





**TO:** P-12 Education Committee

**FROM:** John L. D'Agati 

**SUBJECT:** Charter Schools: Merger Revisions to Charters Authorized by the Board of Regents

**DATE:** July 2, 2019

**AUTHORIZATION(S):** 

### **SUMMARY**

#### **Issues for Decision**

Should the Board of Regents approve the merger of KIPP NYC Public Charter Schools (an education corporation authorized by the Board of Regents to operate five charter schools) with and into KIPP NYC Public Charter Schools II (an Education Corporation authorized by the Board of Trustees of the State University of New York to operate two charter schools), with KIPP NYC Public Charter Schools II as the surviving education corporation under the amended name "KIPP NYC Public Charter Schools"?

AND

Should the Board of Regents approve the merger of Democracy Prep Endurance Charter School (an education corporation authorized by the Board of Regents to operate one charter school) with and into Democracy Prep New York Charter Schools (an Education Corporation authorized by the Board of Trustees of the State University of New York to operate four charter schools), with Democracy Prep New York Charter Schools as the surviving education corporation.

#### **Reason(s) for Consideration**

Required by State Statute.

#### **Proposed Handling**

These issues will be before the Board of Regents P-12 Education Committee and the Full Board for action at the July 2019 Regents meeting.

## **Procedural History**

The May 2010 amendments to Education Law §2853(1)(b-1) eliminated language that prohibited education corporations in New York from operating more than one charter school, and now allows charter schools and the families they serve to realize the many potential benefits of governance and operational merger.

## **Background Information**

The merger of existing charter school governing boards requires revisions to each of the charters of the merging schools, which must be approved by the respective chartering entity or entities involved. This means that, in situations where schools that wish to merge have different chartering entities (“cross-entity merger”), the approval of all parties – the boards of trustees of the schools and each chartering entity – is required before any such merger may occur.

## **Related Regents Items**

### **KIPP NYC Public Charter Schools**

#### **[March 2013 Merger](http://www.regents.nysed.gov/common/regents/files/313brca4.pdf)**

(<http://www.regents.nysed.gov/common/regents/files/313brca4.pdf>)

#### **[December 2015 Merger](http://www.regents.nysed.gov/common/regents/files/1215p12a4.pdf)**

(<http://www.regents.nysed.gov/common/regents/files/1215p12a4.pdf>)

### **Democracy Prep New York Charter Schools**

#### **[March 2017 Merger](http://www.regents.nysed.gov/common/regents/files/417p12a4.pdf)**

(<http://www.regents.nysed.gov/common/regents/files/417p12a4.pdf>)

## **Recommendation**

### **KIPP NYC Public Charter Schools**

VOTED: That pursuant to the authority contained in Education Law §§223 and 2853(1)(b-1)

1. KIPP NYC Public Charter Schools be and hereby is merged with KIPP NYC Public Charter Schools II, with KIPP NYC Public Charter Schools II as the surviving education corporation under the amended name, KIPP NYC Public Charter Schools.
2. KIPP NYC Public Charter Schools II, the surviving corporation, shall continue to administer the educational operations and purposes of the constituent corporations in the same manner as they presently exist.

3. The separate existence of KIPP NYC Public Charter Schools and KIPP NYC Public Charter Schools II hereby ceases, and KIPP NYC Public Charter Schools II, the surviving corporation under the amended name KIPP NYC Public Charter Schools is hereby vested with all the rights, privileges, immunities, powers, and authority possessed by or granted by law to each of the constituent corporations. All assets and liabilities of the respective constituent corporations are hereby assets and liabilities of such surviving corporation. All property, real, personal, and mixed and all debts to each of the corporations on whatever account are hereby attached to KIPP NYC Public Charter Schools II, the surviving corporation under the amended name KIPP NYC Public Charter Schools, and may be enforced against it to the same extent as if the debts, liabilities, and duties had been incurred or contracted by it.
4. The merged corporation shall operate under the provisional charter granted to KIPP NYC Public Charter Schools II under the amended name KIPP NYC Public Charter Schools, which is hereby amended to authorize the operation of seven public charter schools as follows:
  - i. KIPP STAR College Prep Charter School;
  - ii. KIPP NYC Washington Heights Academy Charter School;
  - iii. KIPP Always Mentally Prepared Charter School;
  - iv. KIPP Infinity Charter School;
  - v. KIPP Freedom Charter School;
  - vi. KIPP Bronx Charter School II; and
  - vii. KIPP Bronx Charter School III
5. The merger herein shall take effect *nunc pro tunc* on July 1, 2019; and it is further

VOTED: That the Board of Regents finds that: (1) **KIPP NYC Public Charter Schools** meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) **KIPP NYC Public Charter Schools** can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to revise the charter 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) granting the request to revise the charter would have a significant educational benefit to the students expected to attend the schools operated by **KIPP NYC Public Charter Schools**, and the Board of Regents therefore approves the charter revision and amends the provisional charter accordingly.

