

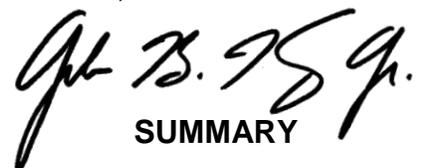


**TO:** P-12 Education Committee

**FROM:** Ken Slentz 

**SUBJECT:** Charter Schools: Charter Renewal Recommendations for Three Charter Schools Authorized by the Chancellor of the New York City Department of Education (NYCDOE)

**DATE:** March 6, 2014

**AUTHORIZATION(S):**   
SUMMARY

**Issue for Decision**

Should the Regents approve the proposed renewal charters for three charter schools authorized by the Chancellor of the New York City Department of Education (NYCDOE)?

**Reason(s) for Consideration**

Required by State Statute.

**Proposed Handling**

This issue will be before the Regents P-12 Education Committee and the Full Board for action at the March 2014 Regents meeting.

**Procedural History**

The Chancellor of the NYCDOE approved these three renewal charters and submitted them to the Regents for approval and issuance of the renewal charters as required by Article 56 of the Education Law, the New York State Charter School Statute.

**Background Information**

I recommend that the Board of Regents approve the proposed renewal charters for the following charter schools as proposed by the Chancellor of the New York City Department of Education (NYCDOE) in her capacity as a charter school authorizer under Article 56 of the Education Law, and that the charters be extended for the terms indicated.

The letter from the NYCDOE Chancellor submitting the proposed renewal charters to the Board of Regents and the Summary of the NYCDOE's 2013 Renewal Recommendation Report for each school are attached to this item. Links to the full Renewal Reports on the NYCDOE website are provided below:

- **Bronx Lighthouse Charter School**

The Chancellor recommends that Bronx Lighthouse Charter School be granted a short term renewal expiring June 30, 2016. The school currently serves grades K-11 and will serve grades K-12 with a total authorized enrollment of 638 students.

Full Renewal Report: <http://schools.nyc.gov/NR/rdonlyres/6B0DEFBE-6A67-423E-9ACD-DEE705829114/0/BLCSRenaalReportFinal.pdf>

- **Brooklyn Scholars Charter School**

The Chancellor recommends that Brooklyn Scholars Charter School be granted a short term renewal expiring June 30, 2016. The school currently serves grades K-8 and will continue to serve grades K-8 with a total authorized enrollment of 678 students.

Full Renewal Report: <http://schools.nyc.gov/NR/rdonlyres/F89B7410-805B-45BD-A209-199BB5531649/0/BrooklynScholarsRenaaalReportFinal.pdf>

- **John W. Lavelle Preparatory Charter School**

The Chancellor recommends that John W. Lavelle Preparatory Charter School be granted a full renewal expiring June 30, 2018. The school currently serves grades 6-10 and will serve grades 6-12 with a total authorized enrollment of 510 students.

Full Renewal Report: <http://schools.nyc.gov/NR/rdonlyres/1B439046-C4F6-4205-8FC3-D2081E754964/0/JohnLavellePrepRenaaalReportFinal.pdf>

## **Recommendation**

VOTED: That the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the **Bronx Lighthouse Charter School** as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2016.

VOTED: That the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the **Brooklyn Scholars Charter School** as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2016.

VOTED: That the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the **John W. Lavelle Preparatory Charter School** as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2018.

### **Timetable for Implementation**

The Regents action for the above named charter schools will become effective immediately.

Attachment



March 4, 2014

John B. King Jr.  
Commissioner of Education  
New York State Education Department  
89 Washington Avenue  
Albany, NY 12234

Commissioner King,

In the 2013-2014 academic year, the Schools Chancellor of the New York City Department of Education (NYCDOE) has and will consider renewal applications from 16 public charter schools authorized by the NYCDOE. The below comprises the Chancellor's recommendation for schools at this time.

The Chancellor recommends that the following school be granted a short term renewal, with the term starting February 10, 2014 and expiring June 30, 2016.

- Brooklyn Scholars Charter School, NYC Community School District 19
  - The school currently serves grades K-8 and will continue to serve grades K-8 with a total authorized enrollment of 678 students.

The Chancellor recommends that the following school be granted a short term renewal, with the term starting March 11, 2014 and expiring June 30, 2016.

- Bronx Lighthouse Charter School, NYC Community School District 12
  - The school currently serves grades K-11 and will serve grades K-12 with a total authorized enrollment of 638 students.

The Chancellor recommends that the following school be granted a full renewal, with the term starting March 11, 2014 and expiring June 30, 2018.

- John W. Lavelle Preparatory Charter School, NYC Community School District 31
  - The school currently serves grades 6-10 and will serve grades 6-12 with a total authorized enrollment of 510 students.

Sincerely,

A handwritten signature in black ink, appearing to read "Saskia", written over a horizontal line.

Saskia Levy Thompson  
Deputy Chancellor for Portfolio Planning  
New York City Department of Education

## Part 1: Summary of Renewal Recommendation

### I. Charter School Overview:

Name of Charter School	Bronx Lighthouse Charter School
Current Board Chair(s)	Rebecca Wollensack
School Leader	Dianne Hardcastle
Management Company (if applicable)	Lighthouse Academies, Inc.
Other Partner(s)	N/A
District(s) of Location	NYC Community School District 12
Physical Address	1001 and 1005 Intervale Ave., Bronx, NY 10459
Facility	Public
School Opened For Instruction	2004
Current Charter Term Expiry Date	5/17/2014
Maximum Grade Levels / Enrollment at Expiry Date	K-11/ 621
Proposed Charter Term	Two Years
Proposed Maximum Grade Levels / Enrollment at New Expiry Date	K-12 / 638

### II. Overview of School-Specific Data:

#### Performance on the NYC DOE Progress Report

Progress Report Grade	2009-2010	2010-2011	2011-2012	2012-2013
Overall Grade	B	D	D	B
Student Progress	B	F	F	A
Student Performance	C	C	C	D
School Environment	A	A	B	B
Closing the Achievement Gap Points	2.3	1.0	1.5	3.7

