



TO: P-12 Education Committee

FROM: Elizabeth R. Berlin *Elizabeth R. Berlin*

SUBJECT: Renewal Recommendations for Charter Schools
Authorized by the New York City Department of Education

DATE: May 23, 2019

AUTHORIZATION(S): *Mary Ellen Elin*

SUMMARY

Issue for Decision

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

1. **Brooklyn Charter School** (short-term, three-year renewal)

Reason(s) for Consideration

Required by State statute.

Proposed Handling

This issue will be before the Board of Regents P-12 Education Committee and the Full Board for action at the June 2019 Regents meeting.

Procedural History

The New York City Department of Education Chancellor (NYCDOE) made the renewal recommendations being presented to the Board of Regents for approval and issuance as required by Article 56 of the Education Law.

Charter School Renewal Applications

Education Law §2852(2) requires the chartering entity (in this case the NYCDOE) 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.

Related Regents Items

2000 Initial Charter (as Clearpool Charter School)
Not Available Electronically

[Revision December 2003 Revision](#)

(<http://www.regents.nysed.gov/common/regents/files/documents/meetings/2004Meetings/January2004/0104emscvesidca1.htm>)

[June 2005 First Renewal](#)

(<http://www.regents.nysed.gov/common/regents/files/documents/meetings/2005Meetings/June2005/0605emscvesida4.htm>)

[May 2006 Second Renewal](#)

(<http://www.regents.nysed.gov/common/regents/files/documents/meetings/2006Meetings/May2006/0506emscvesida6.htm>)

[June 2011 Third Renewal](#)

(<http://www.regents.nysed.gov/common/regents/files/documents/meetings/2011Meetings/June2011/611p12a2.pdf>)

[March 2016 Fourth Renewal](#)

(<http://www.regents.nysed.gov/common/regents/files/316p12a5.pdf>)

Recommendations

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 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, 2022**.

Timetable for Implementation

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

Brooklyn Charter School

In accordance with Education Law §§2851(4) and 2852(2), the Chancellor of the New York City Department of Education recommends a short-term renewal for a period of three years for Brooklyn Charter School. The charter term would begin on July 1, 2019 and expire on June 30, 2022.

Brooklyn Charter School is meeting most benchmarks set forth in the New York City Department of Education Accountability Framework. The school is implementing the mission, key design elements, education program and organizational plan set forth in the charter.

Charter School Summary

Name of Charter School	Brooklyn Charter School
Board Chair	Henry Lambert
District of location	NYC CSD 14
Opening Date	Fall 2000
Charter Terms	<ul style="list-style-type: none"> • Initial Charter: April 4, 2000 – April 4, 2005 • First Renewal: June 21, 2005 – June 30, 2006¹ • Second Renewal: May 23, 2006 – June 30, 2011² • Third Renewal: July 1, 2011 – June 30, 2016 • Fourth Renewal: July 1, 2016 – June 30, 2019
Current Term Authorized Grades/ Approved Enrollment	K – Grade 5/ 240 students
Proposed Renewal Term Authorized Grades/ Proposed Approved Enrollment	K – Grade 5/ 240 students
Comprehensive Management Service Provider	None
Facilities	545 Willoughby Avenue, Brooklyn (Public Space)
Mission Statement	<i>The Brooklyn Charter School is committed to providing a nurturing and supportive community where all students feel secure, recognize their own potential, respect others regardless of race, religion or culture, and are instilled with the desire to learn and achieve. It is our aim to provide a rigorous academic program supported by the Arts & Technology that cultivates the whole child. Through achievement and creativity, and in partnership with our families, students will develop the necessary confidence, intellectual capacity and leadership skills to prepare them for an evolving global society.</i>
Key Design Elements	<ul style="list-style-type: none"> • Two teachers per classroom • Small class sizes

¹ There was a short delay in approving the first renewal charter between April and June 2005.

² There was an overlap in approval between the first and second renewal charter in 2006.

	<ul style="list-style-type: none"> • Cultural arts program • Technology program • Interim assessment program • After school test prep program
Requested Revisions	None

Noteworthy: A key design element of Brooklyn Charter School is the cultural arts program. The school has a culminating annual showcase each year entitled “BCS Fest.” Last year’s show included dance and musical numbers from an array of countries such as Mali, Ghana, Brazil, Guinea, and the United States of America, including Puerto Rico. The school takes great pride in this program; over 250 people attended this culminating event.

Current Grade Levels and Approved Enrollment

	Year 1 2016 to 2017	Year 2 2017 to 2018	Year 3 2018 to 2019
Grade Configuration	K – Grade 5	K – Grade 5	K – Grade 5
Total Approved Enrollment	240	240	240

Proposed Renewal Term Grade Levels and Approved Enrollment

	Year 1 2019 to 2020	Year 2 2020 to 2021	Year 3 2021 to 2022
Grade Configuration	K – Grade 5	K – Grade 5	K – Grade 5
Total Approved Enrollment	240	240	240

Background

The Board of Regents granted an initial charter to Brooklyn Charter School (then called Clearpool Charter School) in 2000. The school opened for instruction in September 2000 initially serving approximately 80 students in K and Grade 1. The Board of Regents approved a revision in 2003 to change the school’s name, as well as a change in institutional partner and elimination of the extended day and school year. Brooklyn Charter School’s charter was subsequently renewed by the Board of Regents in 2005, 2006, 2011 and 2016.

Summary of Evidence for Renewal

Key Performance Area: Educational Success

Brooklyn Charter School offers curricula and coursework aligned to New York State Learning Standards in ELA, math, Social Studies and Science. In addition, the school offers Technology, Dance, and Music.

