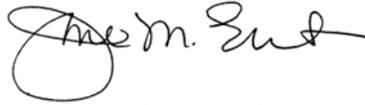




TO: P-12 Education Committee

FROM: Jhone M. Ebert 

SUBJECT: Renewal Decisions for a Charter School Authorized by the Board of Regents

DATE: June 1, 2017

AUTHORIZATION(S): 

SUMMARY

Issue for Decision

Should the Board of Regents approve the proposed renewal charter for the following charter school authorized by the Board of Regents pursuant to Article 56 of the Education Law (the New York Charter Schools Act):

1. **Urban Dove Team Charter School** (full-term five-year renewal and a revision to add a charter management organization)

Reason(s) for Consideration

Required by State statute.

Proposed Handling

This issue will be before the P-12 Education Committee and the Full Board for action at the June 2017 Regents meeting.

Procedural History

The New York State Education Department (“the Department”) made the renewal recommendation being presented to the Board of Regents for approval and issuance as required by Article 56 of the Education Law and 8 NYCRR 119.7.

Background Information

Performance Framework¹

The Board of Regents Charter School Performance Framework (the “Framework”), which is part of the Board of Regents Charter School Renewal Policy and the Oversight Plan included in the Charter Agreement for each school, outlines three key areas of charter school performance: (1) Educational/Academic Success; (2) Organizational Soundness; and (3) Faithfulness to Charter and Law. The Framework sets forth ten performance benchmarks in these three areas. The Framework is designed to focus on performance outcomes, to preserve operational autonomy and to facilitate transparent feedback to schools. It aligns with the ongoing accountability and effectiveness work with traditional public schools and balances clear performance measures with Regents’ discretion.

New York State Education Department Charter School Performance Framework

Performance Benchmark	
Educational Success	Benchmark 1: Student Performance: The school has met or exceeded achievement indicators for academic trends toward proficiency, proficiency and high school graduation. At all grade levels and all assessments, scoring proficiently means achieving a performance level of 3 or higher (high school Regents and Common Core Regents exam score of 65 or higher).
	Benchmark 2: Teaching and Learning: School leaders have systems in place designed to cultivate shared accountability and high expectations and that lead to students’ well-being, improved academic outcomes, and educational success. The school has rigorous and coherent curriculum and assessments that are aligned to the NYS Learning Standards (NYSLS) for all students. Teachers engage in strategic practices and decision-making in order to address the gap between what students know and need to learn so that all students experience consistent high levels of engagement, thinking and achievement.
	Benchmark 3: Culture, Climate, and Family Engagement: The school has systems in place to support students’ social and emotional health and to provide for a safe and respectful learning environment. Families, community members and school staff work together to share in the responsibility for student academic progress and social-emotional growth and well-being. Families and students are satisfied with the school’s academics and the overall leadership and management of the school.
Organizational Soundness	Benchmark 4: Financial Condition: The school is in sound and stable financial condition as evidenced by performance on key financial indicators.
	Benchmark 5: Financial Management: The school operates in a fiscally sound manner with realistic budgets pursuant to a long-range financial plan, appropriate internal controls and procedures, and in accordance with state law and generally accepted accounting practices.

¹ As Urban Dove Team Charter School was chartered to serve under aged-over credited students, NYSED has agreed to hold this charter school accountable to an alternative accountability agreement for Benchmark 1. Details can be found in the summary for the school.

	<p>Benchmark 6: Board Oversight and Governance: The board of trustees provides competent stewardship and oversight of the school while maintaining policies, establishing performance goals, and implementing systems to ensure academic success, organizational viability, board effectiveness and faithfulness to the terms of its charter.</p>
	<p>Benchmark 7: Organizational Capacity: The school has established a well-functioning organizational structure, clearly delineated roles for staff, management, and board members. The school has systems and protocols that allow for the successful implementation, evaluation, and improvement of its academic program and operations.</p>
Faithfulness to Charter & Law	<p>Benchmark 8: Mission and Key Design Elements: The school is faithful to its mission and has implemented the key design elements included in its charter.</p>
	<p>Benchmark 9: Enrollment, Recruitment, and Retention: The school is meeting or making annual progress toward meeting the enrollment plan outlined in its charter and its enrollment and retention targets for students with disabilities, English language learners, and students who are eligible applicants for the free and reduced priced lunch program; or has demonstrated that it has made extensive good faith efforts to attract, recruit, and retain such students.</p>
	<p>Benchmark 10: Legal Compliance: The school complies with applicable laws, regulations, and the provisions of its charter.</p>

