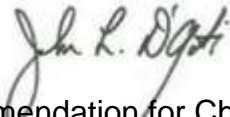




**TO:** P-12 Education Committee  
**FROM:** John L. D'Agati   
**SUBJECT:** Revision Recommendation for Charter School Authorized by the Board of Regents – Rochester Academy Charter School  
**DATE:** December 3, 2020

**AUTHORIZATION(S):**

**SUMMARY**

**Issue for Decision**

Should the Board of Regents approve the proposed revision recommendation for Charter School Authorized by the Board of Regents - Rochester Academy Charter School?

**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 its December 2020 meeting.

**Procedural History**

The New York State Education Department (the Department) is making a recommendation to the Board of Regents for approval and issuance of a charter revision as required by Article 56 of the Education Law.

**Background Information**

The Department recommends that the Board of Regents amend the charter of Rochester Academy Charter School.

## Statutory Requirements Pertaining to Regents Decision Making

Article 56 of the Education Law created charter schools to:

- (a) Improve student learning and achievement;
- (b) Increase learning opportunities for all students, with special emphasis on expanded learning experiences for students who are at-risk of academic failure;
- (c) Encourage the use of different and innovative teaching methods;
- (d) Create new professional opportunities for teachers, school administrators and other school personnel;
- (e) Provide parents and students with expanded choices in the types of educational opportunities that are available within the public school system; and
- (f) Provide schools with a method to change from rule-based to performance-based accountability systems by holding the schools established under this article accountable for meeting measurable student achievement results.

The Board of Regents is bound by law, regulation, and Regents-endorsed internal policies regarding the criteria that can be considered when making decisions pertaining to the authorization of new charter schools, charter school renewals, and charter school revisions. Those criteria are set forth in Section 2852(2) of the Education Law:

- (a) Does the charter school described in the application meet the requirements set out in applicable laws, rules, and regulations?
- (b) Does the charter school demonstrate the ability to operate the school in an educationally and fiscally sound manner?
- (c) Will approving the charter school action make it likely to improve student learning and achievement and materially further the purposes of the law?
- (d) In a school district where the total enrollment of resident students attending charter schools in the base year is greater than 5 percent of the total public school enrollment of the school district in the base year, (i) would granting the application have a significant educational benefit to the students expected to attend the proposed charter school, or (ii) did the school district in which the charter school will be located consent?

The Board of Regents endorsed the Charter School Performance Framework—with its ten academic, organizational, and legal domains—to operationalize the criteria that can be considered when making decisions about the authorization of new charter schools, charter school renewals, and charter school revisions as set forth in Section 2852(2) of the Education Law.

### Performance Framework

The Board of Regents Charter School Performance Framework (see Attachment A), 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 Charter School Performance Framework sets forth ten performance benchmarks in these three areas. The Charter School Performance Framework is designed to focus on performance outcomes, preserve operational autonomy, and facilitate transparent feedback to schools. It aligns with the Department's ongoing accountability and effectiveness work under the Every Student Succeeds Act (ESSA) and holds charter schools accountable to standards set forth in Education Law. Generally, charter schools are required to demonstrate performance outcomes that exceed those of traditional public schools.

### **Related Regents Items**

#### **Rochester Academy Charter School**

January 2008 [Issuance of Initial Charter for the Rochester Academy Charter School](http://www.regents.nysed.gov/meetings/2008Meetings/January2008/0108emsca4.htm)  
(<http://www.regents.nysed.gov/meetings/2008Meetings/January2008/0108emsca4.htm>)

January 2013 [Charter Schools: Short-term Renewals for 3 Charter Schools Authorized by the Board of Regents](http://www.regents.nysed.gov/common/regents/files/113p12a2%5B1%5D.pdf)  
(<http://www.regents.nysed.gov/common/regents/files/113p12a2%5B1%5D.pdf>)