#### Students scoring at or above Level 3, compared to CSD, NYC, and State averages

% Proficient in English Language Arts				
	2009-2010	2010-2011	2011-2012	2012-2013
<b>Bronx Lighthouse Charter School</b>	<b>37.2%</b>	<b>34.1%</b>	<b>34.9%</b>	<b>14.6%</b>
CSD 12	28.1%	26.7%	28.9%	10.4%
Difference from CSD 12	9.1	7.4	6.0	4.2
NYC	43.4%	43.9%	46.9%	26.4%
Difference from NYC	-6.2	-9.8	-12.0	-11.8
New York State	52.5%	54.8%	55.2%	31.2%
Difference from New York State	-15.3	-20.7	-20.3	-16.6

% Proficient in Math				
	2009-2010	2010-2011	2011-2012	2012-2013
<b>Bronx Lighthouse Charter School</b>	<b>59.4%</b>	<b>62.1%</b>	<b>58.5%</b>	<b>22.2%</b>
CSD 12	38.4%	40.4%	42.6%	11.3%
Difference from CSD 12	21.0	21.7	15.9	10.9
NYC	55.6%	57.3%	60.0%	29.6%
Difference from NYC	3.8	4.8	-1.5	-7.4
New York State	64.6%	64.6%	65.7%	28.9%
Difference from New York State	-5.2	-2.5	-7.2	-6.7

All comparisons to either the CSD or NYC take into account only grades the school itself serves.

#### Credit Accumulation

% 1st-Year Students Earning 10+ Credits				
	2009-2010	2010-2011	2011-2012	2012-2013
<b>Bronx Lighthouse Charter School</b>	-	-	<b>68.9%</b>	<b>91.7%</b>
Peer Percent of Range	-	-	31.6%	76.8%
City Percent of Range	-	-	37.7%	81.7%
% 2nd-Year Students Earning 10+ Credits				
	2009-2010	2010-2011	2011-2012	2012-2013
<b>Bronx Lighthouse Charter School</b>	-	-	-	<b>92.0%</b>
Peer Percent of Range	-	-	-	88.4%
City Percent of Range	-	-	-	84.6%
% 3rd-Year Students Earning 10+ Credits				
	2009-2010	2010-2011	2011-2012	2012-2013
<b>Bronx Lighthouse Charter School</b>	-	-	-	-
Peer Percent of Range	-	-	-	-
City Percent of Range	-	-	-	-

A comparison range consists of all possible results within two standard deviations of the average. A peer/city percent of range of 50% represents the position of the average and can be interpreted as a school outperforming 50% of their peer group or city.

Academic Goal Analysis (Based on School's Submission)					
	1st Year 2009-2010	2nd Year 2010-2011	3rd year 2011-2012	4th Year 2012-2013	Cumulative 4 Year Total
<b>Total Achievable Academic Goals</b>	7	10	11	10	<b>38</b>
# Met	5	2	1	4	<b>12</b>
# Partially Met	0	2	3	3	<b>8</b>
# Not Met	2	6	7	3	<b>18</b>
<b>% Met</b>	<b>71%</b>	<b>20%</b>	<b>9%</b>	<b>40%</b>	<b>32%</b>
<b>% Partially Met</b>	<b>0%</b>	<b>20%</b>	<b>27%</b>	<b>30%</b>	<b>21%</b>
<b>% Not Met</b>	<b>29%</b>	<b>60%</b>	<b>64%</b>	<b>30%</b>	<b>47%</b>

### **III. Rationale for Recommendation**

#### **A. Academic Performance**

At the time of this school's renewal, Bronx Lighthouse Charter School (BLCS) has partially demonstrated academic achievement and progress. After a successful first charter term, BLCS continued its success in the first year of the current charter term but then struggled over the next two years. In 2012-2013, the school again showed strong promise, earning a B on the New York City Department of Education (NYC DOE) Progress Report, including an A on the Student Progress subsection. BLCS has consistently surpassed its Community School District (CSD) proficiency levels in ELA and math throughout every year of the current charter term.

The New York Charter Schools Act of 1998 establishes a system of charter schools throughout New York State, with objectives that include, "(a) Improve student learning and achievement;" and "(b) Increase learning opportunities for all students, with special emphasis on expanded learning experiences for students who are at-risk of academic failure." State assessment data shows that BLCS has demonstrated partial success through its second charter term in fulfilling its primary objectives.

The BLCS mission is to prepare students for college through a rigorous arts-infused academic program. To accomplish this mission, BLCS has partnered with Lighthouse Academies (LHA), a charter management organization operating one other charter school in NYC and approximately twenty charter schools in other parts of the United States, particularly in the Midwest. The school currently serves students in grades K-7 in its Lower and Upper Elementary Academy and grades 8-11 in its College Prep Academy.

BLCS entered the fifth year of its second charter term with the start of the 2013-2014 academic year. For the current charter term, the NYC DOE has four years of New York State (NYS) assessment data to evaluate the academic performance of the school. In addition, BLCS has received four graded NYC DOE Elementary-Middle School Progress Reports during this term. It has also received two ungraded High School Progress Reports, beginning in 2011-2012. BLCS will not receive a graded High School Progress Report until it promotes its first graduating class in 2014-2015. NYC DOE Progress Reports grade each school with an overall grade of A, B, C, D, or F and are based on the school's performance in each of these categories: Student Progress, Student Performance, and School Environment, with additional points for closing the achievement gap contributing to the overall grade. High School Progress Reports also include a College and Career Readiness section. Grades are based on comparing school results in each category to a peer group of up to 40 schools with the most similar student population and to school results citywide.

Over the course of its second charter term, BLCS earned a B grade on the NYC DOE Progress Report in 2009-2010 and 2012-2013. BLCS earned a D grade on the NYC DOE Progress Report in 2010-2011 and 2011-2012. In the two years in which the school earned a B grade on the Progress Report, BLCS's Progress Report scores placed it near the top half of all NYC elementary-middle schools (above 59% of schools in 2009-2010 and 49% in 2012-2013), but in the years it received Ds, it was in bottom tenth. The two years of poor performance coincide with leadership instability.

Despite this inconsistent performance on its Progress Reports, it should be noted that in all four years of its second charter term, BLCS has outperformed its district of location, CSD 12, in both ELA and math overall proficiency (percent of students scoring Level 3 or 4). Several parents raised this point at the school's renewal hearing, stating that BLCS was their best school option in their community.

