



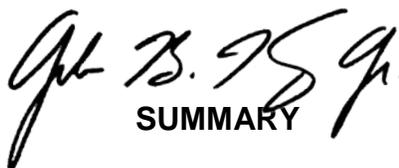
**TO:** The Honorable the Members of the Board of Regents

**FROM:** Ken Slentz 

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

**DATE:** April 22, 2013

**AUTHORIZATION(S):**

  
SUMMARY

**Issue for Decision**

Should the Regents approve the proposed renewal charter for Mott Haven Academy Charter School which is 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 Full Board for action at the April 2013 Regents meeting.

**Procedural History**

The Chancellor of the NYCDOE approved this renewal charter and submitted it to the Regents for approval and issuance of the renewal charter 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 charter for Mott Haven Academy Charter School as proposed by the Chancellor of the New York City Department of Education (NYCDOE) in his capacity as a charter school authorizer under Article 56 of the Education law. The Chancellor of the NYCDOE has

proposed a two-year renewal with conditions for Mott Haven Academy Charter School which would commence on July 1, 2013, and end on June 30, 2015.

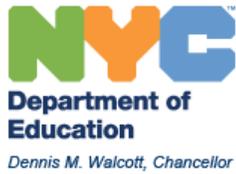
### **Recommendation**

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 Mott Haven Academy 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, 2015.

### **Timetable for Implementation**

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

Attachments



April 22, 2013

John B. King Jr.  
Commissioner of Education  
The State Education Department  
The University of the State of New York  
Albany, NY 12234

Commissioner King,

In the 2012-2013 academic year, I have considered the renewal of charters from 14 public charter schools in New York City. The NYCDOE's Charter Schools Accountability and Support team has evaluated each of these 14 schools.

The NYC DOE recommends that the following school be granted a 2-year renewal with conditions with terms starting July 1, 2013:

- Mott Haven Academy Charter School (CSD 7)

We request that all recommendations be added to the Regents April vote for finalization. If you require any further information please contact us. The NYCDOE recognizes that per law, the State Department of Education may take up to 90 days to review these changes. If we do not hear from you within that timeframe we will consider that you are in agreement with our determination and the status of these requests.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marc S. Sternberg', written in a cursive style.

Marc S. Sternberg  
Senior Deputy Chancellor for Strategy and Policy



**Summary of 2013 Renewal Recommendation:  
Mott Haven Academy Charter School (MHACS)**

**I. Charter School Overview:**

Name of Charter School	Mott Haven Academy Charter School
School leader	Jessica Nauiokas
Management Company	N/A
Other Partner(s)	NY Foundling
District of Location	7
Facility	170 Brown Place, Bronx
School Opened For Instruction	2008-2009
Current Charter Term	6/30/2013
Current Grade Levels/Enrollment	K-5, 260
Maximum Grades/Enrollment at end of current charter	K-5, 263

**II. Overview of Supporting School-Specific Data:**

**Performance on the NYC Progress Report**

Progress Report Grade	2008-09	2009-10	2010-2011	2011-2012
Overall	N/A	N/A	D	D
Progress	N/A	N/A	F	F
Performance	N/A	N/A	F	D
Environment	N/A	N/A	A	B

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

% Proficient in English Language Arts				
	2009	2010	2011	2012
Mott Haven Academy Charter School	N/A	N/A	26.2	27.2
CSD 7*	N/A	N/A	28.9	28.2
NYC*	N/A	N/A	48.1	50.7
% Proficient in Math				
	2009	2010	2011	2012
Mott Haven Academy Charter School	N/A	N/A	28.6	44.3
CSD 7*	N/A	N/A	33.7	39.8
NYC*	N/A	N/A	54.8	61.4

\*CSD and City data represent common testing grades only for all years presented

**MHACS's proficiency data compared to CSD and Citywide averages**

Difference in % Proficient in English Language Arts				
	2009	2010	2011	2012
MHACS vs CSD	N/A	N/A	-2.7	-0.9
MHACS vs NYC	N/A	N/A	-21.9	-23.5
Difference in % Proficient in Math				
	2009	2010	2011	2012
MHACS vs CSD	N/A	N/A	-5.1	4.5
MHACS vs NYC	N/A	N/A	-26.2	-17.1

### III. Rationale for Recommendation

#### A. Performance

The first listed objective of charter schools, in accordance with the NY Charter Schools Act of 1998, is to improve student learning and achievement. MHACS has made some progress toward fulfilling their primary obligation. During its first charter term, MHACS demonstrated improvement on NYS assessment results in 2011-12 from its 2010-11 baseline performance. Overall proficiency in ELA increased incrementally, by a point, from 26.2% proficient to 27.2% proficient, but overall proficiency in Math increased substantially from the baseline year to the 2011-2012 results, 15.7 percentage points from 28.6% proficient to 44.3% proficient.<sup>1</sup> MHACS has earned overall grades of D on its first two Progress Reports, evidence that while progress has been made in its first two years of assessment data, more needs to be done.<sup>2</sup> The school is in good standing with state and federal accountability measures.<sup>3</sup>

The second listed objective is increasing learning opportunities for all students, with special emphasis for students at risk of academic failure. This is important to note because MHACS has embraced working with at risk students on multiple fronts. MHACS chose to serve students from District 7, one of the lowest-performing school districts in the State, and actively serves a percentage of Free and Reduced Lunch students (90% to 86%), Students with Disabilities (18% to 20%), and English Language Learners (12% to 18%)<sup>4</sup> that is comparable to the district. Furthermore, through its lottery preferences, MHACS serves a population where over 60% of its students were either in foster care or involved with child welfare.<sup>5</sup> Thus, MHACS's progress from its baseline year to its second year of assessment data is especially notable given its uniquely large at-risk population of students.