March 2013 [Renewal Decisions for Charter Schools Authorized by the Board of Regents: Niagara Charter School and Rochester Academy Charter School](http://www.regents.nysed.gov/common/regents/files/313p12a3%5B1%5D.pdf)  
(<http://www.regents.nysed.gov/common/regents/files/313p12a3%5B1%5D.pdf>)

February 2014 [Decisions for Charter Schools Authorized by the Board of Regents](http://www.regents.nysed.gov/common/regents/files/214p12a4%5B1%5D_0.pdf)  
([http://www.regents.nysed.gov/common/regents/files/214p12a4%5B1%5D\\_0.pdf](http://www.regents.nysed.gov/common/regents/files/214p12a4%5B1%5D_0.pdf))

March 2017 [Renewal Decisions for Charter Schools Authorized by the Board of Regents](https://www.regents.nysed.gov/common/regents/files/317p12a4.pdf)  
<https://www.regents.nysed.gov/common/regents/files/317p12a4.pdf>

### **Recommendation**

It is recommended that the Board of Regents take the following action:

VOTED: That the Board of Regents finds that: (1) the charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to amend the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision 2 of Section 2850 of Article 56 of the Education Law; and (4) granting the request to amend the charter will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents, therefore, approves the

charter revision for **Rochester Academy Charter School** and amends the provisional charter accordingly.

**Timetable for Implementation**

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

**New York State Education Department  
2015 Charter School Performance Framework**

<b>Performance Benchmark</b>	
<b>Educational Success</b>	<b>Benchmark 1: Student Performance:</b> 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).
	<b>Benchmark 2: Teaching and Learning:</b> 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.
	<b>Benchmark 3: Culture, Climate, and Family Engagement:</b> 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.
<b>Organizational Soundness</b>	<b>Benchmark 4: Financial Condition:</b> The school is in sound and stable financial condition as evidenced by performance on key financial indicators.
	<b>Benchmark 5: Financial Management:</b> 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.
	<b>Benchmark 6: Board Oversight and Governance:</b> 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.
<b>Faithfulness to Charter &amp; Law</b>	<b>Benchmark 7: Organizational Capacity:</b> 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.
	<b>Benchmark 8: Mission and Key Design Elements:</b> The school is faithful to its mission and has implemented the key design elements included in its charter.
	<b>Benchmark 9: Enrollment, Recruitment, and Retention:</b> 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.
	<b>Benchmark 10: Legal Compliance:</b> The school complies with applicable laws, regulations, and the provisions of its charter.

## Rochester Academy Charter School

**Table 1: School Summary**

<b>Name of Charter School</b>	Rochester Academy Charter School
<b>Board Chair</b>	William D. Middleton
<b>District of Location</b>	Rochester City School District
<b>Opening Date</b>	Fall 2008
<b>Current Term Authorized Grades/Approved Enrollment</b>	K-Grade 4, 6-12/ 750 Students
<b>Comprehensive Management Service Provider</b>	None
<b>Facilities</b>	<ul style="list-style-type: none"> <li>• 841 Genesee Street, Rochester, New York 14611/Private Space</li> <li>• 1757 Latta Road, Rochester, New York 14612/Private Space</li> <li>• 125 Kings Highway South, Rochester, New York 14617/Private Space</li> </ul>
<b>Mission Statement</b>	<i>The mission of the Rochester Academy Charter School (RACS) is to provide students with rigorous, challenging academics through hands-on, meaningful learning opportunities that will provide them with the skills necessary to be successful academically, socially, and emotionally.</i>
<b>Key Design Elements</b>	<ul style="list-style-type: none"> <li>• Provide students with the skills and experiences necessary that will help them master the knowledge detailed in the New York State Learning Standards.</li> <li>• Provide a strong focus on Mathematics and Science.</li> <li>• Build a strong supervisory and monitoring system that will provide individualized attention to each student.</li> <li>• Provide broad tutoring services that will help students address learning needs and/or issues with specific content.</li> <li>• Build strong parent/student/school relationships.</li> <li>• Require enhanced professional development for staff members.</li> <li>• Build partnerships with community organizations and other educational institutions.</li> </ul>
<b>Proposed Revisions</b>	<b>A revision to move the school's K-Grade 4 from East Irondequoit CSD to Gates-Chili CSD to a more appropriate facility for the elementary grades for the 2021-2022 school year. Pursuant to the school's charter, mission, and vision, the school will still have an enrollment preference for students in the Rochester City School District.</b>