The pattern in the overall Progress Report grades also repeats itself in the school's Student Progress subsection: BLCS earned a B in Student Progress in 2009-2010, an F in 2010-2011 and

2011-2012, and then significantly improved in 2012-2013, earning an A in Student Progress on its most recent Progress Report. The primary growth metrics for student progress are Median Adjusted Growth Percentiles (MAGP)<sup>1</sup> for ELA and math. In 2012-2013, BLCS increased significantly in both metrics. Its ELA MAGP increased by 9.5 percentage points for all learners, putting it in the top quarter of its peer group and the top third in its district. In math its MAGP increased 13.5 percentage points for all learners, putting it in the top third of its peer group and its district.

The pattern in the school's Elementary-Middle School Progress Report was different for the Student Performance subsection; grades for the second term have been mediocre to poor with BLCS earning Cs in the first three years of the term and a D in Student Performance on its most recent Progress Report. The Student Performance grade on the Progress Report evaluates a school's performance compared to a demographically similar peer group of schools, regardless of geographic location. The school's performance compared to CSD 12 is a geographic comparison and that comparison has been favorable all the years of the charter term in both ELA and math, as noted above.

While it has not yet earned a graded HS Progress Report, the school has had two years of results in one important Student Progress measure, credit accumulation<sup>2</sup>. In 2011-2012, 68.9% of BLCS's first year high school students earned 10 or more credits, with 46.7% of the school's lowest third of academic performers earning 10 or more credits. In 2012-2013, this improved significantly: 91.7% of its first year students and 92% of its second year students earned 10 or more credits. In addition, when looking at the school's lowest third of academic performers, the percent of students earning 10 or more credits increased as well with 86.7% of first year lowest third students and 100% of second year lowest third students earning 10 or more credits. Their citywide percentile rank for these four metrics ranges for 79<sup>th</sup> percentile to the 96<sup>th</sup> percentile, with peer group and borough percentile rankings being even higher.

Based on an analysis of applicable academic charter goals, over the course of its first term BLCS has cumulatively met 32% of its applicable goals, partially met an additional 21% of its goals, and not met 47% over the course of the term. The pattern of goal performance matches the pattern observed in the school's overall and student progress grades over the course of its second term. In 2009-2010, the school met 71% of its academic goals, but then met only 20% and 9% respectively in the middle two years of the term, before rebounding in 2012-2013 and meeting 40% of its academic goals<sup>3</sup>.

Over the course of the charter term, the NYC DOE has conducted three site visits: a one-day Annual Visit in the Spring of 2012, a two-day Annual Visit in the Spring of 2013, and, as part of the renewal process, a two-day visit in the Fall of 2013, with a follow-up visit on February 11, 2014. As evidenced by site visit reports, BLCS has partially developed a responsive educational program and supportive learning environment.

---

<sup>1</sup> This measure calculates the median (middle) adjusted growth percentile of a school's eligible students. A student's growth percentile compares his or her growth to the growth of all students in the City who started at the same level of proficiency the year before. A student's growth percentile is a number between 0 and 100, which represents the percentage of students with the same score on last year's test who scored the same or lower than the student on this year's test. To evaluate a school on its students' growth percentile, the Progress Report uses an adjusted growth percentile. Growth percentile adjustments are based on students' demographic characteristics and reflect averages differences in growth compared to students with the same starting proficiency level. The Progress Report evaluates a school based on its median adjusted growth percentile, the adjusted growth percentile of the middle student when all students adjusted growth percentiles are listed from lowest to highest.

<sup>2</sup> Credit accumulation is an important measure of progress toward graduation. The metric considers the percentage of students who earn ten or more credits between fall and summer of an academic year, with at least six of these credits needing to be earned in one of the main subjects (English, math, science or social studies)

<sup>3</sup> It should be noted that because of the move to Common Core standards in 2012-2013, the NYC DOE did not include goals that measure a school's actual performance relative to 75% absolute proficiency or goals that measure reducing the performance gap of a cohort in ELA and math assessments in its analysis of progress towards goals. Goals that compared the school to the Community School District performance were included in the analysis.

After the departure of the principal who successfully took the school through its initial charter term, BLCS has struggled with turnover at both the leadership level and with its regional support team from LHA, impacting the school's academic performance and educational program implementation. In the report for the May 2012 visit, it was noted that school leadership was "actively engaged in addressing the challenges facing the school." Adjustments were made to the school's discipline policy, to aspects of its instructional model (including its assessment program), and to support for its teachers. The report also noted that the school needed to continue to "improve classroom instruction, improving consistency across classrooms, alignment across academies, and overall instructional rigor, differentiation, and the school's arts infusion program."

Improvements were noted in the report for the 2013 visit, with more consistent instruction and students consistently on-task. The improvements made in 2012-2013 coincide with improved Progress Report and DOE School Survey results. However, there has been continued change: the principal of BLCS for the K-7 academy left early in the 2012-2013 school year for health reasons and the school's lead principal, Richard Burke, who also served as the K-7 academy principal for the bulk of the school year, left when the position of lead principal was eliminated by the Board of Trustees at the end of June 2013.

In January of 2014 the K-7 principal, Elizabeth Runco, resigned, with Dianne Hardcastle, the CPA principal, named as the interim principal to replace Ms. Runco. After Ms. Runco's resignation her five-member leadership team was terminated. While the NYC DOE found that allegations of financial misconduct and potential violations of Open Meetings Law were not substantiated, the report did note that the school needs to take steps to address continued turnover and to improve communication, school culture, and execution of its accountability system.

In addition, BLCS continues to adjust its instructional program and interim assessments.

BLCS offers a structured English language immersion program for English Language Learner (ELL) students that includes push-in and pullout support during the instructional day as well as in after school programming. All teachers receive professional development training on strategies for teaching ELL students. The school utilizes a Response to Intervention (RTI) approach to support academic intervention and progress monitoring for all students at risk academic failure. The school's Student Support Team manages the RTI program, the student referral process, and provides direct support. The school works with the NYC DOE to provide additional related services such as long-term physical and/or occupational therapy.

