

Pennsylvania Senate Education Committee Public Hearing on Charter Schools

October 22, 2019

Oral & Written Testimony of Dr. Michael Conti, CEO, Agora Cyber Charter

When I look around at the landscape of cyber schools in Pennsylvania, I see a complicated system in which misinformation and confusion reign. But the one thing that remains constant is that it ALWAYS has to be about the students. When I first began working with cyber schools, it felt like pioneer times as they were crafting blueprints in real-time, feeling their way through what a cyber school needed to be in order to succeed. However, two decades later, I'm thrilled to see an increase in acceptance of cyber schools as an option for families who for whatever reason were not able to succeed in a brick and mortar school. There is no doubt that cyber schools, and more particularly Agora, offer a unique and life-changing solution for thousands of families across the state who, for whatever reason, need to turn to the flexibility, safety and individualized learning offered by cyber schools.

Yet as we move beyond the debate over the need for cyber options, new myths and misinformation have emerged and must be combatted. The reason Agora has so much success is not just because it offers a cyber product, it's because the cyber product it offers truly changes lives. PA school districts have had 17 years to catch up, start their own programs, and even if district cybers were opened, they remain a version of glorified home school without supports in place for success.

I don't want Agora to be the biggest school. I want it to be the best school. From our family coach structure, to our synchronous model, to being the first and ONLY trauma-informed cyber school in the country, we are working to be just that. The message of a quality school offering a quality education to kids who need it MUST carry the day. I truly believe that the work we're doing is immensely valuable. I hear it in stories every day from families and staff. We are changing lives!

- Number of students enrolled: 5,295
- Number of school districts served: 461
- Number of students in regular education/special education: 3,729 and 1,566
 - Almost 30% of student population is special ed as compared to 14% across the state
 - 90%+ of all special education students at Agora came with an IEP in place
- Cost per student: \$14,363 for regular education and \$17,585 for special education
 - Includes \$9.7 million for special education-related services which makes up over 10% of full expenses

- Agora supports 107 special education teachers which represents \$8.1 million
- Agora adheres to state requirements for student-to-teacher ratio in all special education categories except for learning support where instead of a ratio of 50:1 set by PA School Code, Agora holds to a ratio of 20:1
- Learning support, emotional support, MTSS (Multi-Tiered System of Supports)
- Attendance policy for students (See official policy at end of document)
 - Synchronous students are expected to attend class each day and Agora follows PA state code with all rules on timing and days absent
- Time spent in live classrooms (synchronous learning) vs. time spent watching recorded lessons (asynchronous learning)
 - About 80% of students are on a synchronous path at Agora, while 20% of students have earned asynchronous status. To be asynchronous, one must maintain certain criteria including daily login attendance, assignment completion and course grades. Agora feels that asynchronous status is a privilege, not a right.
 - Classes in middle and high school are one (1) hour in length and students are in live classrooms for an average of 5.5 hours each day, depending on course load.
 - Elementary classes are between 45 minutes and 55 minutes (ELA and math) with about 5 hours of live instruction and some take additional asynchronous electives.
 - Agora's synchronous live classes contain all of the components of sound instructional delivery that you'd find in a brick and mortar classroom but rather delivered online.
 - All live sessions are recorded so synchronous/asynchronous students have access to the instructional delivery provided by the teachers at all times.
 - Agora teachers and family coaches are available daily as resources to their families.
- How the school is organized and if they use an EMS provider
 - Agora Cyber charter is organized as a nonprofit 501c3 that has been self-managed since the 2015-16 school year and continues to this day.
 - Agora's Board of Trustees is comprised of current or former education professionals. They are Public Officials and complete an annual Statement of Financial Interest as mandated by the State Ethics Act. They provide necessary oversight to the CEO and set the educational mission of the school.
 - Accountability and transparency are crucial at Agora- we submit close to 100 reports to education departments each year, including items such as an annual report, special education report, school budget, financial audits, Future Ready PA

Index, comprehensive strategic plan and much more. Agora is also subject to the Sunshine Act and the Right to Know Law.

