



**Testimony Presented to the
Meeting of the Appleton Area School Board's
Committee on Programs and Services
Friday, March 15, 2002 8:30 AM**

Madam Chairperson, members of the committee, and other board members. My name is Larry Kaseman. I am Executive Director of Wisconsin Parents Association, a state-wide homeschooling organization of over 1,400 member families founded in 1984. I do not purport to speak for all of them and certainly not for all homeschoolers in Wisconsin.

I am here to urge you to table the Wisconsin Connections Academy (WCA) proposal dated March 11, 2002, to establish a virtual charter school. Let me explain why.

In the first place, you have been presented with a proposal for a new type of school that is untested and very different from conventional public schools. Both common sense and research by people like Jane Healy cast serious doubt on the wisdom of relying on computers to educate children and prepare them to be responsible citizens. If you were to grant WCA a charter, it would have far-reaching impact on education, particularly public schools.

Second, you have been given very little time to study a proposal that is incomplete and does not even include a line item budget for a program that anticipates spending over \$2 million dollars of taxpayers' money in its first year and projects that it will reach over \$20 million in five years.

Third, Wisconsin Connections Academy is closely tied to Sylvan Ventures. Both have acted with deception and avarice bordering on fraud as they have sought a school charter, following the pattern Sylvan Ventures used in proposing Connections Academies in other states. To date, none of these proposals has been approved, and they have been rejected twice in Minnesota and in Massachusetts, North Carolina, and Denver, Colorado. In January, 2002, the Wisconsin Department of Public Instruction refused to fund a planning grant application from WCA. In addition, virtual charter schools are creating difficulties in other states, including generating major lawsuits in Pennsylvania and Ohio.

Fourth, given the complexities of this situation, it seems to me that you should have the objective guidance of your district administrator. But instead he has made himself an interested party in this venture by backing WCA with his name, picture, official title, signature, and the name and address of the AASD in direct solicitation letters to homeschoolers and on the WCA web site before WCA had filed papers of incorporation in this state and before the school board had received the WCA proposal. His actions in this regard have placed the school board in the embarrassing and potentially compromising position of needing to decide for or against their employee rather than strictly on the merits of the proposal to charter WCA. This should not be the case, especially since the board will, in the final analysis, be responsible and accountable for any charter with WCA.

Therefore, I recommend that you take your time first in deciding whether or not to charter WCA as a virtual school and second, if necessary, in setting forth the procedures for reviewing and deciding about the WCA proposal. You have only had the written proposal from WCA for 5 days. This meeting is scheduled to last for 1 1/2 hours. You are trying to do in 5 days or 1 1/2 hours something that under normal circumstances takes weeks or months. Usually proposals of this magnitude and seriousness are subject to careful analysis, peer review, written questions and responses, and a series of recommendations. And yet you are working with a five-day-old proposal that doesn't even have a line item budget. If action is taken today to approve this proposal and recommend it to the full board, and if the full board grants WCA a charter, AASD could be sued for misusing public funds and providing huge profits to a company that has shown itself to be deceptive. Remember that suits against virtual charter schools have been brought in other states.

You may be told that you have to act quickly because Wisconsin law requires that Open Enrollment applicants be notified by April 5th whether there is space available in districts to which they have applied. However, people who have applied for a transfer to AASD so they can attend WCA realize that the school for which they have applied may or may not be in existence. AASD could simply notify people by April 5th that there is space available pending school board approval of WCA's proposal for a charter. This is what has been suggested in the Lake Mills Area School District, which faces a similar situation with a proposed virtual charter school.

Finally, please remember that in situations like this, it is important to insist on written responses Page 1 of 4

to key questions, as the Denver School District did, rather than accepting oral responses in group meetings.

I am submitting for the record evidence to support these statements. Given the limitations of time this morning, let me elaborate on just a few of these points.

Some of the Key Questions That Should Be Asked About the WCA Proposal

- Are the costs for the services WCA is proposing for \$3,499 per student fair and reasonable, especially in light of the fact that the Calvert curriculum the school proposes to use is sold for roughly \$550 to individuals as a free-standing curriculum that can be used effectively by parents and students in their homes without additional support in terms of technical assistance, teachers, community support, etc.?
- Is the proposed curriculum in keeping with your mission as a school district?
- Is the proposed curriculum aligned with state and federal curriculum standards and testing requirements?
- How would the tests required by the state and federal government be administered in a secure manner? For example, can it be assumed that other school districts would allow students enrolled in the proposed WCA to take tests at their schools? And would this be true for more than one to two years or would other districts become competitive and non-cooperative? This has happened in Pennsylvania where over 200 of the 501 school districts are withholding payment to virtual charter schools and the school board association has brought a major lawsuit against such schools.
- Has this program been marketed in a fair and open manner, ensuring equal opportunity for students in public and private schools, including homeschools? Or has it been targeted primarily to homeschoolers, leaving others to hear of it nearly incidentally? Is target marketing under the auspices of a public school similar to red-line discrimination in housing and insurance? If so, what liability risks are associated with this?
- The Federal Education Rights and Privacy Act protects vital data about parents and students from being released by public school officials. Was it not a violation of this law for the AASD to make copies of Open Enrollment forms from parents and students and send them to WCA since WCA is not under contract with the district and the district has no legal means to protect this information? Doesn't this action and the idea of negotiating a contract for a new, multimillion dollar program in a very short period of time suggest that greater oversight and more of an arms-length business approach are needed in responding to WCA's initiative?
- Was information from the Wisconsin Open Enrollment application forms used to contact parents and determine their interest in the proposed charter school? If so, this would appear to be a violation of Wisconsin's Open Enrollment Law which calls for a random selection of students.

