

May 10, 2015

Senate Finance Committee Opponent Testimony – SB 298

Chairman Oelslager, Vice Chairman Coley, Ranking Member Skindell, and members of the Senate Finance Committee. My name is John Lutz and I am the Director of Newark Digital Academy. I appreciate the opportunity to provide written comments in opposition to SB 298. Newark Digital Academy is a district-sponsored dropout recovery school that gives students the opportunity to take classes online as well as receive face to face tutoring and mentoring. I'm proud to report that for the third consecutive year, Newark Digital Academy has received the highest possible overall rating from the state. Of 93 dropout recovery schools in Ohio, Newark Digital was one of seven to earn the "Exceeds Standards" rating. Our graduation rate is also well above the state average for dropout recovery schools. In other words, Newark Digital Academy is an e-school that is performing and offering its students a path toward graduation.

I would like to take this opportunity to respond to a few of the comments made to the Senate Finance Committee last week by proponents of SB 298.

"Recording the time in which a student is actually engaged in learning should not present a challenge to schools whose very instructional delivery is based on a learning technology platform."

The initial problem occurred when the Ohio Department of Education issued a new manual on February 10, 2016. This manual was referenced during sponsor testimony. The manual's new policy made this attendance method retroactive for the 15 – 16 school year. We have students who may use three or more online products for their curriculum. Building a tool that collects data from all of these sources is a great task. We have already spent \$13,000 toward this project and will be spending another \$30,000 next school year.

I would be interested to hear the proponents' position on traditional school districts using e-learning as a flexible credit option? Should their attendance not be based on e-seat time too?

"A student not engaged in the curriculum of an eschool is equally not engaged in the learning process."

An e-school student CAN be engaged in the eschool's curriculum and be working off line. Seat-time should not be singled out as the only measure of engagement. I urge the committee to review what currently constitutes attendance in a traditional school setting and frame legislation that holds traditional schools accountable for student engagement.

"a student's parents, teacher, and principal or head teacher must arrange to confer (even if electronically) if a student's academic performance declines. Certainly, such a decline should be anticipated if the student is not engaged in the e-school's curriculum."

This is good practice for anyone. However, the same could be said of traditional schools. Below is data to illustrate my point:

Newark Digital Academy:

Semester 1 2015- 16 SY = 52 New Seniors
38.5% need at least 1 OGT
25% need 2 – 5 OGTs
80.8% had fewer than 15 credits

46.2% had fewer than 10 credits
19.2% had 5.5 credits or less

Semester 2 2015- 16 SY
102 New Enrollees: 1/21/16 to 3/3/16 Grades transferred in:
50% F's 22.7% D's

Who was looking out for these students **before** they enrolled with us? We enroll students after they have struggled for years in a traditional school environment. We are the student's last hope for success.

I disagree with proponents who argue that students returning to traditional schools from e-schools are behind. In January we completed our second round of quarterly testing. Through this testing we found that 60% of our students had shown growth with another 10% of student's scores considered outliers. Clearly, our program is working and our students are not falling behind, they are moving ahead!

"we are not here to present an indictment against all e-schools. Just as there are high performing community schools, there are e-schools that are diligently complying with honest reporting of student attendance as they seek to meet the needs of their students"

Although this was mentioned during proponent testimony, no solutions for relief for those schools who are complying were offered. Compliant e-schools would be punished the same as those bad actors.

"...organizations have received reports of students who have enrolled in e-schools, apparently languished there without interacting with the school's learning program, and then returned to the resident public school district after an absence of a few to several months. How then does the resident district place the student in the appropriate grade level, not to mention the appropriate subjects at the middle and high school levels."

These "reports" are only telling half the story. What they don't tell is that many students seek out other school options because they were not receiving the attention and intervention they needed while in a traditional school. Every child is unique and deserves to have available a learning environment that best suits their needs.

"it is more than just a matter of possible fraudulent receipt of tax dollars. It is instead a lost opportunity for a student's education. "

It is a shame that the problem of students falling behind is only being portrayed as an e-school problem. I encourage the committee to review the data I provided earlier in my testimony. Can't the same be said of these student's traditional school experience?

In closing, I would like to share that the Newark Digital Academy had an attendance audit last year in which 10% of our student files were inspected. No finding for recovery was issued. NDA has received an **Auditor of State Award** in FY 12, 13, 14, and 15. We are responsible with public funds. Our community receives a great value for the services we provide. We have the success stories to prove it!

If this committee determines to report SB 298, I would ask that it include language that requires the same mandates for traditional districts. After all, as supporters (including the bill's sponsor) have said, "charter schools should play by the same rules as other public schools."

Thank you again for allowing me to provide comments on SB 298. I urge the committee to oppose SB 298.

Sincerely,


John Lutz
NDA Director