As noted above, MHACS improved its proficiency levels from its first year of assessment data to its second. In the process, it moved from "below district" performance to "above district" performance in Math, moving from minus 5.1 percentage points to plus 4.5, an almost ten point reversal of outcome. In ELA, the gap in proficiency results between the school and the district has further narrowed, but not yet closed.

During its first charter term, MHACS received annual site visits from the NYC DOE in the spring of 2009, 2010, 2011, and 2012. DOE reviewers consistently found a capable and committed leadership and staff dedicated to the academic success of all of its students, and particularly noted effective programs and supports for creating a stable learning environment conducive to academic success. The school leadership has worked throughout its first term with a robust assessment system for both academic and social development for its students, adjusting the former in response to its initial results on NYS's assessment system, as well as adjusting its academic schedule and program to better meet the needs of its students. For example, it piloted a skills-based Math period in one of its 4<sup>th</sup> grade classes and saw dramatic increases in its NYS assessment results. In the current year, MHACS added a similar period to all grades for Math and designed a similar period for ELA.

---

<sup>1</sup> NYS Assessment Results – <http://schools.nyc.gov/Accountability/data/TestResults/ELAandMathTestResults>

<sup>2</sup> NYC DOE Progress Report – <http://schools.nyc.gov/progressreport>

<sup>3</sup> New York State Education Department – [www.nysed.gov](http://www.nysed.gov)

<sup>4</sup> Demographic data from ATS pull on 11/20/12, prior to renewal recommendation, with school FRL percent from school since

<sup>5</sup> Note that Peer School performance is an emphasized metric throughout the Progress Report and Peer School formulae do not currently include percent of child welfare involved students as a factor for determining peer schools.



In sum, school leadership has been strongly responsive to its baseline year results and made adjustments to program, schedule, and staffing, adding additional instructional coaches and supports, designed to accelerate the academic progress the school made in its second year of NYS assessments.

## B. Finances

The charter school must also be able to demonstrate its ability to operate in an educationally and fiscally sound manner over the course of its charter. MHACS, with the support of its CBO partner, New York Foundling, has proven to be an effective and viable organization: The school received complete audits for each of the past four years. Some program elements and facility costs are supported by contributions or rent forgiveness by NY Foundling, and Foundling is committed to continuing this support as needed. With the financial assistance of New York Foundling, the school has consistently met the fiscal and operational goals in its charter. The school has been able, with the support of the Foundling, to build a cash reserve of \$272,747.

MHACS's academic progress is supported by its stable financial footing and well-established financial procedures. After a short incubation period, Mott Haven effectively secured space in a private facility that provides adequate space and resources for its students and staff. The school uses Charter School Business Management (CSBM) to support its financial planning.

## C. Operations

Based on multiple points of evidence that include site visits and their supporting documentation as well as DOE Survey results, Mott Haven has built a supportive school community that is both conducive to learning and operationally sound.

Despite serving a population prone to domestic transitions that can negatively impact student attendance, the school's student attendance rates have actually increased each year of its charter, beginning at 91% in its first two years and reaching 93% and 95% in its last two years. Similarly, MHACS's student retention rates have been consistently high, between 93% and 96% in all the years of the initial charter term. Students observed during annual site visits in addition to the renewal visit consistently observed the reinforcement of the school's Positive Behavior Support system, which focuses on teaching how students should behave rather than calling out negative behaviors. Results of this and other non-academic student supports can be seen in the school's Devereux Student Strengths Assessment, a measurement of student progress in social-emotional development.

The school's DOE Survey has consistently shown rates of parent and teacher participation that are significantly higher than city averages. Further, the vast majority of parents have shown high satisfaction rates across domains. In the most recent survey, 99% of parents felt the school has high expectations, 100% were satisfied with the education their child received, and 97% were satisfied with how well the school helps them understand what they can do to support their child's learning needs.

The school's partnership with The New York Foundling, begun at its inception, has remained strong and provides valuable operational support to the school, including but not limited to a shared facility, casework support for students and families, and grant-writing support.

For all of the aforementioned reasons, the NYCDOE recommends a **Two-year Renewal with Conditions** for MHACS: 1) score C or better in each of the years of the new charter on the Overall Progress Report grade, Student Progress, and Student Performance grades on the Progress Report; and 2) meet school-wide and cohort proficiency goals as outlined in the accountability plan as of 4/22/2013. If the school does not meet all specified conditions, future renewal is in jeopardy.