VOTED: That the Board of Regents finds that: (1) **KIPP NYC Public Charter Schools II** meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) **KIPP NYC Public Charter Schools II** can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to revise the charter 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) granting the request

to revise the charter would have a significant educational benefit to the students expected to attend the schools operated by **KIPP NYC Public Charter Schools II**, and the Board of Regents therefore approves the charter revision and amends the provisional charter accordingly.

### **Democracy Prep New York Charter Schools**

VOTED: That pursuant to the authority contained in Education Law §§223 and 2853(1)(b-1)

1. Democracy Prep Endurance Charter School be and hereby is merged with Democracy Prep New York Charter Schools, with Democracy Prep New York Charter Schools as the surviving education corporation.
2. Democracy Prep New York Charter Schools, the surviving corporation, shall continue to administer the educational operations and purposes of the constituent corporations in the same manner as they presently exist.
3. The separate existence of Democracy Prep Endurance Charter School and Democracy Prep New York Charter Schools hereby ceases, and Democracy Prep New York Charter Schools, the surviving corporation is hereby vested with all the rights, privileges, immunities, powers, and authority possessed by or granted by law to each of the constituent corporations. All assets and liabilities of the respective constituent corporations are hereby assets and liabilities of such surviving corporation. All property, real, personal, and mixed and all debts to each of the corporations on whatever account are hereby attached to Democracy Prep New York Charter Schools, the surviving corporation, and may be enforced against it to the same extent as if the debts, liabilities, and duties had been incurred or contracted by it.
4. The merged corporation shall operate under the provisional charter granted to Democracy Prep New York Charter Schools, which is hereby amended to authorize the operation of five public charter schools as follows:
  - i. Bronx Preparatory Charter School;
  - ii. Harlem Prep Charter School;
  - iii. Democracy Preparatory Charter School;
  - iv. Democracy Prep Harlem Charter School; and
  - v. Democracy Prep Endurance Charter School
5. The merger herein shall take effect *nunc pro tunc* on July 1, 2019; and it is further

VOTED: That the Board of Regents finds that: (1) **Democracy Prep Endurance Charter School** meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) **Democracy Prep Endurance Charter School** can demonstrate the ability to operate in an educationally and fiscally sound

manner; (3) granting the request to revise the charter 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) granting the request to revise the charter would have a significant educational benefit to the students expected to attend the schools operated by **Democracy Prep Endurance Charter School**, and the Board of Regents therefore approves the charter revision and amends the provisional charter accordingly.

VOTED: That the Board of Regents finds that: (1) **Democracy Prep New York Charter Schools** meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) **Democracy Prep New York Charter Schools** can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to revise the charter 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) granting the request to revise the charter would have a significant educational benefit to the students expected to attend the schools operated by **Democracy Prep New York Charter Schools**, and the Board of Regents therefore approves the charter revision and amends the provisional charter accordingly.

### **Timetable for Implementation**

The Regents action for KIPP NYC Public Charter Schools and KIPP NYC Public Charter Schools II will become effective *nunc pro tunc* on July 1, 2019.

The Regents action for Democracy Prep Endurance Charter School and Democracy Prep New York Charter Schools will become effective *nunc pro tunc* on July 1, 2019.

**Merger of KIPP NYC Public Charter Schools and  
KIPP NYC Public Charter Schools II<sup>1</sup>**

**KIPP STAR College Prep Charter School**

Table 1: School Summary

<b>Name of Charter School</b>	KIPP STAR College Prep Charter School
<b>Board Chair</b>	Rafael Mayer
<b>District of Location</b>	NYC CSD 5
<b>Opening Month/Year</b>	September 2003
<b>Current Charter Term</b>	July 1, 2018 – June 30, 2023
<b>Management Company</b>	KIPP NYC, LLC
<b>Partner(s)</b>	KIPP Foundation, Inc.
<b>Approved Grade Levels/ Number of Students</b>	K – Grade 12/ 1031 students
<b>Proposed Revision</b>	<b>To approve the merger of KIPP NYC Public Charter Schools (an education corporation authorized by the Board of Regents to operate five charter schools) with and into KIPP NYC Public Charter Schools II (an Education Corporation authorized by the Board of Trustees of the State University of New York to operate two charter schools), with KIPP NYC Public Charter Schools II as the surviving education corporation under the amended name “KIPP NYC Public Charter Schools”</b>
<b>Timetable for Revision Implementation</b>	This Regents action would take effect <i>nunc pro tunc</i> on July 1, 2019.