Although BLCS continues to work to develop a supportive learning environment for all students, the school serves a smaller percentage of ELL students compared to CSD 12 and citywide averages. BLCS also serves fewer Students with Disabilities (SwD) than both CSD 12 and the citywide average. As it pertains to increasing the percentage of ELL students, the school is taking action (as described in Essential Question 4 on page 23) to increase enrollment of both ELL students and SWD.

## **B. Governance, Operations & Finances**

Over the course of the school's charter term, the Board of Trustees has developed its governance structure and organizational design. The Board currently has seven members, which is more than the minimum number of five members and fewer than the maximum number of eleven established in its bylaws. Current Board Chair Rebecca Wollensack has been serving in this position since January 2013, replacing the Board Chair of the previous two years, Chris Torres. The Board receives regular updates from school leadership related to the school's academic and financial health, as evidenced by meeting minutes

Over the course of the school's current charter term, in part because of turnover, BLCS has struggled to establish a stable school culture. The school's NYC DOE School Survey results have consistently been Average to Below Average across all four categories (Academic Expectations,

Communication, Engagement, and Safety & Respect). School Survey participation rates among BLCS parents were below city averages for the first three years of the term; however, participation among teachers and students has been consistently higher than the city average for all four years and in the most recent year parent participation far exceeded city averages at 90%.

As noted above, the school has experienced significant leadership turnover during the course of its charter term. Its current K-7 academy has had six school leaders during that time (Jeffrey Tsang, Meghan Kimpton, Terri Foster, Richard Burke, Elizabeth Runco, and current interim principal Dianne Hardcastle), and its College Prep Academy has had four (Jeffrey Tsang, Mathias Guishard, Richard Burke, and current principal Dianne Hardcastle). Ms. Hardcastle is the interim principal for the K-7 academy but the permanent principal for the CPA. However, the school has consistently met its goals related to student attendance, student retention, and parent attendance at school conferences.

Overall, the school is in a strong position to meet near-term financial obligations and is financially sustainable based on its current practices. There was no material weakness noted in the three independent financial audits for FY2013, FY2012, and FY2011.

### **C. Compliance with Charter, Applicable Law and Regulations**

Over the course of the charter term, the school has been compliant with some applicable laws and regulations but not with others. On August 8, 2013, CSAS issued a Notice of Concern to the BLCS Board for having implemented an organizational structure change without having first received submitted the change for approval from the NYC DOE as its chartering authority. During the renewal visit it was noted that the school failed to always complete fingerprint clearance and background checks prior to the start dates of some staff.

### **D. Plans for Next Charter Term**

BLCS will complete its growth into a full K-12 school when its current 11<sup>th</sup> grade students matriculate up to 12<sup>th</sup> grade in the first year of its next charter term. The school has no plans for replication.

**For the aforementioned reasons, the NYC DOE recommends a short-term renewal of two years and 4 months (through June 30, 2016). In the first year of the new term, BLCS will reach its full grade span of K-12.** As part of its oversight of BLCS in its next term, the NYC DOE asks the school to submit a draft corrective action plan to address the school culture, communication, and other issues described above and in the body of this report. A draft of the plan should be submitted to the NYC DOE by April 1, 2014, two weeks prior to its submission to BLCS's Board for approval at its April 17 meeting.

## Part 1: Summary of Renewal Recommendation

### I. Charter School Overview:

Name of Charter School	Brooklyn Scholars Charter School
Current Board Chair(s)	Brittany Sessions
School Leader	Desiree Kirton
Management Company (if applicable)	National Heritage Academies
Other Partner(s)	N/A
District(s) of Location	NYC Community School District 19
Physical Address	2635 Linden Blvd., Brooklyn 11208
Facility	Private
School Opened For Instruction	2009
Current Charter Term Expiry Date	2/9/2014
Maximum Grade Levels / Enrollment at Expiry Date	K-8 / 576
Proposed Charter Term	Two Years
Proposed Maximum Grade Levels / Enrollment at New Expiry Date	K-8 / 678

### II. Overview of School-Specific Data:

#### Performance on the NYC DOE Progress Report

Progress Report Grade	2009-2010	2010-2011	2011-2012	2012-2013
Overall Grade	-	B	C	D
Student Progress	-	C	C	D
Student Performance	-	C	B	C
School Environment	-	A	C	B
Closing the Achievement Gap Points	-	-	0.8	1.2

The College and Career Readiness grade was not introduced until the 2011-2012 school year.

#### Students scoring at or above Level 3, compared to CSD, NYC, and State averages

% Proficient in English Language Arts				
	2009-2010	2010-2011	2011-2012	2012-2013
<b>Brooklyn Scholars Charter School</b>	<b>42.3%</b>	<b>41.3%</b>	<b>53.5%</b>	<b>16.9%</b>
CSD 19	35.6%	37.2%	35.6%	14.1%
Difference from CSD 19	6.7	4.1	17.9	2.8
NYC	46.1%	49.4%	49.7%	26.6%
Difference from NYC	-3.8	-8.1	3.8	-9.7
New York State	52.5%	54.8%	55.2%	31.2%
Difference from New York State	-10.2	-13.5	-1.7	-14.3

<b>% Proficient in Math</b>				
	<b>2009-2010</b>	<b>2010-2011</b>	<b>2011-2012</b>	<b>2012-2013</b>
<b>Brooklyn Scholars Charter School</b>	<b>69.2%</b>	<b>73.1%</b>	<b>54.2%</b>	<b>22.8%</b>
CSD 19	46.1%	45.6%	47.3%	16.3%
Difference from CSD 19	23.1	27.5	6.9	6.5
NYC	56.3%	60.0%	61.8%	30.4%
Difference from NYC	12.9	13.1	-7.6	-7.6
New York State	64.6%	64.6%	65.7%	28.9%
Difference from New York State	4.6	8.5	-11.5	-6.1

All comparisons to either the CSD or NYC take into account only grades the school itself serves.

