



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO: P-12 Education Committee
FROM: Cosimo Tangorra, Jr. *Cosimo Tangorra Jr.*
SUBJECT: Charter Schools: Revision to Charter Authorized by the
Chancellor of the New York City Department of Education
(NYCDOE)

DATE: September 8, 2014

AUTHORIZATION(S): *J. B. 959.*
SUMMARY

Issue for Decision

Should the Regents approve the proposed charter revision for Beginning with Children Charter School (BwCCS) 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 come before the P-12 Education Committee and the Full Board for action at the September 2014 meeting of the Board of Regents.

Background Information

Beginning with Children Charter School (BwCCS or “the School”) was a conversion school first authorized by the Chancellor of the NYCDOE as a charter school for the 2001-02 school year. The School is in the third charter term and was issued a full renewal in April 2011. The School is projected to serve 420 students in Grades K-8 for the 2014-15 school year. The School is operating at authorized scale.

The School has submitted a charter revision request to the Chancellor of the NYCDOE to take the following actions: separate the School from the Beginning with Children Foundation (the “Foundation”), operate beginning with the 2014-15 school year without a charter management organization (“CMO”), and change its the bylaws to add up to three (3) non-voting members to include parent and teacher representation. The Chancellor of the NYCDOE approved the revision request and submitted it to the Regents for approval (see attachment).

The chart below outlines the material terms of the Beginning with Children Charter School’s charter and the proposed revision.

School	Beginning with Children Charter School
Current Board Chair	Amanda Haught and Patrick Kern
School Leader(s)	Les King
District of Location	CSD 14
Current Charter Term	Approved April 2011 for full term renewal, current charter expires June 30, 2016.
Management Company	As proposed, none
Partners	As proposed, none
Facility	(Grades K-5) 11 Bartlett Street, Brooklyn – Private (Grades 6-8) 185 Ellery Street, Brooklyn – DOE/Public
Projected Enrollment and Grade Span during Charter Term	School is currently operating at authorized scale serving grades K-8 with projected enrollment for 2014-15 of 420 students
Proposed Changes with Material Charter Revision	<ol style="list-style-type: none"> 1. Separate from the Foundation as both a partner and charter management organization. School will operate with an independent Board of Trustees and no CMO. The board seeks to amend the School’s organization structure to eliminate any partnership or relationship with a CMO in the future. 2. Revise bylaws to add up to three (3) non-voting members: one parent representative and up to two teacher representatives.

Recommendation

VOTED: That the Board of Regents finds that the proposed revised charter: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will permit the charter school to 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 the above listed charter revision as proposed by Chancellor of the NYCDOE and the provisional charter for the Beginning with Children Charter School is amended accordingly.

Timetable for Implementation

The Regents action for BwCCS would take effect immediately. The School's contract with the charter management organization ended June 30, 2014.

Attachments

School: Beginning with Children Charter School I (84K703)
CSD: 14
Enrollment/ Grades Served in 2014-2015 (at scale): K-8/ 420

Revision Background

- BwCCS received a full renewal in April 2011. At the time of renewal, the School demonstrated academic achievement and progress.
- Over the past two years for which the NYCDOE issued Progress Reports, the School earned an overall grade of B and was in the 54th percentile of all K-8 public schools in New York City in 2012-2013.
- The revision sought would not impact grades served or student enrollment.
- It is expected that the School will move to a new location for the ES grades in 2015-16 as the current facility is leased by the Foundation.
- The following describes the history of the charter school's relationship with the Foundation:
 - The Foundation was founded to raise additional funds for BwCCS; eventually the Foundation also became the CMO for the School.
 - The School employs teachers that are members of the United Federation of Teachers ("UFT").
 - Spring, 2013: The Foundation and the School's Board of Trustees ("BoT") sought to have the UFT collective bargaining agreement amended to include enhanced teacher development, frequent teacher observation, teacher evaluation that incorporates student performance, and changes to the School's schedule.
 - Summer, 2013: Negotiations with the UFT stalled and it was determined that the School and the Foundation would sever its relationship after the 2013-2014 school year.
 - November, 2013: The BwCCS BoT voted to surrender its charter citing academic concerns and fiscal/operational challenges due to the loss of the Foundation's support.
 - December, 2013: The parents of BwCCS organized in response to the decision made by the School's BoT. Through the assistance of counsel representing the parents, new members were identified for the board. A strategic committee which included the new board members was formed to review the School's organizational and fiscal viability.
 - January, 2014: The School's BoT rescinded the surrender decision.
- To facilitate the transition from a CMO-operated school to a community-based independent charter school, the School and BoT have made/will make a number of changes including the following.
 - The BoT assuming a more direct role in oversees the day-to-day operations of both the lower and middle schools.
 - The School has entered into a contract with Victory Education Partners for human resource and financial services support for back-office functions. This contract was awarded through a competitive bidding process.

- The School's BoT seeks to amend its bylaws regarding the constitution of the board.
 - The BwCCS BoT is in compliance with the number of board members currently required under its bylaws.
 - The BoT seeks to change its bylaws to include a non-voting parent and up to two non-voting teachers (one from the lower school and one from the middle school) to sit on the board.
 - This change is intended to develop transparent and sustainable governance that takes into account the voices of all constituent groups.
- The School has submitted a request for facility space to the NYC DOE for siting beginning in the 2015-16 school year. This facility request is under consideration.

