safety Policy that includes requirements for compliance with the Children's Internet Protection Act (CIPA) and the Child Internet Protection Act (Act 197 of 2004). Cyber charter schools must also create and implement procedures to ensure internet safety for all students and staff, including monitoring of online activities for minors.

CPDLF provided an Acceptable Use Policy that addresses internet safety and other state and federal mandates for acceptable technology use. However, it does not explain how CPDLF will provide educational experiences for students at all ages regarding appropriate online behavior, including how students should appropriately interact with other individuals on social networking websites and in chat rooms as well as awareness of cyber-bullying and responding thereto.

At a minimum, PA Distance Learning should be prepared to provide to the Department the following:

- A revised Acceptable Use Policy that appropriately addresses online behavior and cyber-bullying.
- A revised policy that explains how high-speed internet access is made available to all students to ensure that all students receive the same and necessary level of internet connectivity to access all instructional materials and collaboration tools within a cyber environment.
- A revised policy that provides all students with all technology and services necessary for the on-line delivery of the school's curriculum and instruction and require students to use equipment provided by CPDLF to access school materials, with exceptions determined appropriate by CPDLF and which do not unnecessarily expose students to inappropriate content or loss of connectivity.
- Information to demonstrate that it has provided students who have been using their own equipment with the school's equipment and all necessary technology.

CPDLF should examine its assessment and accountability program.

A cyber charter school must meet the requirements for student performance set forth in 22 Pa. Code Ch. 4. Pennsylvania's state student assessment requirements are set forth in Ch. 4. *See* 22 Pa. Code §§ 4.51-4.52. Additionally, Ch. 4 provides for the Secretary to establish school profiles. *See* 22 Pa. Code § 4.61.

From 2007 to 2012, CPDLF's academic performance and graduations rates have predominately been below acceptable academic standards for reaching Adequate Yearly Progress (AYP) and having a graduation rate of 85% or better, as set under the No Child Left Behind Act. CPDLF did not reach AYP in any school year between the 2007-2008 and 2011-2012 school years.

In 2007-2008, 26% of students in the “all students” category scored proficient or better on the mathematics state assessment. The percentage increased for three consecutive years - 32% in 2008-2009, 43% in 2009-2010, 45% in 2010-2011. The percentage dropped to 20% in 2011-2012.

In 2007-2008, 36% of students in the “all students” category scored proficient or better on the reading state assessment. In 2008-2009, the percentage increased to 42%, and increased again to 52% in 2009-2010. The percentage dropped to 43% in 2010-2011 and dropped again to 23% in 2011-2012.

CPDLF had an acceptable graduation rate of 100% in 2007-2008. From 2008-2009 to 2011-2012, CPDLF had a graduation rate of 90.91%, 76.9%, 31.6%, and 40%, respectively.

In October 2013, the Department released the Pennsylvania School Performance Profile (SPP). SPP provides a quantitative building level academic performance score based on several academic indicators, including, but not limited to, academic achievement, closing the achievement gap and academic growth. The benchmark for academic success is closing one-half of the achievement gap over a six-year period. The six-year target was defined in 2012-2013, which is the baseline year. As each year progresses, the annual cumulative closure will be calculated. A school that is meeting the overall closure will be defined as meeting its annual target.

The Department will use SPP to review each cyber charter school’s performance on state assessments, standardized tests and other performance indicators. Although closing the achievement gap is the benchmark, the Department will review all academic indicators to assess whether each cyber charter school is making progress over time in bringing students up to grade level.

Beginning with the issuance of 2015-2016 SPP data, the Department may require corrective action during the charter term when a cyber charter school fails to meet the academic performance benchmarks as described above. The Department may also use a cyber charter school’s persistent failure to meet these academic performance benchmarks as a basis for revocation or nonrenewal of the cyber charter school’s charter.

Therefore, notwithstanding that the Department has renewed CPDLF’s charter, the Department may, beginning with the 2015-2016 SPP data, require corrective action and/or use persistent failure to meet the academic benchmarks as a basis for nonrenewal or revocation of CPDLF’s charter.

At a minimum, CPDLF should be prepared to provide to the Department the following:

- A written plan of action for increasing its academic performance and graduation rates.

COMMONWEALTH OF PENNSYLVANIA
CHARTER
to operate a public school known as
**CENTRAL PENNSYLVANIA DIGITAL LEARNING
FOUNDATION CHARTER SCHOOL**

Pursuant to the authority vested in the Pennsylvania Department of Education under the Public School Code of 1949, as amended, and specifically under 24 P.S. § 17-1745-A, the Board of Trustees of **Central Pennsylvania Digital Learning Foundation Charter School** is hereby granted a Charter to operate a public cyber charter school for the period commencing on **July 1, 2015** and ending on **June 30, 2020**. The grant of this Charter was approved by the Pennsylvania Department of Education on **January 15, 2015**.

It is specifically understood and agreed between the signatories hereto that:

- 1) the Board of Trustees shall operate the cyber charter school in accordance with the provisions of 24 P.S. §§ 17-1741-A – 17-1751-A, any amendments thereto enacted during the term of this Charter and any regulations or standards applicable to cyber charter schools;
- 2) the granting of this Charter is specifically contingent upon operation of the cyber charter school in strict adherence to the terms of the Renewal Application, submitted by the Board of Trustees on or by October 1, 2011 and any previous application(s) approved by the Pennsylvania Department of Education as modified by the Renewal Application. Said Renewal Application and previous application(s) are incorporated by reference as if fully set forth;
- 3) this Charter constitutes a legally binding agreement for the term set forth above and the terms of said agreement cannot be changed absent a written amendment to this Charter;
- 4) this Charter may be renewed for additional periods of five year durations and upon any such renewal, a new charter shall be executed by the parties;
- 5) the Department reserves the right to continue to assess and review Central Pennsylvania Digital Learning Foundation Charter School's operation of the cyber charter school and notify Central Pennsylvania Learning Foundation Charter School of any violation of this Charter or other applicable requirements and seek correction of the violation, and to take action against the Central Pennsylvania Learning Foundation Charter School, if necessary, including revocation or nonrenewal of this Charter based on any information that was or could have been reviewed prior to this charter renewal or that may be discovered during future or ongoing assessments or reviews;
- 6) this Charter can only be terminated in accordance with the provisions of applicable law.

WHEREFORE, the undersigned, intending to be legally bound hereby set their hands this _____

day of January, 2015.

ATTEST:

BOARD OF TRUSTEES

ATTEST:

PENNSYLVANIA DEPARTMENT OF
EDUCATION