Comments on the WCA Proposal

Note: The following comments are brief partly because I have only had a copy of the proposal for two days.

Budget

- The proposal does not include a line item budget.
- The proposed budget announces on page 16 that "The Wisconsin Connections Academy proposes to contract with AASD to provide the following services at the rate of \$3,499 per student." [emphasis in original] There is no indication of how this figure was arrived at or how it would be spent. However, it seems unreasonably high for several reasons.
 - Without any volume discounts, Calvert Curriculum for kindergarten can be purchased for \$313; for eighth grade (the highest grade available) it costs \$603, including teachers' manuals, worksheets, all you need for a free-standing curriculum. Some of the teaching materials would be returned to WCA and could be reused. (This curriculum has been used effectively by homeschoolers for many years. For an additional \$250 on average, families can get an advisory teaching service that gives access to training and direct contact with teachers by phone.) WCA should be able to purchase curriculum for less than \$400 per year.
 - Computers with modems that students would use while enrolled in WCA should be readily available for \$1,000 or less. Even if they only lasted for three years, they would cost \$333 per year.
 - Teachers' salaries would not be included in the \$3499 because they are covered by the AASD.
 - According to a February 25, 2002 *Akron (Ohio) Beacon Journal* article, "Other states show that such operations [virtual charter schools] can cost from \$900 per student to about \$3,000." This is for the total budget, which in the WCA proposal is \$5,045, the same amount as the AASD would receive from the districts of residence of its students.
- Proposals Sylvan Ventures has submitted in other states have included detailed budgets that have been questionable and been criticized by reviewers. For example, the budget submitted to the Denver Public Schools for a New Connections Academy included a "Contingency Fund" of \$189,419 the first year, \$382,694 the sec-

ond year, and a whopping \$821,020 the third year. By contrast, the "Contingency Fund" in the Minnesota proposal was \$260,000 the first year, \$75,000 the second year, and \$5,000 the third year.

Curriculum

The curriculum section of WCA's proposal is weak and misleading. Although WCA claims to be a virtual school, it does not have an online curriculum. Instead, it relies heavily on a conventional, textbook-based curriculum. Online forms used to log time spent studying do not constitute curriculum. The proposed online games and activities seem to be something that anyone with Internet access could look up and do little assistance. The Scope and Sequence outlined in WCA's proposal is not particularly unique and could have been derived from any one of a number of sources.

The "typical student day schedule" on page 11 is also misleading. For example, it lists 30 minutes for "PLP Phone Conference: Confer with teacher and learning coach about progress on PLP [Personal Learning Plan] and when adjustments need to be made. Student shares journal reflections about own progress." [emphasis in original] However, since the chart on page 10 indicates that teachers conduct 24 minute phone conferences with 5 individual students and their parents each day, and since each teacher is responsible for 50 students, it's obvious that a student would only have a phone conference one day out of ten, so how can this be part of a typical day? Another example is the "Art/Creative Play Group: Get together with WCA kids from neighborhood for art workshop at our house; make our own Van Gogh painting." [emphasis in original] Even the targeted enrollment of "as many as 4,000 students in school year 2007-2008" (page 4) would only be an average of approximately 10 students per school district, hardly enough for neighborhood play groups. In addition, scheduling a fourth grader to do school work from 8 AM to 6 PM with only an hour for lunch and PE and half an hour for "Free play time" is unrealistic.

Information about Sylvan Ventures and WCA

- Sylvan Connections Academies like WCA have not been granted charters in any state or school district where they have applied and have been rejected in Denver (Colorado), Massachusetts, North Carolina, and twice in Minnesota. In February, 2002, the DPI turned down a WCA subgrant application.

In addition, new virtual charter schools run by other corporations in Ohio and Pennsylvania are causing numerous problems and generating lawsuits. In Pennsylvania, more than 200 of the 501 school districts are refusing to pay the district that granted the charter for the largest virtual school with 2,700 students.