<b>Academic Goal Analysis (based on school's submission)</b>					
	<b>1st Year 2009-2010</b>	<b>2nd Year 2010-2011</b>	<b>3rd year 2011-2012</b>	<b>4th Year 2012-2013</b>	<b>Cumulative 4 Year Total</b>
<b>Total Achievable Academic Goals</b>	3	10	10	5	28
# Met	2	4	5	4	15
# Partially Met	0	0	0	0	0
# Not Met	1	6	5	1	13
% Met	67%	40%	50%	80%	54%
% Partially Met	0%	0%	0%	0%	0%
% Not Met	33%	60%	50%	20%	46%

### **III. Rationale for Recommendation**

#### **A. Academic Performance**

At the time of the school's renewal, Brooklyn Scholars Charter School (Brooklyn Scholars) has partially demonstrated academic achievement and progress. While Brooklyn Scholars has a mixed track record of academic success, the school has outperformed its Community School District (CSD) in all years of operation.

The New York Charter Schools Act of 1998 establishes a system of charter schools throughout New York State, with objectives that include, "(a) Improve student learning and achievement;" and "(b) Increase learning opportunities for all students, with special emphasis on expanded learning experiences for students who are at-risk of academic failure." Data available for Brooklyn Scholars indicates that the school has partially made progress towards meeting these objectives.

Brooklyn Scholars strives to affect positive change in East New York by offering kindergarten through eighth grade students a rigorous educational program that prepares them for success in high school, college, and throughout life. The school aims to set high standards and promotes fundamental values such as integrity, achievement, excellence, and accountability.

The school entered its fifth year of operation with the start of the 2013-2014 academic year. Therefore, the New York City Department of Education (NYC DOE) has three graded NYC DOE Progress Reports and four years of New York State (NYS) assessment data to evaluate the academic achievement and progress of the students at Brooklyn Scholars. NYC DOE Progress Reports grade each school with an overall grade of A, B, C, D, or F and are based on the school's performance in each of these categories: student progress, student performance, school environment, with additional points for closing the achievement gap contributing to the overall grade. Scores are based on comparing school results in each category to a peer group of up to 40 schools with the most similar student population and to school results citywide.

Brooklyn Scholars has a mixed record of academic achievement. Brooklyn Scholars received an overall D grade on the 2012-13 NYC DOE Progress Report, as well as a D grade on the Student Progress section of the report; this represents a drop of one letter grade in both its overall grade and its Student Progress section grade from 2011-2012. Contributing to this decline are decreases in the math and English Language Arts (ELA) growth the school achieved with its students.

The Student Progress section of the NYC DOE Progress Report is the most heavily weighted of all sections; it constitutes 60% of a school's grade. The grade in this section is mostly based on median adjusted growth percentiles<sup>1</sup>, which are a measure of how much a school's students perform on state tests relative to other students with the same prior score.

The NYC DOE notes that during the 2010-2011 and 2011-2012 academic years, in accordance to their original charter, the school added fifth and sixth grades. The school also increased enrollment by adding sections to existing grades. With this growth, the school took in an additional one hundred ninety-six students, effectively doubling the student population over the course of two academic years.<sup>2</sup>

---

<sup>1</sup> A student's growth percentile compares his or her growth to the growth of all students in the City who started at the same level of proficiency the year before. To evaluate a school on its students' growth percentile, the Progress Report uses an adjusted growth percentile. Growth percentile adjustments are based on students' demographic characteristics and reflect average differences in growth compared to students with the same starting proficiency level. The Progress Report evaluates a school based on its median adjusted growth percentile, the adjusted growth percentile of the middle student when all students adjusted growth percentiles are listed from lowest to highest.

<sup>2</sup> In 2010-2011, the school added a section (twenty-six students) to grade three and added a new grade five, with twenty-six students. In 2011-2012, the school added forty students to kindergarten, and one additional section to grades one, two and four and added a new grade six with twenty-six students.

While the school's overall grade on the NYC DOE Progress Report declined in every year that it has received a Progress Report, the school outperformed CSD 19 in both ELA and math in every year that it administered assessments. Based on its percent proficient in math and ELA, Brooklyn Scholars has ranked in the top 14% of all K-8 schools in CSD 19 in each of the last four years. Furthermore, on the 2011-2012 NYS assessment, the school was 3.8 percentage points above the citywide average in ELA proficiency, and saw a 12.2 percentage point gain from its previous year's result.

Over the four years that data is available for the charter term, Brooklyn Scholars has met 54% of its academic charter goals.<sup>3</sup> The school has steadily increased its goal attainment since the 2010-2011 school year from forty to eighty percent. In addition, the school consistently met its charter goal of remaining in good standing with AYP status with state and federal accountability.

The school has partially developed a responsive education program and supportive learning environment. School leadership continuously works to ensure that necessary steps are taken to enhance student achievement, such as using analysis of assessment data for professional development and data-informed instruction. The school administers the NWEA MAP assessments measuring Reading, language usage and mathematics three times a year, fall, winter and spring.

Further, the NYC DOE notes that the school uses instructional methods and strategies which are designed to promote student engagement. Brooklyn Scholars employs a workshop model in kindergarten through second grade. In subsequent grades, Brooklyn Scholars uses guided instruction, collaborative learning, focused lessons and independent work. The school's learning environment is reinforced by the student creed, which is recited daily, summarizing the key tenets of the school's mission: achieving academic excellence, setting high expectations for the future, practicing respect for others and themselves, and committing to attending college.

Brooklyn Scholars offers an English Language Development (ELD) program for ELLs and a Special Education Program. The ELD program consists of two components; in-class Structured English Immersion (SEI) content area instruction program and supplemental English as a Second (ESL) instruction. The school's Special Education Program consists of Special Education Teacher Support Services (SETTS) in small group, pull out or push in models. Additional related services, such as speech and language services, occupational therapy, physical therapy and social work are provided.

Although Brooklyn Scholars continues to work to develop a supportive learning environment for all students, the school serves a significantly smaller percentage of English Language Learners (ELL) compared to CSD 19 and citywide averages. Brooklyn Scholars also serves fewer Students with Disabilities (SWD) than both CSD 19 and the citywide average. The school is taking action (as described in Essential Question 4 on page 21-22) to address the low enrollment of both ELL and SWD.

## **B. Governance, Operations & Finances**

Brooklyn Scholars is a fiscally sound and viable organization.

