



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION

January 15, 2015

Ms. Patricia Rossetti
Pennsylvania Distance Learning Charter School
2100 Corporate Drive, Suite 500
Wexford, PA 15090

Dear Ms. Rossetti:

The Pennsylvania Department of Education (Department) received the charter renewal application of Pennsylvania Distance Learning Charter School (PA Distance Learning) by October 1, 2011. Based on a thorough review of the charter renewal application and other documentation, the Department is renewing the charter of PA Distance Learning. The Department will continue to monitor and examine PA Distance Learning'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 PA Distance Learning of any violation(s) of its charter or the Charter School Law and seek correction of the violation(s) and to take action against PA Distance Learning, 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 PA Distance Learning'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.

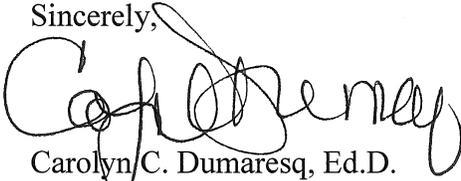
The Department will use SPP to review each cyber charter school's performance on state assessments, standardized tests and other performance indicators. Although closing the achievement gap is the benchmark, the Department will review all academic indicators to assess whether each cyber charter school 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 PA Distance Learning. Please have the charter executed by all members of the Board of Trustees for PA Distance Learning 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 being the most prominent.

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

Enclosure

PENNSYLVANIA DEPARTMENT OF EDUCATION

Pennsylvania Distance Learning	:	Charter Renewal Effective:
Charter School	:	July 1, 2015 – June 30, 2020
Cyber Charter Renewal	:	

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.

Pennsylvania Distance Learning Charter School (PA Distance Learning) was granted a charter by the Department for the term of July 1, 2007 through June 30, 2012. PA Distance Learning submitted a renewal application to continue operating as 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.

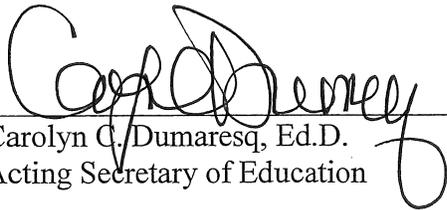
Based on a comprehensive review of PA Distance Learning’s operation of the cyber charter school during the charter term of July 1, 2007 through June 30, 2012, including the information submitted with the renewal application, the Department is renewing PA Distance Learning’s charter to operate a cyber charter school. PA Distance Learning 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.

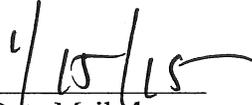
The Department reserves the right to continue to assess and review PA Distance Learning’s operation of the cyber charter school and to take action to revoke PA Distance Learning’s charter based on any information that was or could have been reviewed prior to this charter renewal or discovered during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

The Department is also providing written notice to PA Distance Learning of areas of the

operation of the cyber charter school that require particular attention and correction. Such notice may be provided with this charter renewal or at any time during the operation of the cyber charter school. The notice is provided to allow PA Distance Learning 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 Pennsylvania Distance Learning Charter School (PA Distance Learning). Based on this assessment and review, the Department has identified areas of the operation of the cyber charter school which PA Distance Learning should further examine and implement corrective action to remediate any noncompliance with applicable requirements.

PA Distance Learning 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 PA Distance Learning:

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

PA Distance Learning 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.

PA Distance Learning demonstrated its awareness of the requirements in the Department's ESL BEC. PA Distance Learning's Limited English Proficient Student Program Policy addresses certain required components of an ESL program, including identification, placement, and exit. However, PA Distance Learning's criteria for exemption from a formal English language proficiency assessment for possible placement into a language instruction educational program and for program exit are inconsistent with Pennsylvania requirements. In addition, PA Distance Learning's procedure of monitoring students for one year after students exit an ESL program and the grading policy are inconsistent with Pennsylvania requirements.

In addition, PA Distance Learning did not: (1) identify its program model and explain the educational theory upon which it is based; (2) 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; (3) identify the number of courses required for elementary and secondary ESL students and the amount of on-line time required for ESL instruction; (4) provide a list of ESL courses with course descriptions; (5) demonstrate that its ESL planned instruction

and curriculum are aligned to PA English Language Proficiency Standards (PA ELPS) and PA Reading, Writing, Listening and Speaking Standards; (6) 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, PA Distance Learning should be prepared to provide to the Department the following:

- A revised Limited English Proficient Student Program Policy that includes the criteria for identification, placement and exit as well as the processes for monitoring and grading consistent with Pennsylvania requirements.
- An identification of PA Distance Learning'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 its ESL planned instruction and curriculum are aligned to PA ELPS and PA Reading, Writing, Listening and Speaking Standards.
- A description of PA Distance Learning's procedure to administer ACCESS for ELLs as well as PSSAs and Keystone Exams with appropriate accommodations.

PA Distance Learning 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.

PA Distance Learning provided its most recent Professional Development Plan, which indicated that board members, administrators, teachers, and educational specialist made up the planning committee. However, a professional development plan for a cyber charter school should also designate parents, community representatives, and local business representatives as part of the school's professional education planning committee. In addition, a professional education action plan for a cyber charter school should identify school activities with a start date, finish date, and status. PA Distance Learning's most recent action plan indicated that the school had yet to start its professional development activities. PA Distance Learning should ensure that its action plan is kept up-to-date to reflect the school's professional development programs.

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.

PA Distance Learning provided its most recent Teacher Induction Plan. However, PA Distance Learning did not provide any information to demonstrate that it has implemented this plan.

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

- Documents evidencing that its professional education planning committee includes at least two parents, two community representatives, and two business representatives, in accordance with the Department's Professional Education guidelines.
- Documents evidencing that the status of all professional education activities is completed or ongoing and on schedule with an established finish date.
- Documents evidencing that it has implemented its Teacher Induction Plan.

PA Distance Learning 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 2007-2012, PA Distance Learning'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. PA Distance Learning did not reach AYP in any school year between the 2007-2008 and 2011-2012 school years.

In 2007-2008, 34% of students in the "all students" category scored proficient or better on the mathematics state assessment. In 2008-2009, the percentage decreased to 33%. In 2009-2010, the percentage increased to 39%. In 2010-2011, the percentage decreased to 36% and dropped again to 31% in 2011-2012.

In 2007-2008, 53% of students in the "all students" category scored proficient or better on the reading state assessment. The percentage decreased to 47% in 2008-2009. The percentage increased to 49% in 2009-2010. In 2010-2011, the percentage increased again to 55%. The percent decreased to 37% in 2011-2012.

In 2007-2008, 2008-2009, 2009-2010, 2010-2011, and 2011-2012, PA Distance Learning had a graduation rate of 60.2%, 51.4%, 15%, 51.4%, and 53.3% 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 PA Distance Learning'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 PA Distance Learning's charter.

At a minimum, PA Distance Learning 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
PENNSYLVANIA DISTANCE LEARNING 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 **Pennsylvania Distance Learning 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 Pennsylvania Distance Learning Charter School's operation of the cyber charter school and notify Pennsylvania Distance Learning Charter School of any violation of this Charter or other applicable requirements and seek correction of the violation, and to take action against the Pennsylvania Distance Learning 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