The school offers Integrated Co-Teaching (ICT) on all grade levels and Special Education Teacher Support Services (SETSS) for Students with Disabilities (SWD). The school and employs one ESL teachers to work with English language learners (ELLs)/Multi-lingual learners (MLLs) students.

Student Performance – Elementary/Middle School Outcomes

See Tables 1 and 2 below regarding 3-8 math and ELA exam aggregate and subgroup student performance compared to the district and state average.

In the last two years of the charter term, the school has outperformed the CSD of location in both ELA and Math, and in the last year of the charter term, the school outperformed the state in both ELA and Math.

Table 1: Elementary/Middle School Assessment Proficiency Outcomes for All Students: School, District & State Level Aggregates

	ELA					Math				
	BCS	CSD 14	Variance to CSD 14	NYS	Variance to NYS	BCS	CSD 14	Variance to CSD 14	NYS	Variance to NYS
All Students										
2015-2016	37%	39%	-2	39%	-2	31%	38%	-7	43%	-12
2016-2017	39%	39%	0	40%	-1	51%	39%	+12	45%	+6
2017-2018	47%	46%	+1	45%	+2	67%	46%	+21	49%	+18

Note: Data in Table 1 represents tested students in grades 3 - 5 at Brooklyn CS, CSD 14, and at the state who scored proficiently (level 3 or above) on each state assessment. This table was created using grade level data to generate the comparative values, the percent difference between the school's performance and the district or state averages. All values were calculated to the nearest whole number; therefore, the percent differences may show a rounded value.

The school's performance with special populations has exceeded that of the host CSD for the last 2 years of the charter term.

Table 2: Elementary/Middle School Assessment Proficiency Outcomes for Special Populations

Subject	School Year	Students with Disabilities (Variance to the district of location)	English Language Learners (Variance to the district of location)	Economically Disadvantaged (Variance to the district of location)
ELA	2015-2016	6% (-5)	s	37% (+6)
	2016-2017	22% (+10)	17% (+2)	33% (+4)
	2017-2018	31% (+10)	38% (+14)	48% (+10)
Mathematics	2015-2016	17% (+1)	s	28% (-2)
	2016-2017	44% (+28)	17% (-1)	48% (+19)
	2017-2018	54% (+30)	63% (+30)	65% (+27)

Note: Data in Table2 represents tested students in respective subgroups in grades 3 - 5 at Brooklyn CS, CSD 14, and at the state who scored proficiently (level 3 or above) on each state assessment. This table was created using grade level data to generate the comparative values, the percent difference between the school's performance and the district or state averages. All values were calculated to the nearest whole number; therefore, the percent differences may show a rounded value.

Outcomes for cohorts of fewer than six students are suppressed and indicated with an s.

According to the 2017-2018 school year ESEA accountability designations, Brooklyn Charter School is *In Good Standing*.

Key Performance Area: Organizational Viability

Financial Condition

Brooklyn Charter School appears to be in good or sound financial condition as evidenced by performance on key indicators derived from the school's independently audited financial statements. The NYCDOE reviews the financial performance and management of charter schools using quantitative and qualitative methods. Near-term indicators, such as the current ratio 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 obligations.³

Financial Management

The NYCDOE reviewed Brooklyn Charter School's audited financial statements from Fiscal Year 2017 and Fiscal Year 2018 to determine whether the independent auditor observed sufficient internal controls over financial reporting. In Fiscal Year 2018, a significant deficiency was noted, as well as several matters that

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

had not been addressed from Fiscal Year 2017. The NYCDOE is working with the school to address deficiencies and concerns found and will continue to do in the next proposed charter term.

Key Performance Area: Faithfulness to the Charter and Law

Enrollment, Recruitment and Retention

Brooklyn Charter School backfills students at all grades from its waitlist. Through efforts towards increasing the percentage of at-risk students enrolled, the school is coming close to, but not yet meeting, its targets for SWDs and ELL/MLL students. The school is meeting its targets for Economically Disadvantaged (ED) students (see Table 3). The percentage of these students enrolled in the school has been consistent over the charter term. The school is making good faith efforts to recruit, serve, and retain at-risk students⁴ and has already worked with the NYCDOE to implement lottery preferences for SWD, ELL/MLL, and ED students.

Efforts to recruit and retain students in the SWD, ELL/MLL, and ED populations include:

- Implementing a lottery preference for ELL/ MLL, SWD and ED students;
- Conducting outreach by bi-lingual staff; and
- Translating school materials and advertising as needed.

⁴ 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).

Table 3: Student Demographics – Brooklyn Charter School Compared to District of Location

Student Population	2016-2017			2017-2018		
	Brooklyn CS	CSD 14	Variance	Brooklyn CS	CSD 14	Variance
Students with Disabilities	15%	24%	-9	16%	24%	-8
ELL/ MLL	6%	15%	-9	7%	17%	-10
Economically Disadvantaged	73%	63%	+10	82%	69%	+13

Student Retention

According to NYSED data, in the 2017-2018 school year, 82% of students were retained in Brooklyn Charter School compared with 94% in the district of location.

Legal Compliance

Brooklyn Charter School operates in accordance with applicable law, regulations, rules and other policies, including the terms of its charter, its by-laws and other school-specific policies. It is also in compliance with federally mandated disciplinary procedures for SWDs and the Dignity for All Students Act. The board holds meetings in accordance with the Open Meetings Law.

Summary of Public Comment

The required public hearing was held by the NYCDOE on January 29, 2019. One-hundred people attended, and fifteen spoke. All speakers were in favor of the renewal and none were opposed.