

DEPARTMENT OF EDUCATION

**In Re: Achievement House Charter School** :  
**Cyber Charter School Renewal** : **2007**  
**Application** :

**Background**

Amendments to the Charter School Law (“CSL”), 24 P.S. §§17-1701-A – 17-1751-A, that became effective July 1, 2002, include new Subchapter (c), which sets forth new provisions for the establishment and oversight of cyber charter schools. *See*, Act of June 29, 2002, No. 88, §14, adding 24 P.S. §§17-1741-A to 17-1751-A (“Act 88”). Pursuant to Act 88, the Department of Education (the “Department”) has the authority and responsibility to renew or not renew the charter of a charter school that provides instruction through the Internet or other electronic means and was approved under section 1717-A or 1718-A of the CSL. 24 P.S. §1741-A (a)(2). The Department shall revoke or deny renewal of a charter under the provisions of section 1729-A. 24 P.S. §17-1741-A(a)(3). If the Department sends a notice of nonrenewal to the cyber charter school, it must hold a public hearing concerning the nonrenewal. 24 P.S. §17-1729-A(c).

Achievement House Charter School (“Achievement House”) submitted a renewal application to continue operating as a cyber charter school. **Based on its review of Achievement House’s renewal application, the Department is renewing Achievement House’s charter. However, the Department found certain areas of Achievement House’s operations that cause concern, and therefore, the Department is requiring that corrections be made regarding these areas of concern by December 31, 2007 or the Department will begin revocation proceedings.**

## DISCUSSION

### Curriculum

- **Achievement House must implement additional structures to address low student achievement**
- **Achievement House was not fully prepared to meet the needs of ESL students or the legal requirements for ESL programs as defined by state and federal law and regulations**

The ultimate measure of any curriculum and its instructional implementation is the measure of student achievement. Achievement House has identified in its Action Plan a need to raise student achievement as measured by PSSA. They have identified professional development to be implemented, the Student Success Team, and the PSSA Power Prep Program as the means to raise student achievement. Student achievement must reach a level of proficiency for the whole group as well as for each disaggregated subgroup.

There are many requirements under NCLB. These include the home language survey, planning for the program, selecting a core ESL curriculum and supplemental materials, identification and assessment of students, programming for students, tracking of student proficiency levels, exiting students from the program and maintenance of the database of Primary Home Language Other Than English (PHLOTE) students. Achievement House should have documented policies, procedures and programs in place for ESL students.

### Auditor

- **The Achievement House Charter School currently offers a dual enrollment program that PDE disallows in the published Charter School Basic Education Circular**

On the Achievement House Charter School's (AHCS) website, AHCS has a web page entitled, "College Credit Opportunity!" The rest of the web page is quoted as follows:

**"Attention students living in Pittsburg!**

If you are in, or are going to be in, 11th or 12th grade - you have the opportunity to earn up to **12 college credits** per year! The PA Department of Education has created a grant that will allow a student with a 2.5 grade point average (GPA) to attend any of the CACC campus sites to earn their credits.

Students with a 3.0 GPA can go to Community College, Chatham College, LaRoche College, or Penn State University McKeesport Campus to earn credits in many different subject areas.

The grant covers tuition, books, and a bus pass (if needed). Please contact the Achievement House Guidance Department at 610-527-0143 option 2, then 2 (or extension 139) with any questions."

The Department of Education has stated in a published Basic Education Circular that charter school may not contract with post-secondary institutions to provide dual enrollment credits to its students. Charter Schools may only purchase college courses from a post-secondary institution to use as part of a charter school's curriculum, for the awarding of high school credit. Achievement House must stop offering a dual enrollment program.

*See, Cyber Charter School Basic Education Circular, 24 P.S. §17-1741-A*

### **Technology**

- **Parents are required to pay connection and setup fees for Internet access; Monthly allotment for Internet broadband services is capped at \$40/month**
- **There is no indication that staff and administrators adhere to Acceptable Use Policy for Internet services**
- **There is no indication that student data from the Digital Schooling portal resides at the school or at the vendor**

Internet service costs aren't fully paid for by the school. While the school does seek broadband services for all of its students it does cap off costs to a monthly allotment and reimburses parents throughout the year. The school is planning to increase its budget to \$50 per family per month for Internet reimbursements in the next school year.

Achievement House uses a third party portal application to provide student information and instruction. PDE's concerns lie in if the student data is hosted locally by the school or through the portal vendor.

### **Financial Plan, Finances and Budget**

- **Achievement House Charter School met financial requirements, however, PDE is providing recommendations for them to implement/achieve within the next six months.**

The School or its Management Company needs a better understanding of the functions and objects in the PA Accounting Manual. We found expenditures coded to function 2700 Pupil Transportation. It was thought that these were Guidance Services expenditures, which should have been coded to Function 2120. It is very important that AFR's be coded correctly since many times this information can be extracted statewide for certain comparisons or calculations.

In Book 1 of the Renewal Application on p. 46, they state, "Although we were not profitable in our second year, this year to date we show a profit of approximately \$100,000." Since Charter Schools are public schools they are non-profit organizations, and therefore, should not be making a profit.

The School should develop a formalized salary scale. Achievement House has been basing salary on experience—especially cyber school experience, education, and

expenses. The Instructional staff who are required to be in the central office more often receive a differential. Formalizing a salary scale will protect the School from potential lawsuits regarding pay discrimination.

The School should have a written policy for Fund Balance. Even though this school has a reasonable Fund Balance (based on previous documents submitted to PDE) , by having a written policy, the Board and business office, will all be more observant that funds are utilized to best serve the students.

The School should develop a written investment policy. By developing a written policy, the Board will have a better understanding of where the funds are and how they are being utilized.