Over the course of the school's charter term, the Board of Trustees has partially developed its governance structure and organizational design. Throughout most of its charter term, the Board has been out of compliance with the minimum number of Trustees and in compliance with active committees, as addressed in the Board's bylaws. The school currently has six members, which is below the minimal membership number of seven. The Board has demonstrated well-established

---

<sup>3</sup> It should be noted that because of the move to Common Core standards in 2012-2013, the NYC DOE did not include goals that measure a school's actual performance relative to 75% absolute proficiency or goals that measure reducing the performance gap of a cohort in ELA and Math assessments in its analysis of progress towards goals. Goals that compared the school to the Community School District performance were included in the analysis.

and clear lines of accountability between itself and school leadership. School leadership regularly updates the Board and its committees on the school's academic performance.

Over the course of the school's charter term, the school has partially developed a stable school culture. In 2009-2010, the school received its first NYC DOE School Survey and received high levels of satisfaction on all four sections; Academic Expectations, Communication, Engagement and Safety & Respect. On all subsequent NYC DOE School Surveys, scores have been inconsistent. However, the school has demonstrated increasingly positive scores on the Communication and Safety & Respect sections.

As it pertains to charter goals, Brooklyn Scholars has met all of its attendance goals and continues to show progress towards meeting its authorized enrollment numbers.

Financially, the school is in a strong position to meet near-term financial obligations and is financially sustainable based on its current practices. There were no material weaknesses noted in the last four independent annual financial audits for years 2009-2010, 2010-2011, 2011-2012, or 2012-2013.

### **C. Compliance with Charter, Applicable Law and Regulations**

Over the charter term, Brooklyn Scholars has been compliant with some applicable laws, but not others.

### **D. Plans for Next Charter Term**

Brooklyn Scholars currently serves students in grades kindergarten through eighth grade. Based on the school's charter, the school would continue to grow to serve 678 students in the 2015-2016 school year, and serve 704 students by the 2018-2019 school year, adding additional sections until each grade serves 3 sections of students.

**For the aforementioned reasons, the NYCDOE recommends a short term charter renewal of 2 years and 4 months (through June 30 of 2016).**

## Part 1: Summary of Renewal Recommendation

### I. Charter School Overview:

Name of Charter School	John W. Lavelle Preparatory Charter School
Current Board Chair(s)	William Henri
School Leader	Ken Byalin, President; Evelyn Finn, Principal
Management Company (if applicable)	N/A
Other Partner(s)	Wagner College, St. Paul's School of Nursing
District(s) of Location	NYC Community School District 31
Physical Address	1 Teleport Drive, Staten Island, NY 10311
Facility	Private
School Opened For Instruction	2009-2010 School Year
Current Charter Term Expiry Date	4/21/2014
Authorized Maximum Grade Levels / Enrollment at Expiry Date	6-10 / 375
Proposed Charter Term	Five Years
Proposed Maximum Grade Levels / Enrollment at New Expiry Date	6-12 / 510

### II. Overview of School-Specific Data:

#### Performance on the NYC Progress Report

Progress Report Grade	2009-2010	2010-2011	2011-2012	2012-2013
Overall Grade	-	A	B	B
Student Progress	-	B	C	B
Student Performance	-	B	A	B
School Environment	-	A	A	A
Closing the Achievement Gap Points	-	5.0	5.0	5.5

#### Students scoring at or above Level 3, compared to CSD, NYC, and State averages

% Proficient in English Language Arts				
	2009-2010	2010-2011	2011-2012	2012-2013
<b>John W. Lavelle Preparatory Charter School</b>	<b>32.3%</b>	<b>37.7%</b>	<b>45.0%</b>	<b>13.1%</b>
CSD 31	47.6%	48.4%	51.3%	30.5%
Difference from CSD 31	-15.3	-10.7	-6.3	-17.4
NYC	40.1%	40.0%	42.5%	24.8%
Difference from NYC	-7.8	-2.3	2.5	-11.7
New York State	52.5%	54.8%	55.2%	31.2%
Difference from New York State	-20.2	-17.1	-10.2	-18.1

% Proficient in Math				
	2009-2010	2010-2011	2011-2012	2012-2013
<b>John W. Lavelle Preparatory Charter School</b>	<b>40.9%</b>	<b>54.6%</b>	<b>41.7%</b>	<b>19.8%</b>
CSD 31	59.6%	63.9%	63.1%	29.9%
Difference from CSD 31	-18.7	-9.3	-21.4	-10.1
NYC	53.0%	55.8%	57.3%	26.5%
Difference from NYC	-12.1	-1.2	-15.6	-6.7
New York State	64.6%	64.6%	65.7%	28.9%
Difference from New York State	-23.7	-10.0	-24.0	-9.1

All comparisons to either the CSD or NYC take into account only grades the school itself serves.

#### Credit Accumulation

% 1st-Year Students Earning 10+ Credits				
	2009-2010	2010-2011	2011-2012	2012-2013
<b>John W. Lavelle Preparatory Charter School</b>	-	-	-	<b>95.7%</b>
Peer Percent of Range	-	-	-	100.0%
City Percent of Range	-	-	-	90.5%
% 2nd-Year Students Earning 10+ Credits				
	2009-2010	2010-2011	2011-2012	2012-2013
<b>John W. Lavelle Preparatory Charter School</b>	-	-	-	-
Peer Percent of Range	-	-	-	-
City Percent of Range	-	-	-	-
% 3rd-Year Students Earning 10+ Credits				
	2009-2010	2010-2011	2011-2012	2012-2013
<b>John W. Lavelle Preparatory Charter School</b>	-	-	-	-
Peer Percent of Range	-	-	-	-
City Percent of Range	-	-	-	-

A comparison range consists of all possible results within two standard deviations of the average. A peer/city percent of range of 50% represents the position of the average and can be interpreted as a school outperforming 50% of their peer group or city.

Academic Goal Analysis (based on school's submission <sup>1</sup> )					
	1st Year 2009-2010	2nd Year 2010-2011	3rd year 2011-2012	4th Year 2012-2013	Cumulative 4 Year Total
<b>Total Achievable Academic Goals</b>	0	4	9	1	<b>14</b>
# Met	0	0	0	0	<b>0</b>
# Partially Met	0	0	0	0	<b>0</b>
# Not Met	0	4	9	1	<b>14</b>
% Met	N/A	0%	0%	0%	<b>0%</b>
% Partially Met	N/A	0%	0%	0%	<b>0%</b>
% Not Met	N/A	100%	100%	100%	<b>100%</b>

<sup>1</sup> Lavelle included student attendance and student retention among its academic goals but they aren't counted as such here. If those were included, the results would be: first year 100% (2/2) met; second year 33% (2/6) met; third year 18% (2/11) met, and fourth year 66% (2/3) met.