Charter School Renewal Applications

In Article 56 of the Education Law, Section 2852(2) requires the chartering entity (in this case the Board of Regents) to make the following findings when considering a charter renewal application:

- (a) The charter school described in the application meets the requirements set out in this article and all other applicable laws, rules and regulations;
- (b) The applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner;
- (c) Granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty-one of this article; and
- (d) In a school district where the total enrollment of resident students attending charter schools in the base year is greater than five percent of the total public school enrollment of the school district in the base year (i) granting the application would have a significant educational benefit to the students expected to attend the proposed charter school or (ii) the school district in which the charter school will be located consents to such application.

In addition, Renewal Guidelines contained in the Regulations of the Commissioner (8 NYCRR 119.7(d)) were adopted by the Board of Regents, and require that the Board further consider the following when evaluating a charter renewal application:

- (a) The information in the charter school's renewal application;
- (b) Any additional material or information submitted by the charter school;

- (c) Any public comments received;
- (d) Any information relating to the site visit and the site visit report;
- (e) The charter school's annual reporting results including, but not limited to, student academic achievement;
- (f) The Department's renewal recommendation and the charter school's written response, if any; and
- (g) Any other information that the board, in its discretion, may deem relevant to its determination whether the charter should be renewed.

Beyond the requirements to make the findings set forth in the Education Law and consider the factors set forth above, the Charter Schools Act leaves the decision of whether to renew a charter to the sound discretion of the Board of Regents.

Related Regents Items

Urban Dove Team Charter School

Initial Charter

<http://www.regents.nysed.gov/common/regents/files/documents/meetings/2010Meetings/December2010/1210p12a2.pdf>

First Revision to Provisional Charter: Name Change

<http://www.regents.nysed.gov/common/regents/files/1013brca4.pdf>

Second Revision to Provisional Charter: Enrollment Expansion

<http://www.regents.nysed.gov/common/regents/files/316p12a2REVISED.pdf>

Recommendations

The State Education Department Renewal Recommendations

The attached Renewal Recommendation Reports provide summary information about the Renewal Application before the Regents for action today as well as an analysis of the academic and fiscal performance of the school over the charter term.

The Department considers evidence related to the ten Performance Benchmark areas when making recommendations to the Regents concerning charter renewal applications. However, student academic performance is of paramount importance when evaluating each school. The recommendation below was made after a full due-diligence process over the charter term, including review of the information presented by the school in its Renewal Application, a specific fiscal review, a two-day renewal site visit conducted by a Department team during the fall of 2016, comprehensive analysis of achievement data and consideration of public comment. In the case of the charter school being recommended for full-term renewal, the renewal findings warrant a renewal term of five

years. Over the course of the charter term, the Department will closely monitor this charter school based on the Monitoring Plan.

Renewal Recommendation

VOTED: That the Board of Regents finds that, the **Urban Dove Team Charter School**: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application 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 this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the **Urban Dove Team Charter School** and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including **June 30, 2022**.

Urban Dove Team Charter School

In accordance with Education Law, Article 56, Sections 2851(4) and 2852(2), Commissioners Regulation 119.7, and the Board of Regents Charter School Renewal Policy (November 2012), the **New York State Education Department recommends a full-term renewal for a period of five years for Urban Dove Team Charter School. The charter term would begin on July 1, 2017 and expire on June 30, 2022.**

Urban Dove Team Charter School (UDTCS) is a promising model that is making progress toward meeting the academic performance and other benchmarks set forth in the school’s Alternative Accountability Measurement Plan and the Board of Regents Performance Framework. UDTCS is implementing the mission, key design elements, education program, enrollment, recruitment, and organizational design as set forth in the charter, and is in good financial condition.

Charter School Summary

Name of Charter School	Urban Dove Team Charter School
Board Chair	Michael Grandis
District of location	NYC CSD 13
Opening Date	August 27, 2012
Charter Terms	Initial Charter Term: 7/1/2012-6/30/2017
Current and Proposed Renewal Term Authorized Grades/Maximum Authorized Enrollment	Ungraded (high school) 265 students
Educational Partners	Urban Dove, Inc.
Facilities	600 Lafayette Avenue, Brooklyn, NY 11216
Mission Statement	<i>Urban Dove Team Charter School (UD Team) is a completely unique and innovative alternative High School for over-aged, under-credited youth whose mission is to combine a rigorous academic curriculum with a hands-on, real-world vocational program, and an award-winning college readiness program that strives to give each graduate a high school diploma, a foundation for higher education, and the job skills needed to enter the world of work. Graduates of UD Team will be healthy, active, focused young adults ready to fulfill their potential. They will have a commitment to their futures, a positive connection to their community and a desire to</i>