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<sup>1</sup> The merger described herein was approved by the SUNY Trustees on March 4, 2019, and notice was sent to the Board of Regents on March 8, 2019. The merger will be effective *nunc pro tunc* on July 1, 2019.

Table 2: Elementary/Middle School Assessment Proficiency Outcomes

		ELA					Math				
		KIPP STAR College Prep CS	NYC CSD 5	Differential to District	NYS	Differential to NYS	KIPP STAR College Prep CS	NYC CSD 5	Differential to District	NYS	Differential to NYS
All Students	2015-2016	45%	22%	+23	36%	+9	54%	15%	+39	36%	+18
	2016-2017	46%	24%	+22	39%	+7	59%	15%	+44	37%	+22
	2017-2018	57%	29%	+28	45%	+12	66%	22%	+44	44%	+22
SWD	2015-2016	18%	5%	+13	8%	+10	21%	5%	+16	10%	+11
	2016-2017	20%	8%	+12	10%	+10	32%	5%	+27	10%	+22
	2017-2018	27%	12%	+15	16%	+11	42%	10%	+32	16%	+26
ELL/MLL	2015-2016	7%	5%	+2	8%	-1	30%	6%	+24	15%	+15
	2016-2017	24%	5%	+19	8%	+16	48%	6%	+42	14%	+34
	2017-2018	45%	16%	+29	24%	+21	64%	14%	+50	28%	+36
ED	2015-2016	45%	19%	+26	26%	+19	55%	13%	+42	25%	+30
	2016-2017	45%	21%	+24	28%	+17	58%	13%	+45	26%	+32
	2017-2018	55%	26%	+29	35%	+20	64%	19%	+45	33%	+31

(1) Data in the table represents tested students in respective subgroups who scored proficiently (level 3 or above) on each NYS assessment.

(2) For the students with disabilities and the ELL/MLL subgroups, both current and former members of the subgroups have been combined.

(3) In some cases, the number of students in a subgroup was <5 students. For those subgroups, pursuant to NYSED business rules, the data was suppressed, and the subgroup category was not included for the applicable metric.

(4) Data in the table above represents a comparison between those grades served in the charter school to only those same grades in the district.

Table 3: KIPP STAR College Prep Charter School Demographics Compared to District of Location\*

	2016-2017			2017-2018		
	KIPP STAR College Prep CS	NYC CSD 5	Differential to District	KIPP STAR College Prep CS	NYC CSD 5	Differential to District
SWD	26%	23%	+3	28%	25%	+3
ELL/MLL	7%	10%	-3	9%	12%	-3
ED	82%	81%	+1	86%	83%	+3

*\*(1) For the students with disabilities and the ELL/MLL subgroups, both current and former members of the subgroups have been combined.*

*\*(2) Data in the table above represents a comparison between those grades served in the charter school to only those same grades in the district.*



**KIPP NYC Washington Heights Academy Charter School**

Table 1: School Summary

<b>Name of Charter School</b>	KIPP NYC Washington Heights Academy Charter School
<b>Board Chair</b>	Rafael Mayer
<b>District of Location</b>	NYC CSD 6
<b>Opening Month/Year</b>	August 2012
<b>Current Charter Term</b>	July 1, 2017 – June 30, 2022
<b>Management Company</b>	KIPP NYC, LLC
<b>Partner(s)</b>	KIPP Foundation, Inc.
<b>Approved Grade Levels/ Number of Students</b>	K – Grade 12/ 1058 students
<b>Proposed Revision</b>	<b>To approve the merger of KIPP NYC Public Charter Schools (an education corporation authorized by the Board of Regents to operate five charter schools) with and into KIPP NYC Public Charter Schools II (an Education Corporation authorized by the Board of Trustees of the State University of New York to operate two charter schools), with KIPP NYC Public Charter Schools II as the surviving education corporation under the amended name “KIPP NYC Public Charter Schools”</b>
<b>Timetable for Revision Implementation</b>	This Regents action would take effect <i>nunc pro tunc</i> on July 1, 2019.