Students scoring at or above Level 3 on NYS assessments, compared to CSD, NYC, and State averages

% Proficient in English Language Arts					
	2009-2010*	2010-2011*	2011-2012*	2012-2013*	2013-2014
Beginning With Children Charter School	39.1%	36.6%	43.4%	19.0%	17.8%
CSD 14	37.7%	39.6%	45.1%	22.5%	25%
<i>Difference from CSD 14</i>	1.4	-3.0	-1.7	-3.5	-7.2
NYC District	42.4%	43.9%	46.9%	26.4%	28.4%
<i>Difference from NYC District</i>	-3.3	-7.3	-3.5	-7.4	-10.6
New York State	52.5%	54.8%	55.2%	31.2%	31.4%
<i>Difference from New York State</i>	-13.4	-18.2	-11.8	-12.2	-13.6

% Proficient in Math					
	2009-2010*	2010-2011*	2011-2012*	2012-2013*	2013-2014
Beginning With Children Charter School	43.4%	50.9%	47.1%	15.0%	20.7%
CSD 14	49.3%	50.2%	56.5%	22.7%	27.2%
<i>Difference from CSD 14</i>	-5.9	0.7	-9.4	-7.7	-6.5
NYC	54.0%	57.3%	60.0%	29.6%	34.2%
<i>Difference from NYC</i>	-10.6	-6.4	-12.9	-14.6	-13.5
New York State	64.6%	64.6%	65.7%	28.9%	35.8%
<i>Difference from New York State</i>	-21.2	-13.7	-18.6	-13.9	-15.1

* All comparisons for 2009-2010 through 2012-2013 to either the CSD or NYC take into account only grades the school itself serves.

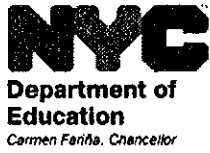
Performance on the NYC Progress Report (available through 2012-13 school year)

Progress Report Grade	2009-2010	2010-2011	2011-2012	2012-2013
Overall Grade	C	C	B	B
Student Progress	C	C	B	A
Student Performance	D	C	C	C
School Environment	B	A	B	C
Closing the Achievement Gap Points	0.5	1.0	3.6	4.2

Special Populations

	Free and Reduced Price Lunch					Students with Disabilities					English Language Learners				
	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
School	73.8%	73.2%	73.3%	74.5%	80.5%	13.0%	16.0%	18.2%	17.8%	18.1%	4.0%	6.8%	6.5%	7.4%	8.4%
CSD 14	57.7%	60.7%	62.5%	65.8%	70.4%	17.4%	18.1%	17.6%	17.9%	18.8%	15.1%	14.4%	13.4%	12.4%	12.1%
NYC	62.1%	65.3%	68.1%	69.8%	73.5%	15.9%	15.9%	15.7%	16.1%	17.1%	16.1%	16.1%	15.5%	15.0%	14.7%

Comparisons to both the CSD(s) and City are made against students in grades K-8, 9-12 or K-12 depending on the grades the school served in each school year. Special population figures are as of October 31st for each given school year, with the exception of the 2012-2013 school year, which is as of October 26th, 2012.



September 8, 2014

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

Dear Commissioner King,

Re: Material Charter Revision Approval Rationale – Beginning with Children Charter School 1

Commissioner King:

Please be advised that the New York City Department of Education (NYCDOE) has accepted the material charter revision request made by Beginning with Children Charter School 1 (the "School") located in Brooklyn, in community school district (CSD) 14. The School serves students in grades K-8. The School seeks to separate from its charter management organization (CMO) and partner, the Beginning with Children Foundation, and instead operate with an independent Board of Trustees and no CMO beginning in the 2014-15 school year. Further, the School seeks to amend its bylaws to add up to three (3) non-voting members, comprised of one parent representative and up to two teacher representatives.

To manage the organizational transition, the School's Board of Trustees will become more operationally focused and also has contracted with a third party services provider, Victory Education Partners, for human resource and financial services support for back-office functions.

As this is a material change the School's charter, a public hearing was held on September 4, 2014 to discuss the proposed revisions. There were approximately 30 attendees and 2 speakers; all speakers expressed support for the charter revisions sought by the School.

After reviewing the request, the NYCDOE finds that the proposed charter revision:

- i. will meet the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules, and regulations;
- ii. will permit the charter school to operate in an educationally and fiscally-sound manner; and
- iii. 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.

As the charter authorizing entity, I approve this material charter revision request. If you require any further information please contact us. The NYCDOE recognizes that the Board of Regents may take up to 90 days from the receipt of the proposed revision to review the recommended material change. If we do not hear from you within that timeframe, the NYCDOE will deem the recommended material revision to be approved by the Board of Regents.

Sincerely,



Chancellor Carmen Fariña
Chancellor
New York City Department of Education

CC:

Amanda Haught, Co-Board Chair Beginning with Children Charter School 1
Patrick Kern, Co-Board Chair Beginning with Children Charter School 1
DawnLynne Kacer, Office of School Design and Charter Partnerships Executive Director, NYC DOE
Bill Clarke, Executive Director, Charter Schools Office NYSED

Enclosure(s):

School's rationale cover letter, Board minutes recording the charter amendment vote, Public hearing notice