The requested revision will have no bearing on the number of students being served by this charter school, which will not change, nor will it impact the number of charters available for issuance in New York City or the State. The new space would be closer to the existing middle school and the City of Rochester (3.1 miles versus the current location which is 6.8 miles away). The school has a mission to serve children from Rochester, will continue to have one, and has a lottery preference for this.

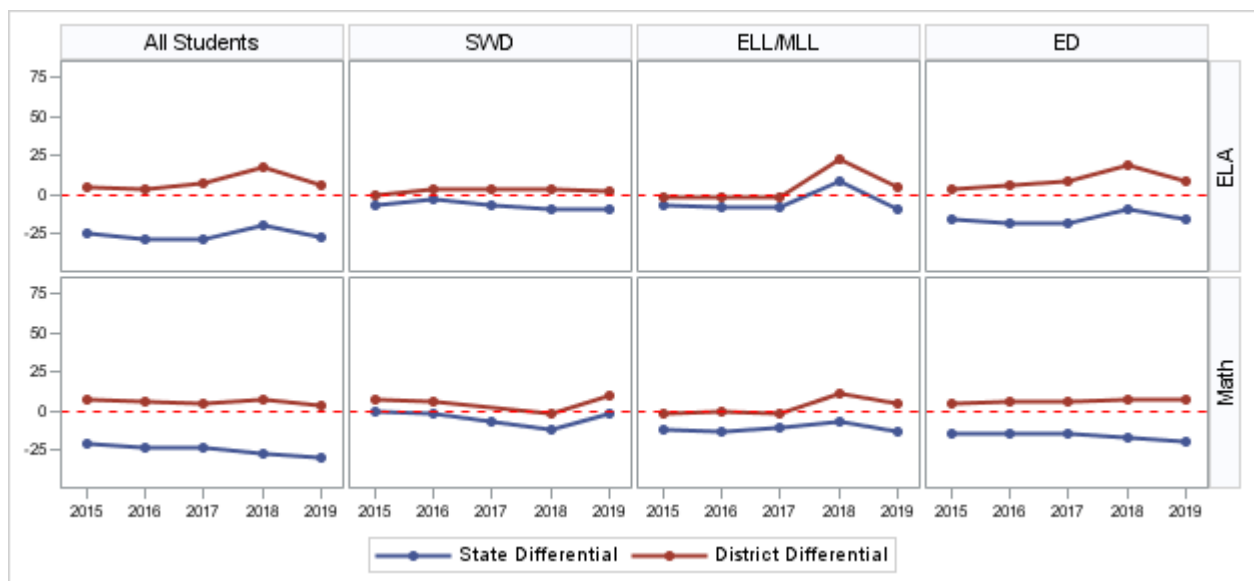
In September 2008, the Board of Regents approved and chartered the Rochester Academy Charter School ("RACS" or "the school") in the Rochester City School District. The school's educational program focuses on establishing an environment characterized by teamwork and communication and offers rigorous, high-quality, data-driven instruction in a supportive atmosphere that strives to meet students' individual academic, emotional, physical, social, and language-learning needs.

The school's trustees request that the Board of Regents approve a material revision to the school's charter to allow the school to relocate the elementary grades from 125 Kings Highway South, Rochester, New York 14617 to 310 Hinchey Road, Gates, New York 14624. This revision would allow the school to house its elementary grades in a dedicated site, closer in proximity to its middle school site.