Table 2: Elementary/Middle School Assessment Proficiency Outcomes

		ELA					Math				
		KIPP NYC Washington Heights Academy CS	NYC CSD 6	Differential to District	NYS	Differential to NYS	KIPP NYC Washington Heights Academy CS	NYC CSD 6	Differential to District	NYS	Differential to NYS
All Students	2015-2016	50%	27%	<b>+23</b>	38%	<b>+12</b>	53%	24%	<b>+29</b>	39%	<b>+14</b>
	2016-2017	57%	30%	<b>+27</b>	40%	<b>+17</b>	63%	26%	<b>+37</b>	40%	<b>+23</b>
	2017-2018	63%	37%	<b>+26</b>	45%	<b>+18</b>	72%	33%	<b>+39</b>	45%	<b>+27</b>
SWD	2015-2016	18%	9%	<b>+9</b>	9%	<b>+9</b>	26%	11%	<b>+15</b>	12%	<b>+14</b>
	2016-2017	25%	10%	<b>+15</b>	11%	<b>+14</b>	35%	12%	<b>+23</b>	14%	<b>+21</b>
	2017-2018	32%	16%	<b>+16</b>	16%	<b>+16</b>	44%	16%	<b>+28</b>	17%	<b>+27</b>
ELL/MLL	2015-2016	18%	9%	<b>+9</b>	13%	<b>+5</b>	26%	11%	<b>+15</b>	20%	<b>+6</b>
	2016-2017	28%	9%	<b>+19</b>	12%	<b>+16</b>	45%	10%	<b>+35</b>	19%	<b>+26</b>
	2017-2018	43%	18%	<b>+25</b>	25%	<b>+18</b>	56%	18%	<b>+38</b>	29%	<b>+27</b>
ED	2015-2016	49%	24%	<b>+25</b>	27%	<b>+22</b>	52%	22%	<b>+30</b>	28%	<b>+24</b>
	2016-2017	56%	27%	<b>+29</b>	29%	<b>+27</b>	62%	23%	<b>+39</b>	29%	<b>+33</b>
	2017-2018	62%	33%	<b>+29</b>	36%	<b>+26</b>	71%	30%	<b>+41</b>	34%	<b>+37</b>

- (1) Data in the table represents tested students in respective subgroups who scored proficiently (level 3 or above) on each NYS assessment.
- (2) For the students with disabilities and the ELL/MLL subgroups, both current and former members of the subgroups have been combined.
- (3) In some cases, the number of students in a subgroup was <5 students. For those subgroups, pursuant to NYSED business rules, the data was suppressed, and the subgroup category was not included for the applicable metric.
- (4) Data in the table above represents a comparison between those grades served in the charter school to only those same grades in the district.

Table 3: KIPP NYC Washington Heights Academy Charter School Demographics Compared to District of Location\*

	2016-2017			2017-2018		
	KIPP NYC Washington Heights Academy CS	NYC CSD 6	Differential to District	KIPP NYC Washington Heights Academy CS	NYC CSD 6	Differential to District
SWD	20%	22%	-2	22%	23%	-1
ELL/MLL	16%	33%	-17	19%	38%	-19
ED	89%	83%	+6	91%	87%	+4

*\*(1) For the students with disabilities and the ELL/MLL subgroups, both current and former members of the subgroups have been combined.*

*\*(2) Data in the table above represents a comparison between those grades served in the charter school to only those same grades in the district.*

**KIPP Always Mentally Prepared Charter School**

Table 1: School Summary

<b>Name of Charter School</b>	KIPP Always Mentally Prepared Charter School
<b>Board Chair</b>	Rafael Mayer
<b>District of Location</b>	NYC CSD 17
<b>Opening Month/Year</b>	July 2005
<b>Current Charter Term</b>	July 1, 2018 – June 30, 2023
<b>Management Company</b>	KIPP NYC, LLC
<b>Partner(s)</b>	KIPP Foundation, Inc.
<b>Approved Grade Levels/ Number of Students</b>	K – Grade 12/ 949 students
<b>Proposed Revision</b>	<b>To approve the merger of KIPP NYC Public Charter Schools (an education corporation authorized by the Board of Regents to operate five charter schools) with and into KIPP NYC Public Charter Schools II (an Education Corporation authorized by the Board of Trustees of the State University of New York to operate two charter schools), with KIPP NYC Public Charter Schools II as the surviving education corporation under the amended name “KIPP NYC Public Charter Schools”</b>
<b>Timetable for Revision Implementation</b>	This Regents action would take effect <i>nunc pro tunc</i> on July 1, 2019.