- Academic leadership at each grade-level includes instructional leaders (principals and assistant principals), MTSS coordinators, instructional coaches, and reading and math specialists.
- Instructional leadership conducts regular “walkthroughs” of live sessions and participate in formal observations using the Danielson Model as contained in Act 82.
- Number of faculty, as a percentage, participating in PSERS:
 - 84% of all Agora employees participate in PSERS.
 - Agora is home to three PSEA bargaining units with membership totaling approximately 500 members.
 - Our teachers are true professionals who care about the lives and education of their students. All teachers are PA certified and highly qualified, meaning they are certified in the subject areas they teach.
 - Our faculty engage in ongoing professional development to learn new skills and hone current skills. Some staff frequently speak at local, state and national conferences, sharing their experiences and best practices.
- Agora has an extensive system of student services including:
 - Family Coach: The main point of contact for all things Agora, they facilitate social events and activities, plan and coordinate academic-focused activities and work to keep students on track.
 - School Counselors: State-certified and follow the Act 339 Plan and the American School Counselor Association (ASCA) model in providing academic, career and social development.
 - Orientation team: Provides focused support for new students in understanding how to be successful in the online model and the various resources available.
 - Truancy Prevention Officers: Support students who demonstrate at-risk behaviors associated with chronic absenteeism.
 - Nurses: Provide health screenings, maintain records required by Department of Health such as immunization tests, provide resources and information to families for local health services, and assist with 504s.

Additional Points to Make

- Agora is the first and only cyber school in the country to be designated “trauma-informed”
 - The Attachment & Trauma Network made the declaration thanks to the training and systems Agora has put in place to address trauma.

- The Student Assistance Program has reached almost 1,700 students since it officially began last year. From suspected child abuse/neglect, to homelessness, self-harm or injury, teen pregnancy, bullying or to being a witness/victim of a traumatic event, these trained professionals are making a huge difference in the lives of their students and working to make sure no one falls through the cracks.
- Socialization is paramount at Agora
 - Agora Days Out: Families consistently share how their children are also thriving socially thanks to opportunities to meet throughout the state.
 - Agora has over 30 clubs for students to participate in. They include but are not limited to: the International Travel Club, Gay Straight Alliance, Debate Club, Domestic Travel Club, Future Business Leaders of America (FBLA), Model United Nations Club, Pennsylvania Youth Leadership Network (PYLN), Harry Potter Club, Girls Who Code Club, and a Virtual Book Club that was launched last year and has already brought dozens together from across the state, creating best friendships in the process.
- The retention rate for Agora students is close to 80%
 - 2019-20 School Year – 79%
 - 2018-19 School Year – 80%
 - 2017-18 School Year – 78%
- Listed as a candidate for accreditation from the highly respected Middle States Association.
- Recognized as first cyber charter school to have an administrator awarded the Pennsylvania Fellowship for Special Education Leaders.
- Agora's PIMS Coordinator was selected as one of the top three finalists for the Data Quality Network - Data Governance Award of Excellence in March 2018.
- All elementary, middle and high school students have the ability to earn recognition through the National Honors Society.
- Achieved NCAA accreditation in support of student athletes pursuing scholarship opportunities. Agora needed to demonstrate the amount of live instruction students receive in order to qualify.
- Started the Advanced Learners Program, a project-based class for high-level learners in grades 1-8 that engages students through a cross-curricular multi-disciplinary approach while supporting current lessons.

- Began a peer mentorship program between elementary school and National Honors Society high school students who assist with academic support/tutoring and help to keep students focused on learning.
- Introducing Destinations Career Academy for 2020, offering 20 career pathway courses in Business Management and Administration, Health and Human Services, and Information Technology to better prepare Agora graduates entering secondary education or the workforce.
- Agora is transparent with academic achievement and growth metrics but also realizes there are many factors and variables not being considered when assessing test scores.
 - Based on benchmark assessment data from Classroom Diagnostic Test (CDT) and Aimsweb benchmark screening assessments, the majority of new students begin at Agora with significant gaps in math and reading skills.
 - Agora has significant concentrations of historically underperforming subgroups being serviced including:
 - Economically Disadvantaged - 72.4% (State average - 19%)
 - Special Education - 30% (State average - 15.6%)
 - Racial/Ethnic Diversity - 42.3% (State average - 33.4%)
 - Cyber Schools face challenges with state testing too. In order to maintain test security and fidelity of testing conditions, cyber charters are required to have face-to-face testing. This creates significant additional costs. Additionally, research shows that when you change a variable in the testing environment, it can have a significant statistical impact on test scores. Brick and Mortar schools can have students take one module a day, or one module every-other-day, during the testing window. Due to the logistics of getting students to testing sites, costs associated with running testing sites across the state, cyber charter schools typically complete all testing within 3-4 consecutive days. Therefore, this could have a significant negative impact on student performance on the assessments due to exhaustion, as well as stress due to being in a different and “foreign” schooling environment.
- Brick and mortar schools will lament that charters do not operate in a transparent manner, but nothing could be further from the truth. Cyber charters must meet the same transparency requirements as traditional schools including the issuance of annual audits, statements of financial interests and complying with right-to-know requests. From what Agora knows, district cyber schools do not share their information surrounding tests scores or the true costs associated with their programs, so any comparison between district cyber programs and cyber charters is nearly impossible.
- Many school districts willfully ignore charter school law when calculating the amount they should pay the charter school without any consequences, while others willfully ignore the charter law when it comes to actually paying the charter school directly without any consequences.