### **Special Education**

- **The renewal application contains the necessary policies and procedures related to special education. The policies meet the requirements of both state and federal law.**
- **The current compliance advisor assigned to the school reports that there are no issues pending related to the school.**

The Bureau of Special Education provides ongoing compliance monitoring and technical support to cyber charter schools. Every 6 years cyber schools receive a comprehensive onsite review by a team of professionals chaired by staff member of PDE. In addition as a part of ongoing technical assistance and training, the bureau provides both onsite and regional training in a variety of special education areas.

The Office of Dispute Resolution also tracks phone inquiries from parent, advocates, schools and service providers regarding initial concerns (which can turn into complaints, mediation or due process hearing) the public may have about a cyber school.

The AHCCS received their full compliance monitoring review in December of 2006. With the exception of improving the timeline for the annual review of IEP's no significant citations were noted. To date all corrective actions identified during the review have been completed.

In the 2004-05 school year several complaints and due process hearings were filed against the school. The reasons include: (1) lack of programs and services to sufficiently meet the needs of students with disabilities (2) insufficient qualified special education staff (3) lack of resources and materials (4) and contractor vendor problems, (5) etc.

Since that time the school has steadily improved its design and delivery of services to students with special needs. The current advisor reports that over the past 18 months the school has demonstrated compliance consistently and the school has successfully and steadily addressed the issues observed initially.

According to information provided by the Office of Dispute Resolution, the number of due process hearings has decreased. In 2004-05 there were six hearings. This decreased to zero hearings in 2005-06 and 2006-07.

### **Accountability**

- **Achievement House failed to make Adequate Yearly Progress (AYP) for two consecutive years (2004-05 and 2005-06)**
- **In 2004-05 Achievement House failed to meet *participation* threshold in math and reading for all students and failed to meet *performance* threshold in math for all students**
- **In 2005-06 Achievement House failed to meet the *graduation* target**
- **The current AYP status for Achievement House is Warning**

In 2004-05, Achievement House had 13 students for whom performance results were counted. 15.4% of those students achieved a level of Proficient or higher on the mathematics

assessment, significantly below the required 45% threshold. The 13 students reported represent the students who were enrolled for a full academic year. For participation rate calculations, all students enrolled at the time of testing are included. 54 students were enrolled at the time of testing in 2005, and 63% of them participated in the math assessment, well below the required 95% threshold. The same percentage participated in the reading assessment.

In 2005-06, 36 students were included in the math performance calculation, and 37 students were included in the reading performance calculation. 16.7% of the students were Proficient or higher in math, but the school made the math performance AYP target by employing a confidence interval with the Safe Harbor provision. 32.4% of the students were Proficient or higher in reading, but the school met the reading performance AYP target through the Pennsylvania Performance Index (PPI). Though the school met its performance targets for purposes of making AYP, the performances shown above are cause for concern. Additionally, though there were no measurable subgroups for performance, only 6 of 29 White students were Proficient or higher in math (20.7%), none of the five Black students, none of the five IEP students, none of the three economically disadvantaged students, and neither the one Asian student nor the one multi-racial/multi-ethnic student were Proficient or higher in math. Reading performance is somewhat better with 33.3% of the 30 White students Proficient or higher; 40% of the five Black students Proficient or higher; 16.7% of the six IEP students Proficient or higher; and 33.3% of the three economically disadvantaged students Proficient or higher; but neither the Asian student nor the multi-racial/multi-ethnic was Proficient or higher in reading.

In 2005-06, participation rate increased to 97.4% for all students in math and 98.7% for all students in reading. Because there were 62 White students enrolled at the time of testing, the White subgroup was measurable for participation. 98.4% of the White students participated in the math assessment and 100% of the White students participated in the reading assessment.

The only target missed that prevented the school from making AYP was its graduation rate. The threshold to meet graduation is 80% or growth from the previous year; and the cyber

charter school had 52.5%. When looking at 2006 AYP status, the graduation rate used is the 2004-05 graduation rate. The school lacked the ability to show growth because 2005 was the first year that graduation data was provided. To meet the graduation target for 2007's AYP, the school must meet the 80% threshold for its 2006 graduation rate OR show growth from the previous year (>52.5%).

### **Enrollment Procedures**

Achievement House requests that certain documents be sent to Achievement House before an interview will be scheduled and that enrollment will not be processed before all documents are received. One of the documents requested is a copy of a student's Evaluation Report ("ER") if the student is receiving special education services or has an Individualized Education Program ("IEP"). In addition, if the student is receiving special education services, the parent is asked to bring the student's current ER and IEP to the face-to-face interview with Achievement House.

Achievement House cannot ask for, or require, that an applicant provide Achievement House with information about a student's special education status or that the student provide a copy of his or her ER or IEP prior to being enrolled in Achievement House. Only after the student is accepted for enrollment can Achievement House ask about a student's need for special services and request copies of special education documents.

In addition, Achievement House states in its renewal application that the student and the Educational Facilitator will attend a personal interview to learn the details of the school. It is further stated in the renewal application that face-to-face interviews are held in the Philadelphia area when possible.

From these statements it is not clear whether all face-to-face interviews are held in the Philadelphia area for all students. It is commendable that Achievement House holds face-to-face interviews to discuss the school with potential applicants. However, if Achievement House is going to use face-to-face interviews for all students seeking enrollment in Achievement House, then these interviews must be held at sufficient locations throughout the Commonwealth so that they are easily accessible to any student who wishes to enroll in Achievement House.

**Therefore, based on the above, the charter renewal application for the Achievement House Charter School is renewed for a period of five years. However, by December 31, 2007, the Achievement House Charter School must make the corrections identified by the Department in this decision or the Department will begin revocation proceedings.**

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Secretary of Education

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Date

Gerald L. Zahorchak, D.Ed.