	<i>take advantage of the opportunities before them. UD Team partners with Urban Dove, a non-profit that has specialized in working with at-risk youth for fifteen years. Urban Dove will provide critical support in delivering key elements of the school program, including in the areas of Sports-based Youth Development, College guidance, internships and job-skills and summer programming.</i>
Key Design Elements	<ul style="list-style-type: none"> • Sports-based youth development (SBYD) • Support Services • More time on task • Same-sex groupings • Multiple Intelligences • Differentiated instruction • Targeted interventions
Requested Revisions	Seeking approval to contract with Urban Dove, Inc., to provide comprehensive charter school management services.

Current Grade Levels and Maximum Authorized Enrollment

School Year	Grades Served	Maximum Approved Enrollment	Actual Enrollment
2016-2017	Ungraded (high school)	265	281 ²
2015-2016	Ungraded (high school)	265	271
2014-2015	Ungraded (high school)	240	207
2013-2014	Ungraded (high school)	170	166
2012-2013	Ungraded (high school)	95	107

Proposed Renewal Term Grade Levels and Maximum Authorized Enrollment

School Year	Grades Served	Maximum Authorized Enrollment
2017-2018	Ungraded (high school)	265
2018-2019	Ungraded (high school)	265
2019-2020	Ungraded (high school)	265
2020-2021	Ungraded (high school)	265
2021-2022	Ungraded (high school)	265

Background

The NYSED Board of Regents approved and issued a five-year initial charter for UDTCS on December 14, 2010. After a planning year, the school opened for instruction in August 2012. UDTCS is designed to

² Self-reported by Urban Dove Team Charter School in Renewal Site Visit Workbook

engage and support the academic and social-emotional needs of over-aged, under-credited (OA/UC) students.

As per the charter, the school admits students who are 16 years old or younger who have earned eight or fewer high school credits at the time of enrollment. Students eligible for enrollment must have attempted ninth grade at least once in another school. Unlike many schools that serve OA/UC students and accept students on a rolling basis throughout the year, UDTCS enrolls and groups students at the start of each academic year to build a strong student cohort structure with a shared sense of accountability to one another. Students at UDTCS advance through a three-year high school academic program (which may extend to four or five years as necessary) with an intensive sports-based youth development component and a focus on college and career readiness.

To fully and fairly evaluate the performance of the school, UDTCS was invited to develop an Alternative Accountability Measurement Plan describing its outcomes over the initial charter term in comparison to schools serving similar student populations. The school worked with NYSED and with NYCDOE to develop the plan which analyzed outcomes of students who entered the charter school in the fall of 2012 (Class of 2015) and in the fall of 2013 (Class of 2016).

UDTCS partners with Urban Dove, Inc., which offers a variety of services and resources to UDTCS. The school is requesting a material revision to the charter to enter into a comprehensive management contract with Urban Dove, Inc.

Summary of Evidence for Renewal

Key Performance Area: Educational Success

This section will summarize the outcome data for UDTCS as per the school's Alternative Accountability Measurement Plan which was provided by the school as part of the charter Renewal Application.

As per the school's Alternative Accountability Measurement Plan, academic outcome data is presented by charter school enrollment year, by high school entry year cohort, by rate of attendance and level of risk. This section will summarize that information, which was provided by the school as part of the charter Renewal Application.

Student Performance – Compared to Similar Schools (Alternative Accountability Measurement Plan)

Attendance, Persistence and Graduation

As part of the Alternative Accountability Measurement Plan, UDTCS analyzed student attendance as an indicator of persistence within the program and ultimately with high school completion. Students in each enrollment cohort were divided into three sub-groups – Disengaged (below 60% average daily attendance), Engaged (60% to 79% average daily attendance), and Highly Engaged (80% average daily attendance and above). Baseline analysis of student outcomes for the enrollment Class of 2015 and Class of 2016 shows higher persistence and graduation rates for Highly Engaged students. The school has used this preliminary analysis to demonstrate its strong outcomes with that segment of its students, and to set goals for the school's Attendance Task Force, a group within the school that is working to raise awareness of the importance of striving to attain an average attendance rate of 60% for at least 65% of its enrolled students in the upcoming charter term.