Table 2: Elementary/Middle School Assessment Proficiency Outcomes

		ELA					Math				
		KIPP Always Mentally Prepared CS	NYC CSD 17	Differential to District	NYS	Differential to NYS	KIPP Always Mentally Prepared CS	NYC CSD 17	Differential to District	NYS	Differential to NYS
All Students	2015-2016	35%	29%	+6	36%	-1	35%	24%	+11	36%	-1
	2016-2017	45%	33%	+12	40%	+5	44%	26%	+18	40%	+4
	2017-2018	55%	42%	+13	45%	+10	58%	34%	+24	45%	+13
SWD	2015-2016	14%	8%	+6	8%	+6	15%	9%	+6	10%	+5
	2016-2017	20%	12%	+8	11%	+9	20%	11%	+9	13%	+7
	2017-2018	23%	19%	+4	16%	+7	27%	16%	+11	17%	+10
ELL/MLL	2015-2016	0%	10%	-10	8%	-8	0%	14%	-14	15%	-15
	2016-2017	0%	15%	-15	12%	-12	20%	18%	+2	20%	0
	2017-2018	43%	23%	+20	25%	+18	63%	24%	+39	30%	+33
ED	2015-2016	35%	27%	+8	26%	+9	35%	23%	+12	25%	+10
	2016-2017	42%	32%	+10	29%	+13	44%	26%	+18	29%	+15
	2017-2018	54%	40%	+14	36%	+18	56%	33%	+23	34%	+22

- (1) Data in the table represents tested students in respective subgroups who scored proficiently (level 3 or above) on each NYS assessment.
- (2) For the students with disabilities and the ELL/MLL subgroups, both current and former members of the subgroups have been combined.
- (3) In some cases, the number of students in a subgroup was <5 students. For those subgroups, pursuant to NYSED business rules, the data was suppressed, and the subgroup category was not included for the applicable metric.
- (4) Data in the table above represents a comparison between those grades served in the charter school to only those same grades in the district.

Table 3: KIPP Always Mentally Prepared Charter School Demographics Compared to District of Location\*

	2016-2017			2017-2018		
	KIPP Always Mentally Prepared CS	NYC CSD 17	Differential to District	KIPP Always Mentally Prepared CS	NYC CSD 17	Differential to District
SWD	18%	20%	-2	18%	20%	-2
ELL/MLL	2%	12%	-10	2%	15%	-13
ED	81%	80%	+1	86%	84%	+2

*\*(1) For the students with disabilities and the ELL/MLL subgroups, both current and former members of the subgroups have been combined.*

*\*(2) Data in the table above represents a comparison between those grades served in the charter school to only those same grades in the district.*

## KIPP Infinity Charter School

Table 1: School Summary

<b>Name of Charter School</b>	KIPP Infinity Charter School
<b>Board Chair</b>	Rafael Mayer
<b>District of Location</b>	NYC CSD 5
<b>Opening Month/Year</b>	July 2005
<b>Current Charter Term</b>	March 15, 2015 – June 30, 2019
<b>Management Company</b>	KIPP NYC, LLC
<b>Partner(s)</b>	KIPP Foundation, Inc.
<b>Approved Grade Levels/ Number of Students</b>	K – Grade 12/ 1229 students
<b>Proposed Revision</b>	<b>To approve the merger of KIPP NYC Public Charter Schools (an education corporation authorized by the Board of Regents to operate five charter schools) with and into KIPP NYC Public Charter Schools II (an Education Corporation authorized by the Board of Trustees of the State University of New York to operate two charter schools), with KIPP NYC Public Charter Schools II as the surviving education corporation under the amended name “KIPP NYC Public Charter Schools”</b>
<b>Timetable for Revision Implementation</b>	This Regents action would take effect <i>nunc pro tunc</i> on July 1, 2019.