- If current legislation goes through it would be catastrophic to students, staff and the vendors with whom cyber charters do business. The economic wellbeing of the communities in which Agora staff members live would be negatively affected.
 - 56 counties represented by 619 staff members

THIS IS ABOUT OUR CHILDREN AND THEIR FUTURE

Too often the case against cyber charter schools revolves around finances. What seems to get lost in the debate is the students' needs. Children do not wake up one day and suddenly want to attend a cyber charter school. For most children this is not the ideal educational choice. They attend because they've been bullied, beaten, marginalized and sometimes simply ignored. Students with special needs have been denied services or even an evaluation to determine their status as a special needs student. They suffer illnesses that limit their ability to attend a brick and mortar school. Some are pregnant or are the fathers of children born to teenage mothers who need to work to support their new families.

Would you send your child back into an environment in which they were left disenfranchised?

Here are a few examples of families whose lives would have been completely different if not for Agora Cyber Charter.

David Ostrega - Allentown

- David constantly fell behind in school due to medical issues and extended hospital stays. By the end of 5th grade, he had learned nothing and knew a change was needed when his school district provided no support to help him catch up and remedy a situation that was entirely out of his control.
- David's mom came across Agora Cyber Charter School and placed him on their chronic illness list, allowing him to stay on-track even when he had to miss days at a time, as he could now take classes according to his medical schedule.
- His autism and anxiety no longer prevented him from receiving a quality education and for the first time in life he didn't feel different anymore, and he was learning as much as his classmates were. He even registered for summer courses!
- Faith says that if they didn't make the switch to Agora, David wouldn't have been able to finish 6th grade. On top of being able to learn at the same pace as his peers, David began making friends through his after- school clubs and field trips. As was the case with Faith, most parents have no idea that this lifesaving option even exists.

Zoe Chappell - Lehigh Valley

- Unaccommodating to her differences in learning, Zoe averaged a 2.25 GPA at her independent brick and mortar school. In fact, her school virtually refused to meet the

unique circumstances caused by her ADHD and executive function disorder, giving her the cookie cutter education that her fully functional peers received.

- When Zoe decided to make the switch to online learning, she was hopeful that she would be involved and engaged with her new community. However, she was given prerecorded videos and screenshots of notes, with no one to call and ask for help. Teachers were randomly assigned subjects to tutor, which only worsened Zoe’s ADHD and organizational issues.
- Zoe’s seemingly constant failures at the hands of her school took a toll on her mental and physical health. Zoe began to think that she was no longer good at learning- her grades fell to failing levels, she felt defeated. When she reached out for help, she was told that online learning “wasn’t for her.”
- Her next move was to attend a public school, where she was put in ill-fitting classes, and quickly learned that a traditional school wasn’t the best option for her. Everything changed when a friend recommended Agora.
- Once Zoe enrolled at Agora, her family coach made sure that her courses were the right fit for what she needed to succeed. In less than a year, Zoe was back on honor roll and taking full advantage of Agora’s individualized programs.
- Her differences in learning were finally given the attention they deserved, with the staff going above and beyond to ensure her success. She was given help deciding what her post-Agora plans would be and graduated with a 4.29 GPA, including 3 AP classes.
- In between extra-curricular activities and volunteering at Lower Milford Township Fire Company #1 with her family, Zoe managed to land herself a dean’s scholarship at her top school.
- As she approaches the end of her first semester at Mount Saint Mary’s University, Zoe is thankful for the personal investment that Agora made in her future, believing in her even when she didn’t believe in herself. Zoe plans to participate in the ROTC program, majoring in psychology on a pre-med track — finally being able to live out the interests she cultivated at Agora.
- “Again, we can't thank the entire Agora family enough for all your help and support. When Zoe was struggling in the blended learning environment in her old school, she was sure that she would never have the opportunity to achieve her dreams. Thanks to Agora and the wonderful staff, she is very confidently on her way to becoming a psychologist and physician.” - Kathy Chappell

Appendix

Board of Trustees Policy STUDENT ATTENDANCE POLICY

The Board of Trustees (“Board”) requires that students enrolled at the Agora Cyber Charter School (“Charter School”) school daily and on time in accordance with the compulsory attendance laws of the attend Commonwealth of Pennsylvania.