### **III. Rationale for Recommendation**

#### **A. Academic Performance**

At the time of this school's renewal, John W. Lavelle Preparatory Charter School (Lavelle Prep) has demonstrated academic achievement and progress as demonstrated by consistently high grades on the New York City Department of Education (NYC DOE) Progress Report. In addition, Lavelle Prep's Student Progress grades and Student Performance grades have been positive and its overall percentile ranking for city middle schools on the NYC DOE Progress Report has been above the 60<sup>th</sup> percentile each year. In its most recent Progress Report, the school was in the 58<sup>th</sup> percentile of its peer group for English Language Arts proficiency and the 85<sup>th</sup> percentile of its peer group for math proficiency.

The New York Charter Schools Act of 1998 establishes a system of charter schools throughout New York State, with objectives that include, "(a) Improve student learning and achievement;" and "(b) Increase learning opportunities for all students, with special emphasis on expanded learning experiences for students who are at-risk of academic failure." Lavelle Prep has made progress through its initial charter term in meeting these two objectives, demonstrating success on its New York City Department of Education (NYC DOE) annual Progress Reports and providing expanded learning opportunities to a population of Students with Disabilities and eligible for Free and Reduced Lunch that is higher than its district of location, Community School District (CSD) 31.

Lavelle Prep's mission is to provide a "rigorous college preparatory education that...empowers students for success." The school "welcomes all students, including those living with emotional challenges." True to its charter mission, the school's enrollment of Students with Disabilities (SWD) has been consistently higher than its district of location and near or above 30% each year of the term. For all core subjects, two teachers working in classes of 12 to 17 students, provide a supportive instructional environment with numerous opportunities for addressing individual student needs.

Lavelle Prep entered the fifth year of its first term of operation with the start of the 2013-2014 academic year giving the NYC DOE four years of New York State (NYS) assessment data to evaluate the academic performance of the school. In addition, Lavelle Prep has received three graded NYC DOE Progress Reports for its middle school grades. The school received its first ungraded High School Progress Report for the 2012-2013 school year; high schools do not receive a graded Progress Report until they have their first graduation class. Progress Reports grade each school with an A, B, C, D or F for Student Progress, Student Performance, and School Environment, with additional points for closing the achievement gap contributing to the overall grade. Grades are based on comparing school results in each category to a peer group of up to 40 schools with the most similar student population and to school results citywide.

Lavelle Prep has consistently earned positive results on its overall grade on its three Progress Reports: an A on its initial Progress Report in 2010-2011 and Bs on its two most recent overall Progress Report grades. The school's percentile ranking for each of its Progress Reports has placed Lavelle Prep near the top-third or better of New York City middle schools, ranking in the 88<sup>th</sup> percentile in 2010-2011, the 67<sup>th</sup> percentile in 2011-2012, and the 63<sup>rd</sup> percentile on its most recent Progress Report.

The Student Progress subsection grade is the most heavily weighted of the Progress Report sections, representing 60% of the total points available, and Lavelle Prep's results during its first term have been mostly positive. The school earned a B grade on the Student Progress subsection in 2010-2011, then received a C in 2011-2012 and a B in 2012-2013. The school's growth percentiles over the past few years indicate that the school has had success in moving its students

forward academically based on individual student changes in adjusted growth percentile<sup>2</sup> from the previous year, including a separate metric for improving students in the school's lowest third of performers.

Lavelle Prep's Student Performance grades over the course of its first term have all been positive, with the school receiving a B in 2010-2011, an A in 2011-2012, and a B again in 2012-2013. Student Performance looks at three metrics: state assessment results in ELA, state assessment results in math, and the percent of students passing core courses (English, math, science and social studies).

The 2012-2013 school year was the first in which Lavelle Prep operated with a high school grade and it received its first ungraded high school Progress Report in the fall of 2013. An important Student Progress measure is credit accumulation<sup>3</sup> and first year results are promising with 95.7% of its first year students earning 10 or more credits, which was better than all the schools in Lavelle Prep's peer group and 90% of city high schools.

Lavelle Prep has nine academic goals, all related to 75% of its students demonstrating proficiency (Level 3 or better) on the NYS ELA, math and science assessments. In the second year of the term, four of the nine were applicable and the school did not meet any of them. In third year of the term, all nine were applicable and the school did not meet any of them. In the fourth year, only one of the nine was applicable because of changes in the ELA and math NYS assessments<sup>4</sup>. Lavelle Prep did not meet the one applicable goal related to science in its fourth year. The school did make progress in relation to this goal, raising its proficiency result in science from 56% of its students scoring Level 3 or better to 65% reaching proficiency in 2012-2013, but still below the charter goal of 75%.<sup>5</sup>

Lavelle Prep is located in CSD 31, which consistently outperforms city averages in both ELA and math proficiency rates and is the only NYC school district not listed as a Focus School District by the New York State Department of Education. During its initial charter term, Lavelle Prep has not surpassed the district in proficiency in ELA or math, as measured by the percentage of students scoring at Level 3 or 4 on the state's assessments. However, its results on the Progress Report indicate academic success in both Student Progress and Student Performance when compared to peer schools throughout New York City. Lavelle Prep's enrollment includes a high percentage of SwD (near 30% or more of its enrollment during the current charter term). In addition, the school's percentage of students eligible for Free or Reduced Lunch (FRL) has increased from 72% in the first year to 81% in 2012-2013. It also serves a higher percentage of African American and Hispanic students than its district (just under 80% compared to 46%). As a result, the school serves a more academically at-risk population of students than the district. The progress Lavelle

---

<sup>2</sup> This measure calculates the median (middle) adjusted growth percentile of a school's eligible students. A student's growth percentile compares his or her growth to the growth of all students in the City who started at the same level of proficiency the year before. A student's growth percentile is a number between 0 and 100, which represents the percentage of students with the same score on last year's test who scored the same or lower than the student on this year's test. To evaluate a school on its students' growth percentile, the Progress Report uses an adjusted growth percentile. Growth percentile adjustments are based on students' demographic characteristics and reflect average differences in growth compared to students with the same starting proficiency level. The Progress Report evaluates a school based on its median adjusted growth percentile, the adjusted growth percentile of the middle student when all students adjusted growth percentiles are listed from lowest to highest.