Table 2: Elementary/Middle School Assessment Proficiency Outcomes

		ELA					Math				
		KIPP Infinity CS	NYC CSD 5	Differential to District	NYS	Differential to NYS	KIPP Infinity CS	NYC CSD 5	Differential to District	NYS	Differential to NYS
All Students	2015-2016	50%	21%	+29	38%	+12	72%	17%	+55	39%	+33
	2016-2017	52%	24%	+28	40%	+12	69%	17%	+52	40%	+29
	2017-2018	56%	29%	+27	45%	+11	79%	22%	+57	45%	+34
SWD	2015-2016	17%	6%	+11	9%	+8	40%	6%	+34	12%	+28
	2016-2017	17%	8%	+9	11%	+6	40%	8%	+32	14%	+26
	2017-2018	24%	13%	+11	16%	+8	50%	11%	+39	17%	+33
ELL/MLL	2015-2016	32%	6%	+26	13%	+19	63%	9%	+54	20%	+43
	2016-2017	31%	6%	+25	12%	+19	57%	9%	+48	19%	+38
	2017-2018	46%	16%	+30	25%	+21	76%	14%	+62	29%	+47
ED	2015-2016	50%	19%	+31	27%	+23	72%	15%	+57	28%	+44
	2016-2017	52%	22%	+30	29%	+23	69%	16%	+53	29%	+40
	2017-2018	56%	26%	+30	36%	+20	78%	20%	+58	34%	+44

(1) Data in the table represents tested students in respective subgroups who scored proficiently (level 3 or above) on each NYS assessment.

(2) For the students with disabilities and the ELL/MLL subgroups, both current and former members of the subgroups have been combined.

(3) In some cases, the number of students in a subgroup was <5 students. For those subgroups, pursuant to NYSED business rules, the data was suppressed, and the subgroup category was not included for the applicable metric.

(4) Data in the table above represents a comparison between those grades served in the charter school to only those same grades in the district.



Table 3: KIPP Infinity Charter School Demographics\*  
Compared to District of Location

	2016-2017			2017-2018		
	KIPP Infinity CS	NYC CSD 5	Differential to District	KIPP Infinity CS	NYC CSD 5	Differential to District
SWD	25%	25%	0	26%	26%	0
ELL/MLL	13%	11%	+2	16%	13%	+3
ED	86%	82%	+4	89%	84%	+5

*\*(1) For the students with disabilities and the ELL/MLL subgroups, both current and former members of the subgroups have been combined.*

*\*(2) Data in the table above represents a comparison between those grades served in the charter school to only those same grades in the district.*

## KIPP Freedom Charter School

Table 1: School Summary

<b>Name of Charter School</b>	KIPP Freedom Charter School
<b>Board Chair</b>	Rafael Mayer
<b>District of Location</b>	NYC CSD 10
<b>Opening Month/Year</b>	August 2018
<b>Current Charter Term</b>	August 1, 2018 – June 30, 2023
<b>Management Company</b>	KIPP NYC, LLC
<b>Partner(s)</b>	KIPP Foundation, Inc.
<b>Approved Grade Levels/ Number of Students</b>	K – Grade 10/ 947 students
<b>Proposed Revision</b>	<b>To merge KIPP NYC Public Charter Schools (an education corporation authorized by the Board of Regents to operate five charter schools) with and into KIPP NYC Public Charter Schools II (an Education Corporation authorized by the Board of Trustees of the State University of New York to operate two charter schools), with KIPP NYC Public Charter Schools II as the surviving education corporation under the amended name “KIPP NYC Public Charter Schools”</b>
<b>Timetable for Revision Implementation</b>	This Regents action would take effect <i>nunc pro tunc</i> on July 1, 2019.

KIPP NYC Public Charter Schools operates five schools authorized by the Board of Regents. The first school was chartered in 2003, and the most recent was chartered in 2018. The education corporation is seeking to merge with KIPP NYC Public Charter Schools II, an education corporation authorized by the State University of New York (SUNY) Trustees, which operates two schools.

All Board of Regents-authorized KIPP schools have 2017- 2018 Grades 3-8 ELA and Math scores that exceed the averages of their respective districts and the state. The schools are part of the national KIPP network of schools, and their mission is to graduate students with the strength of character and academic abilities needed to succeed in life, and to prove what is possible in urban schools. The network reports that eighty-five percent of its students come from low-income families, 97% are African American or Latino and all are selected by lottery. They have developed a KIPP Through College Program, and report a 50% college graduation rate. All KIPP schools use the Five Pillars as part of their key design:

1. High Expectations – Students in all grades follow a rigorous academic and character development program that has clearly defined and measurable high expectations.