Parents or guardians are required to ensure that their children attend school every day that school is in session through the procedures required by the Charter School.

The education program offered by the Charter School is based upon the presence of the student and requires continuity of instruction and classroom participation.

The Chief Executive Officer or his/her shall have the responsibility to develop procedures following the guidelines developed by the Board to assure that students attend school regularly and that said procedures comply with all Federal, State and local laws.

A component of the procedures shall be an early intervention process to assure that assistance is given to students who are experiencing problems in attending school

Attendance and punctuality procedures will be delineated in the Student Handbook and distributed to every student.

Said attendance and punctuality guidelines are subject to periodic review by the entire Board of Trustees.

Procedure Provision - Agora Cyber Charter School is responsible for enforcing the compulsory school attendance laws of the Commonwealth of Pennsylvania and for properly recording student attendance and maintaining student records. The Agora attendance policy is designed to promote maximum achievement, develop time management skills and foster success in the online environment.

Definitions

Synchronous Student Attendance - Teachers capture attendance in Student Information System period attendance for all grade levels.

Asynchronous Student Attendance – Systems capture student login.

Procedures

Agora 2017-2018 Attendance Policy - All students are synchronous unless designated otherwise. Synchronous students are expected to attend all scheduled and required, virtual sessions. During this time, teachers will have daily interaction with students in a classroom environment and small group sessions, to learn about the students' strengths and challenges to ensure that the students have obtained the skill set to be effective online learners.

Pennsylvania state code requires all students to receive educational instruction for:
Virtual Class Attendance – To be marked present in a class, students are required to be in the virtual session for the entire class period.

Daily Attendance - Students will only be considered present for the day when they are counted as present for a minimum of two-thirds of all required virtual sessions. Asynchronous students are

expected to log in to online course-work each school day before 11:59 PM. Asynchronous students are encouraged to attend virtual sessions daily.

Process for Attendance Monitoring - Students are required to follow the school calendar, which includes at least 180 school days. Attendance only occurs on “school days” as listed on the school calendar. A student will need to log in to sessions each school day to be counted present. Truancy/Notification to District - A student will be considered truant after three unexcused absences. (PA Code, Chapter 11, § 11.25). Agora is mandated to report all truancy cases to the student’s home school district. Once notified, the local district maintains 100% discretion to pursue truancy fines or court action. A student who acquires 10 consecutive unexcused absences may be withdrawn from the school. Synchronous students are expected to attend all scheduled and required, virtual sessions. If students miss more than a third of their daily classes, they will be marked absent and will be subject to the attendance laws of Pennsylvania and Agora policies for truancy.

According to the Basic Education Circular under the Pennsylvania Department of Education, the school must notify the student’s home school district when three or more cumulative unexcused absences occur.

The Attendance Office creates these letters and sends them to the school districts. Students who accumulate 10 consecutive unexcused absences can be withdrawn from Agora. Districts will be notified in writing of these withdrawals.

When a student is withdrawn for ten (10) consecutive days of absence, the Registrar’s office will notify both the District and family of the student’s withdrawal.

All absences are considered unexcused until a legal excuse has been received and processed by the attendance office.

3 consecutive absences require a doctor’s excuse to be excused. After 10 total absences (excused and/or unexcused), a doctor’s excuse or tech ticket number is required for all future absences.

Note for Special Education students: After 5 consecutive unexcused absences, the legal guardian, special education staff and academic team will attend a meeting to determine if the absences are related to the student’s disability.

Grade Level	# Days	Hours per Day	Hours per Year
Kindergarten–5th	180	5	900
6th-12th	180	5.5	990

It is up to the local district to refer the student to the local magistrate. They may do so without informing Agora.