<sup>3</sup> Credit accumulation is an important measure of progress toward graduation. The metric considers the percentage of students who earn ten or more credits between fall and summer of an academic year, with at least six of these credits needing to be earned in one of the main subjects (English, math, science or social studies).

<sup>4</sup> It should be noted that because of the move to Common Core standards in 2012-2013, the NYC DOE did not include goals that measure a school's actual performance relative to 75% absolute proficiency or goals that measure reducing the performance gap of a cohort in ELA and math assessments in its analysis of progress towards goals. Goals that compared the school to the Community School District performance were included in the analysis. The school's charter goals also include the school being deemed in good standing with state and federal accountability which the met in 2010-2011.

<sup>5</sup> In addition to the outcomes based academic goals, Lavelle Prep identified daily attendance and student retention goals among its self-identified academic-related goals and met its goals all four years for both measures.

Prep has demonstrated compared to similar schools represents, despite the below district performance, an expanded learning opportunity for its at-risk students, particularly SwDs.

The school's primary mode of support for its SWD students is Integrated Co-Teaching (ICT) and according to its most recent Progress Report, Lavelle Prep has ELA proficiency results for SwD in ICT settings that are better than 82% of its peer schools and 74% of all public middle schools in the city. The proficiency results in math are even stronger for SwD in ICT setting, better than 95% of its peer schools and better than 86% of public middle schools citywide. The school has a unique instructional program that features small classes and multiple adults in most classrooms, including all core subjects in a 17:1:1 ratio for 4.5 hours a day.

According to sub-group Growth Percentile metrics on the Progress Report, Lavelle Prep ranked in the top 20% of all middle schools in ELA for students in the lowest third and for Black/Hispanic males in the lowest third, evidence of closing the achievement gap. Math results were positive but not as strong, in the top third for students in the lowest third and the top half of Black/Hispanic males in the lowest third.

Over the course of its first charter term, the NYC DOE conducted five site visits to Lavelle Prep: Annual Visits in the Spring of 2010, 2011 and 2012, a financially focused visit in 2013, and, as part of the renewal process, a two day visit on October 9<sup>th</sup> and 10<sup>th</sup> of 2013. Based on these visits, DOE reviewers determined Lavelle Prep has developed a responsive education program and a supportive learning environment. In the spring of 2011, it was noted that the school's "instructional approach is well-thought out and supported by consistent structures, including planning, resources and instructional practices." The school also evidenced a strong collaborative professional learning environment that it continued to build on to further advance instructional practices, including aligning to Common Core expectations and improving use of instructional data. The May 2012 site visit report indicated that the school had added the Danielson Framework to support professional development for teachers and improve instruction. Over the course of the term, from site visit through the renewal visits, students were consistently observed as being on-task and responsive to instruction in a safe and orderly environment.

Lavelle Prep uses a team-teaching approach with at least one of two adults in the core classrooms holding special education certification. The program has two models. In one, the classroom features a dual-certified lead teacher with a teacher's assistant providing mandated services. In the other, a content-specific general education teacher works with a special education certified teacher to provide services. Lavelle Prep has 20 certified special education teachers. Additionally, the school has a special education coordinator who is on the school's academic alert team as well as its Behavioral Intervention Team. She also leads the school's Response to Intervention (RTI) implementation.

## **Governance, Operations & Finances**

Over the course of the school's charter term, the Board of Trustees has developed its governance structure and organizational design. The Board has not experienced significant turnover during the course of its charter term and has been led by William Henri since the October 2010, when the position transitioned from founding Chair Francisco Lugovina, who is still a Board member. The Board receives regular updates from school leadership related to the school's academic and financial health, as evidenced by meeting minutes.

Over the course of the school's charter term, the school has developed a stable school culture. The school's instructional leadership team has been stable over the course of this charter term. The school's NYC DOE School Survey results have consistently been Above Average to Well Above Average across all four categories, with the exception of one Average category result in 2012-2013. Participation in the School Survey has consistently been high among parents, teachers, and students, with even the lowest rate of parent participation widely surpassing the city

average. In addition, Lavelle Prep, as noted above, has met its charter goals for student attendance and retention during each year of its charter.

Overall, the school, because of an early move into a private facility, is in an adequate position to meet its near term financial obligations and is financially sustainable based on current practices. During the course of the term it has successfully managed financial challenges due to revenue shortfalls and taken pro-active steps to reduce risk. There was no material weakness in internal controls noted in the three independent financial audits for Fiscal Year (FY) 2013, FY2012 and FY2011, however, the school received a note in the FY2012 audit about liquidity and "going concern" issues.

Due to space constraints associated with the public facility Lavelle Prep was located in at the time the school was chartered, it moved into a private facility in August 2011, one year earlier than originally planned. This move into a private facility, coupled with a lower than budgeted special needs population, caused financial challenges for the school. In FY2012, the school's independent auditors were concerned due to the revenue shortfall and because the school was operating with a working capital deficit. In order to meet its liquidity shortfall, the school deferred certain vendor payments to subsequent years, implemented employee salary cuts and received no interest loans from Board members during FY2013.

There was no liquidity or "going concern" notices in the FY 2013 independent financial audit and Lavelle Prep has made all debt obligation payments.

**B. Compliance with Charter, Applicable Law and Regulations**

Over the charter term, Lavelle has been compliant with some applicable laws and regulations, but not others.

**C. Plans for Next Charter Term**

The school plans to continue to grow from its current six through ten grade span to become a full sixth through twelfth grade school by school year 2015-2016. The school also seeks to establish career readiness program partnerships with post-secondary educational organizations, although these relationships are still developing. The school has no immediate plans for replication or expansion.

**For the aforementioned reasons, the NYCDOE recommends a full-term renewal. The school will reach its intended full grade span, 6-12, in the second year of the new charter term.**