2. More Time on Task – There are no shortcuts to success in academics and life. Students in grades K-12 participate in an extended school day, week and year. While the daily schedules may vary according to a given grade level, students spend approximately 67% more time on focused instruction each year.
3. Focus on Results – Using a wide variety of age and developmentally appropriate assessments and measures, KIPP schools focus on student achievement throughout all grades.
4. Power to Lead – KIPP principals maintain control over the essential elements of their respective budgets as well as their teachers and staff.
5. Choice and Commitment – Parents, students and teachers sign the Commitment to Excellence form to affirm their choice to be a part of the KIPP Team and Family as their commitment to ensuring the success of the students and the school. Although the form is not required as a prerequisite for admission, it provides a solid foundation of understanding and cooperation for all staff, families and students.

The schools expect the following benefits to result from the merger:

1. The ability to better serve students, families, staff, and the Crown Heights, Harlem, Washington Heights, and Bronx communities.
2. Operational efficiencies, which can be passed on to students, families and staff. In short, more streamlined, more efficient KIPP NYC schools will be in a better position to serve students cost-effectively. A single, merged governing board will be able to leverage its collective resources and capacity to advocate on behalf of all schools, resulting in more efficient and effective governance (due to reductions in compliance overhead).
3. A single audit for the constituent entities will streamline finance and accounting workflow and generate cost savings (for example, KIPP NYC staff would now execute one audit process instead of two separate audits).
4. A merged entity will yield enhanced buying power to procure employee benefits, insurance and other related services;
5. The constituent schools within the merged entity will be able to share staff and resources, which will be especially beneficial in delivering more differentiated programming for the highest performing students as well as students with learning differences and English Language Learners.
6. The merger will also provide important opportunities to streamline other operational and financial structures, and maximize workflow efficiencies and cost-savings, which will create more resources to directly support the educational services that are provided to students.

## **Summary of Public Comment**

As required by the Charter School Act, the New York City Department of Education held a public hearing about the proposed revision to the charters of the five schools operated by the KIPP NYC Public Charter Schools education corporation on March 28, 2019. There was one attendee present at the hearing. There was one public comment made in support and no public comments in opposition to the proposed charter revision.

**Merger of Democracy Prep Endurance Charter School  
and Democracy Prep New York Charter Schools<sup>2</sup>**

**Democracy Prep Endurance Charter School**

Table 1: School Summary

<b>Name of Charter School</b>	Democracy Prep Endurance Charter School
<b>Board Chair</b>	Khary Barnes
<b>District of Location</b>	NYC CSD 5
<b>Opening Month/Year</b>	August 2012
<b>Current Charter Term</b>	July 1, 2017 - June 30, 2022
<b>Management Company</b>	Democracy Prep Public Schools
<b>Partner(s)</b>	N/A
<b>Approved Grade Levels/ Number of Students</b>	K – Grade 4, 6 -12/ 1296 students
<b>Proposed Revision</b>	<b>To merge Democracy Prep Endurance Charter School (an education corporation authorized by the Board of Regents) with and into Democracy Prep New York Charter Schools (an Education Corporation authorized by the Board of Trustees of the State University of New York to operate four charter schools), with Democracy Prep New York Charter Schools as the surviving education corporation</b>
<b>Timetable for Revision Implementation</b>	This Regents action would take effect <i>nunc pro tunc</i> on July 1, 2019.

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<sup>2</sup> The merger described herein was approved by the SUNY Trustees on March 4, 2019, and notice was sent to the Board of Regents on April 11, 2019. The merger will be effective *nunc pro tunc* on July 1, 2019.

Table 2: Elementary/Middle School Assessment Proficiency Outcomes

		ELA					Math				
		Democracy Prep Endurance CS	NYC CSD 5	Differential to District	NYS	Differential to NYS	Democracy Prep Endurance CS	NYC CSD 5	Differential to District	NYS	Differential to NYS
All Students	2015-2016	41%	24%	+17	37%	+4	42%	14%	+28	34%	+8
	2016-2017	39%	25%	+14	40%	-1	36%	13%	+23	34%	+2
	2017-2018	44%	30%	+14	46%	-2	46%	17%	+29	40%	+6
SWD	2015-2016	17%	5%	+12	8%	+9	17%	3%	+14	8%	+9
	2016-2017	15%	7%	+8	10%	+5	20%	4%	+16	9%	+11
	2017-2018	24%	11%	+13	14%	+10	24%	6%	+18	12%	+12
ELL/MLL	2015-2016	11%	5%	+6	8%	+3	24%	3%	+21	14%	+10
	2016-2017	16%	4%	+12	8%	+8	28%	3%	+25	12%	+16
	2017-2018	38%	16%	+22	20%	+18	51%	8%	+43	21%	+30
ED	2015-2016	39%	20%	+19	27%	+12	40%	11%	+29	24%	+16
	2016-2017	37%	21%	+16	30%	+7	36%	10%	+26	24%	+12
	2017-2018	41%	26%	+15	36%	+5	45%	14%	+31	30%	+15