In Ohio, a major audit identified numerous administrative and financial problems with virtual charter schools. Also, a lawsuit challenging the constitutionality of virtual charter schools has been brought by the teachers union, other school employees unions, the Ohio Association of PTAs, the League of Women Voters, and the Buckeye Association of School Administrators.

- WCA has shown itself to be unworthy of public trust and public funds. Promoters of WCA repeatedly presented misleading and inaccurate information during the open houses and in writing in other states. For example, David Benoit, Executive Vice President of Sylvan Ventures, was asked by the Denver (Colorado) School Board about the number of hours of direct instruction. He wrote, "Over the course of the 180-day academic year, New Connections Academy students will be expected to document a [sic] 6 to 8 hours per day of engaged time." He added, "(NCA [New Connections Academy] will track this engaged time through its technology-based curriculum management system.)" However, when he was asked the same question during a WCA open house, Benoit said that parents didn't need to worry about the hours, that Sylvan was interested in performance, not hours.

During WCA open houses and again during an interview on Milwaukee Public Television, Pat Laystrom, Education Consultant and Project Manager for WCA, was asked how much time students would need to spend on direct instruction via their computer. She consistently replied, "Minimal," although she also sometimes admitted that kindergartners would need to spend 2 1/2 hours and older students more. Many people do not feel this is minimal, especially considering the potential for physical, mental, and emotional damage from computer use, especially by young children.

Although WCA's Planning Phase grant proposal clearly indicates that they were planning to market to public school students as well as homeschoolers, WCA actually limited its marketing primarily to homeschoolers. When asked why the school districts in which open houses were held were not notified, Laystrom said there wasn't enough time. However, there had been plenty of time to use telemarketing and direct mail to target homeschoolers. Perhaps the difficulties virtual charter schools were encountering in Ohio, Pennsylvania, and North Carolina influenced WCA's decision to market primarily to homeschoolers in Wisconsin.

Marketers for WCA repeatedly claimed that WCA was non-profit. While this is technically true, it is misleading. When asked by the Denver School District to identify the charter school's relation to Sylvan Learning, Benoit wrote, "The corporate entity directly involved with New Connections Academy is Sylvan Ventures, the founding investor of the Virtual School Company of which New Connections Academy in Colorado is a wholly owned subsidiary. This Virtual School Company provides all of the educational and operational serv-

ices delivered by New Connections Academy in Colorado." He also wrote, "The Sylvan Ventures Virtual School Company corporate board will be the legal board governing New Connections Academy operations. The corporate board will be guided by a Colorado-based Advisory Board of Directors." Presumably, Sylvan would have the same type of control over WCA, meaning that WCA would really be run by the for-profit Sylvan Ventures. (See attachment titled "New Connections Academy Questions and Answers re: Charter School Application 10/25/01")

- Sylvan Academies like WCA clearly intend to bring homeschoolers into the public school system. Benoit wrote that New Connections Academy in Denver would work "in collaboration with a coalition of Front Range superintendents. . . To recapture student enrollment being lost to home schools, private schools, and out-of-district charters." ("Questions and Answers re: Charter School Application," p.2)

List of Attachments

Note: Other school districts and state education agencies use formal analysis and review procedures in determining whether to charter schools. A review of recent actions taken by the Denver, Colorado, School Board points up the importance of having a complete proposal in front of a board; asking for written responses to questions; and making a determination based on fact-finding, analysis, and discussion before deciding whether to proceed with negotiations or a contract. Therefore, I am submitting for the record a copy of written responses to the questions asked by Denver Public Schools District School Improvement and Accountability Council concerning a virtual school proposal submitted to them by Sylvan Ventures. I am also submitting responses to other Sylvan Ventures/Connections Academy virtual school proposals made before the states of Minnesota and Wisconsin. These documents provide information that should prove useful in making decisions about whether to charter a virtual school.

New Connections Academy. *Questions and Answers re: Charter School Application*. Presented to: Denver Public Schools District School Improvement and Accountability Council. October 25, 2001

Minnesota Department of Children, Families, and Learning. Response to Year 2001 Minnesota Charter School Application from New Connections Academy.

Wisconsin Department of Public Instruction. Response to WCA's application for a Charter School Planning Grant.

"Fact Sheet (revised): How Virtual Charter Schools Threaten Public Schools." 3/6/02 Wisconsin Parents Association

"Ohio Audit Reveals Difficulties Of Tracking Online Students." *Education Week*, December 5, 2001.

"Ohio Group Calls Home School Plan Illegal." *Akron (Ohio) Beacon Journal*, February 25, 2002.

"E-town joins lawsuit against charter school." *Intelligencer Journal* (Lancaster, PA), January 16, 2002.

"State looks at cyber schools." *York (PA) Daily Record*, February 13, 2002.

"Virtual charters: public schooling at home." *Christian Science Monitor*, January 8, 2002.

"Pa. enters fray, sues Einstein Academy," *Intelligencer Journal* (Lancaster, PA), February 14, 2002.