SAIP: School Attendance Improvement Plan - The SAIP is designed to increase student attendance and engagement while outlining action steps, benefits and consequences of the plan. Family Coach will complete a draft SAIP within three school days of the third unexcused absence. Family Coaches are required to conduct a comprehensive SAIP (School Attendance Improvement Plan) within 10 school days from the date of the third unexcused absence. The Legal Guardian may be required to attend a live interaction to complete this document. All contact attempts, successful or unsuccessful, will be documented.

Excuse Notes for Absence

Attendance must be captured on the same day or it will be considered an absence and require a written excuse sent to the Attendance Office within three (3) days of the absence. Upon written request from a parent or legal guardian, the school appointed designee may excuse a student's absence from school for the following reasons only:

Student Illness

Quarantine

Death in the Immediate Family

Religious Holidays (24-hour advance request only)

Educational Tour/Trip (Form submitted and approved by the Attendance Office 5 days in advance) Technical issues (K12 Technical Support ticket numbers needed)

In order for an absence to be considered as excused, a parent or legal guardian must submit a written explanation or medical excuse to the Attendance Office through the Sapphire Parent Portal.

The excuse must state the student's name, the date of the absence, and the reason for the absence. The parent or guardian has three school days from the Notice of Absence to submit the excuse to the Attendance Office. If the Attendance Office does not receive an excuse within three days of notification, the absence will be recorded as an unexcused absence.

A maximum of ten days absences (excused) verified by parental notification may be permitted per school year. All absences beyond ten cumulative days require an excuse from a physician or ticket of technical difficulties for each additional absence in order to be marked as an excused absence (PA Code Chapter 11, Student Attendance, § 11.41).

No Internet Access or Power Outage or School-Issued Computer Technical Issues

Students who are unable to login to school or have a power outage at home must have an alternative plan to go to a public library/public location with computer access to do their school work.

If a student does not have a backup plan and cannot go to the library, the student must notify the Family Coach and Attendance Office to detail the reason for the absence.

Students who are absent due to school-issued computer technical issues must have documentation. Students who are absent due technical issues can be technically excused up to 5 school days

Educational Leave - Pupils may be excused for educational trips not sponsored by the school according to Section 11.26, Ch. 11 of the Pennsylvania State Board of Education Regulations. Please understand that it shall be the applicant's responsibility to contact the Attendance Office to determine what obligations must be met as a result of this proposed absence. Further understand that:

No more than ten (10) days of absence will be approved for the school year.

Trip Requests for dates that occur within the last 10 days of the school year will require the Principal's approval. Experiences such as "Long Weekends" and "Vacations" will not justify any request.

It is the parent's responsibility to contact the teachers prior to discuss what steps should be taken to make up the work that will be missed during the trip. Request must contain information as discussed with the teachers for the request to be reviewed.

The Request must be submitted and approved by the Attendance Office 5 days prior to the trip using the Educational Request Form emailed to the Attendance Office.

Requests will not be approved for time off during the state testing window.

Reinstatement - Students who have been withdrawn previously have the ability to be reinstated as a student of Agora Cyber Charter School with the exception of students who have been expelled until period of expulsion is completed. Any student who voluntarily withdraws during the school year while in truancy proceedings will continue with plan that was in place prior to withdrawal.

Family Initiated - Previously attended Agora and would like to return.

Contact 1-844-402-4672, select Enrollment #3 Provide updated compliancy documents

Attend face-to-face enrollment session

Compliancy - Student was previously withdrawn due to compliance issues including but not limited to residency, immunizations, PDE required documents.

Contact 1-844-402-4672, option #3

Provide updated compliancy documents

Attend face-to-face reinstatement meeting

Unannounced home visit will be required for all residency concerns

Complete written reinstatement plan in collaboration with family and school staff

Truancy - Student who have been withdrawn for 10 consecutive, unexcused absences

Contact 1-844-402-4672

Provide updated compliancy documents

Attend face-to-face reinstatement meeting

1st Reinstatement Request - attend 1:1 meeting with Agora staff person at a mutually agreed upon location
2nd Reinstatement Request – attend 1:1 meeting with an administrator at a mutually agreed upon location
3rd Reinstatement Request - attend meeting at Agora’s main office with building principal and Chief Academic Officer (“CAO”) at a mutually agreed upon location

Unannounced home visit may be required

Complete written reinstatement plan in collaboration with family and school staff

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, AND/OR THE CHARTER APPLICATION OR ADOPTED CHARTER, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR THE CHARTER APPLICATION OR ADOPTED CHARTER CONTROL.

Agora Resource Guide