(1) Data in the table represents tested students in respective subgroups who scored proficiently (level 3 or above) on each NYS assessment.

(2) For the students with disabilities and the ELL/MLL subgroups, both current and former members of the subgroups have been combined.

(3) In some cases, the number of students in a subgroup was <5 students. For those subgroups, pursuant to NYSED business rules, the data was suppressed, and the subgroup category was not included for the applicable metric.

(4) Data in the table above represents a comparison between those grades served in the charter school to only those same grades in the district.

Table 3: Democracy Prep Endurance Charter School Demographics Compared to District of Location\*

	2016-2017			2017-2018		
	Democracy Prep Endurance CS	NYC CSD 5	Differential to District	Democracy Prep Endurance CS	NYC CSD 5	Differential to District
SWD	22%	25%	-3	24%	24%	0
ELL/MLL	7%	10%	-3	10%	11%	-1
ED	83%	78%	+5	80%	78%	+2

*\*(1) For the students with disabilities and the ELL/MLL subgroups, both current and former members of the subgroups have been combined.*

*\*(2) Data in the table above represents a comparison between those grades served in the charter school to only those same grades in the district.*

Democracy Prep Endurance Charter School is authorized by the Board of Regents. The school was chartered in 2010 and received a full-term renewal in 2017. The education corporation is seeking to merge with Democracy Prep New York Charter Schools (DPNY), an education corporation authorized by the State University of New York (SUNY) Trustees, which operates four schools. The first school was chartered in 2010, and the most recent in 2010. All Democracy Prep Schools are part of Democracy Prep Public Schools (DPPS), a non-profit charter management organization. In addition, the schools work collaboratively to serve students with disabilities through their Pathways program.

The schools expect the following benefits to result from the merger:

1. Merging all of the New York City education corporations managed by Democracy Prep Public Schools will allow for greater educational opportunity for students. Harlem Prep High School and Democracy Prep Endurance High School are located one floor apart in the Taino Towers. The merger would allow the schools to jointly offer AP classes and provide additional support for their students with disabilities, including, but not limited to, a potential joint self-contained classroom. In addition, the two schools can combine expertise and services for English language learners/multilingual learners and those students with limited formal education. Similarly, the DPNY middle schools are located in

close proximity to one another, and students will benefit more directly from shared programming and resources among those schools.

2. Democracy Prep’s Pathways program could be more easily extended with DPE a part of DPNY. Democracy Prep Harlem High School has also piloted a smaller “bridge” type program for high school students who need help with the transition to high school. A merged entity will allow for increased flexibility with staff and sharing of resources.
3. DPNY will have a streamlined governance structure. DPNY has proven over the past two years that a merged Board with robust subcommittees effectively provides regular oversight over the schools’ academics and operations. Individual board members have been able to lean in and learn about elementary, middle or high schools. The merged DPNY Board will allow those members with a strong commitment to Democracy Prep to continue to serve and pool their experience. A larger corporation with a single board should continue to mitigate any quorum difficulties. Experience has shown that the schools maintain their unique nature but are able to benefit as part of a new and larger entity.
4. DPNY will enjoy increased operational efficiencies. Contracts may be extended to serve all five schools. Banking relationships will be simplified and greater economies of scale realized. Having one employer for the staff of the merged schools will increase flexibility for each charter. Sharing resources and enrollment will mean that each school will be stronger.
5. DPNY will have one authorizer. The new DPNY will have one authorizer with consistent accountability plans and reporting requirements across each of the schools. This will provide for one consistent benchmark for all of Democracy Prep’s New York schools and one set of review standards.

### **Summary of Public Comment**

As required by the Charter School Act, the New York City Department of Education held a public hearing about the proposed revision to the Democracy Prep Endurance Charter School education corporation on March 6, 2019. There was one attendee present at the hearing. There was one public comment made in support and no public comments in opposition to the proposed charter revision.