Students who are disengaged tend to drop out at much higher rates and graduate at much lower rates when compared to UDTCS students who are engaged or highly engaged. Engaged and Highly Engaged students tend to persist and graduate at much higher rates (see Table 1).

Due to a lack of data available from the NYCDOE, we are unable to make a comparison between attendance rates at UDTCS and similar schools within the district.

Table 1: UDTCS Attendance, Persistence and Graduation

Class of 2015 (Enrolled in 2012)	Dropped Out	Still Enrolled	Graduated
Disengaged – 37% of UDTCS Student Population	84%	8%	8%
Engaged – 63% of UDTCS Student Population	9%	16%	75%
Highly Engaged Subset of the Engaged Group – (32% of Engaged Students above)	0%	4.5%	95.5%

Class of 2016 (Enrolled in 2013)	Dropped Out	Still Enrolled	Graduated
Disengaged – 52% of UDTCS Student Population	53%	35%	12%
Engaged – 48% of UDTCS Student Population	14%	3%	83%
Highly Engaged Subset of the Engaged Group – (22% of Engaged Students above)	0%	23.5%	76.5%

Due to a lack of data available from the NYC DOE, we are unable to make a comparison between dropout rates at UDTCS and in NYC DOE schools serving similar students.

Similar Student Graduation Outcomes

UDTCS used NYC DOE OA/UC student categories to compare graduation outcomes of Urban Dove students in these categories with similar students in NYC (“Peer Target”). The analysis is based on information provided by the NYC DOE. Most UDTCS students fall into three of the NYCDOE’s at-risk categories of OA/UC students: 15 years old with less than 11 credits, 16 years old with less than 11 credits; and no Regents exams passed; and 16 years old with less than 11 credits and one or more Regents exams passed. For each of these three categories, the chart below shows the percentage of each Class in that category, their graduation rate at UDTCS and the graduation rate for that category citywide.

Table 2: 2016 UDTCS Student Outcomes Compared to Similar NYC DOE Student Outcomes (“Peer Target”)

Class of 2015 – Charter School Entry 2012	Number	NYC Peer Target Graduation Rate	UDTCS Graduate Rate to Date (9 still enrolled)	Variance to Date
15-year-old <11 credits	33	30%*	61%	+31
16-year-old, <11 credits, no Regents	22	27%	41%	+14
16-year old, <11 credits, at least 1 Regents	5	28%	40%	+12
Other OA/UC categories	6	30%	33%	+3
Non OA/UC	2	67%	100%	+33
Total	68			

*The NYC Peer Target for 15 year old students with less than 11 credits was not developed by NYCDOE as part of its transfer school accountability analysis, because this category of students is not included in the DOE definition of OA/UC students. UDTCS identified the target graduation rate on the basis of graduation data for this population that was provided to the school by the NYCDOE.

Class of 2016 – Charter School Entry 2013	Number	Peer Target Graduation Rate	UDTCS Graduation Rate to Date (27 still enrolled)	Variance to Date
15-year-old <11 credits	30	30%	47%	+17
16-year-old, <11 credits, no Regents	26	27%	12%	-15
16-year old, <11 credits, at least 1 Regents	8	28%	25%	-3
Other OA/UC categories	6	30%	67%	+37
Non OA/UC	7	67%	85%	+18
Total	77			

*The NYC Peer Target for 15 year old students with less than 11 credits was not developed by NYCDOE as part of its transfer school accountability analysis, because this category of students is not included in the DOE definition of OA/UC students. UDTCS identified the target graduation rate on the basis of graduation data for this population that was provided to the school by the NYCDOE.

NYSED Cohort Outcomes

As full six-year graduation data for the 2011, 2012 and 2013 cohorts become available, this information will also be considered to assess whether the school continues to meet NYSED charter school performance criteria.

Key Performance Area: Organizational Viability

Financial Condition

Throughout the charter term, the school’s fiscal condition has steadily improved. At the present, UDTCS appears to be in adequate financial condition as evidenced by performance on key indicators derived from the school’s independently audited financial statements.

The Charter School Office reviews the financial performance and management of charter schools using quantitative and qualitative methods. Near-term indicators, such as the current ratio (current assets to current liabilities) and unrestricted days cash, are measures of liquidity and of the charter school’s capacity to maintain operations. Long-term indicators, such as total margin and debt-to-asset ratio, are measures of the charter school’s capacity to remain viable and to meet financial obligations³.