**Table 2: Rochester Academy Charter School Approved Enrollment For the Current Charter Term**

	<b>Year 1 2017-2018</b>	<b>Year 2 2018-2019</b>	<b>Year 3 2019-2020</b>	<b>Year 4 2020-2021</b>	<b>Year 5 2021-2022</b>
<b>Grade Configuration</b>	Grades 6-12	K-Grade 1, 6-12	K-Grade 2, 6-12	K-Grade 3, 6-12	K-Grade 4, 6-12
<b>Total Approved Enrollment</b>	420	552	618	684	750

**Figure 1: Elementary/Middle School Assessment Proficiency State and District Differentials Over Time Comparison to Rochester City School District**



**Table 3: Elementary/Middle School Assessment Proficiency Outcomes: Charter School, District & NYS**

		ELA					Math				
		Rochester Academy CS	Rochester CSD	Differential to District	NYS	Differential to NYS	Rochester Academy CS	Rochester CSD	Differential to District	NYS	Differential to NYS
All Students	2014-2015	8%	3%	+5	32%	-24	9%	2%	+7	29%	-20
	2015-2016	10%	6%	+4	38%	-28	8%	2%	+6	31%	-23
	2016-2017	16%	8%	+8	44%	-28	8%	3%	+5	31%	-23
	2017-2018	27%	10%	+17	46%	-19	13%	6%	+7	40%	-27
	2018-2019	18%	12%	+6	45%	-27	13%	9%	+4	42%	-29
SWD	2014-2015	0%	0%	0	6%	-6	7%	0%	+7	7%	0
	2015-2016	5%	1%	+4	8%	-3	6%	0%	+6	7%	-1
	2016-2017	5%	2%	+3	12%	-7	0%	0%	.	7%	-7
	2017-2018	5%	1%	+4	14%	-9	0%	1%	-1	12%	-12
	2018-2019	4%	2%	+2	13%	-9	12%	2%	+10	13%	-1
ELL/MLL	2014-2015	0%	1%	-1	6%	-6	0%	2%	-2	12%	-12
	2015-2016	0%	1%	-1	8%	-8	0%	0%	0	13%	-13
	2016-2017	0%	1%	-1	8%	-8	0%	1%	-1	11%	-11
	2017-2018	29%	6%	+23	20%	+9	14%	3%	+11	21%	-7
	2018-2019	10%	5%	+5	19%	-9	10%	5%	+5	23%	-13
ED	2014-2015	6%	3%	+3	21%	-15	7%	2%	+5	21%	-14
	2015-2016	10%	4%	+6	28%	-18	8%	2%	+6	22%	-14
	2016-2017	16%	7%	+9	34%	-18	8%	2%	+6	22%	-14
	2017-2018	27%	8%	+19	36%	-9	13%	5%	+8	30%	-17
	2018-2019	19%	10%	+9	35%	-16	14%	7%	+7	33%	-19



**Table 4: Regents 4-Year Cohort Outcomes**

		All Students				ED			
		Charter Total Cohort	Rochester Academy CS	NYS	Differential to NYS	Charter Total Cohort	Rochester Academy CS	NYS	Differential to NYS
ELA	2012 Cohort	44	89%	85%	+4	42	88%	79%	+9
	2013 Cohort	60	93%	85%	+8	60	93%	80%	+13
	2014 Cohort	47	91%	84%	+7	43	91%	78%	+13
	2015 Cohort	45	96%	84%	+12	44	95%	79%	+16
Global History	2012 Cohort	44	82%	78%	+4	42	81%	70%	+11
	2013 Cohort	60	90%	78%	+12	60	90%	70%	+20
	2014 Cohort	47	83%	77%	+6	43	84%	69%	+15
	2015 Cohort	45	73%	78%	-5	44	73%	70%	+3
Math	2012 Cohort	44	98%	86%	+12	42	98%	81%	+17
	2013 Cohort	60	95%	85%	+10	60	95%	80%	+15
	2014 Cohort	47	91%	83%	+8	43	93%	77%	+16
	2015 Cohort	45	91%	84%	+7	44	91%	78%	+13
Science	2012 Cohort	44	95%	84%	+11	42	95%	78%	+17
	2013 Cohort	60	95%	84%	+11	60	95%	78%	+17
	2014 Cohort	47	89%	83%	+6	43	91%	76%	+15
	2015 Cohort	45	87%	83%	+4	44	86%	76%	+10
US History	2012 Cohort	44	95%	81%	+14	42	95%	74%	+21
	2013 Cohort	60	93%	81%	+12	60	93%	74%	+19
	2014 Cohort	47	91%	80%	+11	43	91%	72%	+19
	2015 Cohort	45	84%	79%	+5	44	84%	71%	+13