A *composite score* is an overall measure of financial health calculated by the Department’s Office of Audit Services. This score is based on a weighting of primary reserves, equity, and net income. A charter school with a score between 1.5 and 3.0 is considered to be in strong financial health. UDTCS’s composite score for 2015-2016 is 2.50. The table below shows the school’s composite scores from 2012-2013 through 2015-2016.

**UDTCS’s Composite Scores
2012-2013 to 2014-2015**

<i>Year</i>	<i>Composite Score</i>
2015-2016	2.50
2014-2015	2.10
2013-2014	0.60
2012-2013	-0.70

Source: NYSED Office of Audit Services

Financial Management

The Charter School Office reviewed UDTCS’ 2015-2016 audited financial statements to determine whether the independent auditor observed sufficient internal controls over financial reporting. The auditor identified three issues believed to be significant deficiencies. Two of these deficiencies have been resolved, however, NYSED is still seeking documentation of the annual fire safety inspection report.

Key Performance Area: Faithfulness to the Charter and Law

Enrollment, Recruitment and Retention

Over the duration of the charter term, UDTCS has essentially met or exceeded its enrollment targets in all special population subgroups. UDTCS enrolls a higher proportion of economically disadvantaged (ED) students and students with disabilities (SWDs) than the district of location, and is generally meeting its target for English language learners (ELLs). Ninety-eight percent of the students enrolled in UDTCS in 2015-2016 are Black/African American or Hispanic/Latino students, according to the NYSED School Report Card (see Table 5).

³ These rigorous indicators of fiscal soundness are aligned with those recommended by the National Association of Charter School Authorizers.

Table 5: Student Demographics – Urban Dove Team Charter School Compared to District of Location (CSD 13)

	2014-2015 Percent of Enrollment			2015-2016 Percent of Enrollment			2016-2017 Percent of Enrollment ⁴
	School	CSD #13	Variance	School	CSD #13	Variance	School
Enrollment of Special Populations							
Economically Disadvantaged	69%	70%	-1	82%	66%	+16	73%
English Language Learners	3%	3%	0	2%	4%	-2	4%
Students with Disabilities	37%	7%	+30	39%	15%	+24	35%

The school is making good faith efforts to recruit, serve, and retain at-risk students⁵. Efforts to recruit and retain students in the ED, ELL, and SWD populations include reaching out to district and other charter school principals and deans of schools in the district of location and other Brooklyn districts, mail and telephone outreach campaigns to long-term absentees, meetings with neighborhood-based representatives and high school guidance counselors, translation into Spanish of all recruitment materials, and the hiring of a special education director to serve the needs of special education students.

Student Retention

According to NYSED data, the overall student retention rate at UDTCS is 48.37%.

Legal Compliance

UDTCS is complying with most applicable laws, regulations, and provisions of its charter, however, there have been some areas of concern. Issues cited include the adoption and use of a discipline policy which was not submitted for authorizer approval and did not include the appropriate DASA provisions, and compliance with annual facility safety inspection requirements.

⁴ Enrollment for the 2016-2017 school year is preliminary and therefore cannot be compared to the district. The enrollment figures provided for the school year have been reported by the school.

⁵ Education Law §2854(2)(a) requires that schools demonstrate good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities, FRPL eligible students and English Language Learners when compared to the enrollment figures for such students in the school district in which the charter is located. SUNY and the Regents were charged with setting specific enrollment and retention targets for each charter school, and have done so. Education Law §2852(9-a)(b)(i). All charter schools that were initially chartered after August 2010 or renewed after January 1, 2011, are expected to meet or exceed the enrollment and retention targets set by the Regents and SUNY. When submitting an application for renewal of the charter, schools are required to provide information detailing the means by which they will meet the enrollment and retention targets (Education Law §2851(4)(e)), and this information is considered by the Regents in the review of the school’s performance over the charter term. A school’s plan to change its enrollment practices, whether by weighting the lottery or preferencing, may also be considered when determining whether the school will meet the targets in the upcoming charter term. A school’s repeated failure to meet or exceed its enrollment and retention targets, when combined with a failure to show that extensive efforts to meet the targets have been made, may be cause for termination or revocation of the charter pursuant to section Education Law §2855(1)(e).

Public Hearing Information

The required public hearing was held on September 27, 2016 at UDTCS. Twenty-eight people were present. There were eight speakers and five letters/emails of support. Additionally, five comments were submitted in writing. All feedback was in support of the school and was offered by a combination of school staff and community members.