**Table 4: High School Graduation Rates**

		All Students				ED			
		Charter Total Cohort	Rochester Academy CS	NYS Graduation Rate	Differential to NYS	Charter Total Cohort	Rochester Academy CS	NYS Graduation Rate	Differential to NYS
2011 Cohort	4 Year	42	90%	80%	+10	37	89%	73%	+16
	5 Year	40	95%	84%	+11	35	94%	79%	+15
	6 Year	40	95%	85%	+10	35	94%	81%	+13
2012 Cohort	4 Year	44	98%	82%	+16	42	98%	75%	+23
	5 Year	43	100%	85%	+15	39	100%	80%	+20
	6 Year	43	100%	86%	+14	39	100%	82%	+18
2013 Cohort	4 Year	60	92%	82%	+10	60	92%	76%	+16
	5 Year	60	93%	85%	+8	59	93%	80%	+13
	6 Year	60	93%	86%	+7	59	93%	82%	+11
2014 Cohort	4 Year	47	96%	83%	+13	43	95%	76%	+19
	5 Year	47	96%	86%	+10	43	95%	81%	+14
2015 Cohort	4 Year	45	98%	83%	+15	44	98%	77%	+21

**Table 5: Student Demographics Comparison with District of Location**

	SWD			ELL/MLL			ED		
	Rochester Academy CS	Rochester CSD	Differential to District	Rochester Academy CS	Rochester CSD	Differential to District	Rochester Academy CS	Rochester CSD	Differential to District
2015-2016	11%	20%	-9	8%	15%	-7	94%	88%	+6
2016-2017	13%	20%	-7	6%	16%	-10	100%	88%	+12
2017-2018	11%	22%	-11	4%	19%	-15	99%	89%	+10
2018-2019	12%	21%	-9	4%	18%	-14	100%	89%	+11
2019-2020	7%	22%	-15	6%	18%	-12	100%	89%	+11

**Table 6: Retention Comparison with Rochester City School District**

	All Students			SWD			ELL/MLL			ED		
	Rochester Academy Charter School	Rochester CSD	Differential to District	Rochester Academy Charter School	Rochester CSD	Differential to District	Rochester Academy Charter School	Rochester CSD	Differential to District	Rochester Academy Charter School	Rochester CSD	Differential to District
2016-2017	79%	81%	<b>-2</b>	87%	78%	<b>+9</b>	67%	79%	<b>-12</b>	78%	81%	<b>-3</b>
2017-2018	76%	84%	<b>-8</b>	70%	79%	<b>-9</b>	41%	81%	<b>-40</b>	76%	83%	<b>-7</b>
2018-2019	78%	83%	<b>-5</b>	75%	80%	<b>-5</b>	73%	81%	<b>-8</b>	78%	83%	<b>-5</b>
2019-2020	75%	83%	<b>-8</b>	73%	87%	<b>-14</b>	90%	85%	<b>-5</b>	75%	86%	<b>-11</b>

**Summary of Public Comment**

The required public hearing was held by the East Irondequoit Central School District on November 17, 2020. No one attended, and no one spoke. The required public hearing was held by the Gates-Chili Central School District on November 24, 2020. No people attended, and none spoke.