



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

TO: P-12 Education Committee
FROM: Angelique Johnson-Dingle *Johnson-Dingle*
SUBJECT: Revisions to Charters Authorized by the Board of Regents
DATE: December 1, 2022
AUTHORIZATION(S): *Betty M...*

SUMMARY

Issue for Decision

Should the Board of Regents approve the revision recommendations for the following charter schools authorized by the Board of Regents?

- **American Dream Charter School II** (Revisions to (1) decrease the authorized enrollment from 616 students to 450 students, (2) amend the educational philosophy, program, goals, curriculum model, policies, and overall school design (3) amend the mission, (4) amend the vision, (5) amend the Key Design Elements, and (6) amend the organizational/leadership structure and staffing plan to reflect significant changes).
- **Innova Girls Academy Charter School** (Revisions to amend its organizational/leadership structure and staffing plan to reflect significant changes).
- **Staten Island Hebrew Public Charter School** (Revision to decrease the authorized enrollment for year 1 from 162 students to 115 students).

Reason(s) for Consideration

Required by State statute.

Proposed Handling

This issue will come before the P-12 Education Committee for recommendation to the Full Board for action at its December 2022 meeting.

Procedural History

The New York State Education Department (the Department) made the revision recommendations being presented to the Board of Regents for approval as required by Article 56 of the Education Law.

Background Information

The Board of Regents and the Department are bound by law, regulation, and Regents-endorsed policies regarding the criteria that can be considered in decision-making pertaining to the authorization of new charter schools, charter school renewals, and charter school revisions. Detailed information on these laws, regulations and Regents-endorsed internal policies can be found in the Appendix.

Related Regents Items

American Dream Charter School II (formerly Education Unlimited Lyceum Charter School)

November 2018 [Initial Charter](https://www.regents.nysed.gov/common/regents/files/1118p12a1.pdf)
(<https://www.regents.nysed.gov/common/regents/files/1118p12a1.pdf>)

March 2022: [A Revision to change the name of the charter school to American Dream Charter School II](https://www.regents.nysed.gov/common/regents/files/322p12a2.pdf)
(<https://www.regents.nysed.gov/common/regents/files/322p12a2.pdf>)

Innova Girls Academy Charter School

November 2021 [Initial Charter](https://www.regents.nysed.gov/common/regents/files/1121p12a1.pdf)
(<https://www.regents.nysed.gov/common/regents/files/1121p12a1.pdf>)

Staten Island Hebrew Public Charter School

November 2018 [Initial Charter](https://www.regents.nysed.gov/common/regents/files/1118p12a1.pdf)
(<https://www.regents.nysed.gov/common/regents/files/1118p12a1.pdf>)

June 2022 [Revisions to Key Design Elements, Organizational chart, and Schedule](https://www.regents.nysed.gov/common/regents/files/622p12a8.pdf)
(<https://www.regents.nysed.gov/common/regents/files/622p12a8.pdf>)

Recommendation

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

VOTED: That the Board of Regents finds that: (1) the **American Dream Charter School II** 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 two of section twenty-eight hundred fifty 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 **American Dream Charter School II** and amends the provisional charter accordingly.

VOTED: That the Board of Regents finds that: (1) the **Innova Girls Academy 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 two of section twenty-eight hundred fifty 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 **Innova Girls Academy Charter School** and amends the provisional charter accordingly.

VOTED: That the Board of Regents finds that: (1) the **Staten Island Hebrew Public 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 two of section twenty-eight hundred fifty 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 **Staten Island Hebrew Public Charter School** and amends the provisional charter accordingly.

Timetable for Implementation

The Board of Regents action for the above-named charter schools will become effective immediately.

American Dream Charter School II

In accordance with Education Law, Article 56, **the New York State Education Department recommends that this charter school be permitted to revise its** charter to decrease its maximum authorized enrollment from 616 students to 450 students by year 5 of its charter term; and amend the school’s educational philosophy; program; goals; curriculum model; policies; overall school design, including the elimination of the summer school program; mission; vision; Key Design Elements; organizational/leadership structure; and staffing plan to reflect significant changes.

Note that American Dream Charter School II is scheduled to commence instruction in fall 2023.

Table 1: Charter School Summary

Name of Charter School	American Dream Charter School II
Board Chair	Luz Maria Rojas
District of Location	NYC CSD 6 ¹
Initial Commencement of Instruction	Fall 2023
Current Term Authorized Grades /Approved Enrollment	Kindergarten - Grade 5 / 616 students
Mission Statement	<i>The mission of the Education Unlimited Lyceum Charter School (EULCS) is to provide an emotionally and intellectually supportive K-5th dual-immersion, STEM-focused learning environment, dedicated to student achievement by cultivating the best in each child. The majority of students will reach proficiency on NYS exams in ELA, Math, and Science and proficiency in two languages by the end of elementary school.</i>
Key Design Elements	<ul style="list-style-type: none"> • Instruction Content Blocks • STEM Education • Dual-Immersion Programming • Cambridge Primary • Teaching Tolerance • Physical Education • Parent Involvement

¹ Eleven percent of all students residing in this district attend charter schools.

Recommended Material Revisions

- Decrease maximum authorized enrollment from 616 students to 450 students, by year 5 of its charter term.
- Amend the school’s educational philosophy, program, goals, curriculum model, policies, and overall school design, including the elimination of the summer school program, to align with the original American Dream Charter School model.
- Amend the above-listed mission **to** “the mission of the American Dream Charter School II is to develop academic excellence in both Spanish and English, preparing students to excel in middle and high school and become leaders in their communities.”
- Amend its vision **from**: “EULCS Vision is a 21st-century whole child model of education fostering: Language Arts Literacy, Numeracy and Math Literacy, Scientific Literacy, Computer literacy, Cultural and Civic Literacy, and a school where students are encouraged to be curious, creative and critical thinkers.”, **to** “The vision of American Dream Charter School II is to cultivate an environment that is welcoming and encouraging for English language learners (ELL) and immigrant students where learning and language development experience is supported. Our students will be promoted from the American Dream Charter School II better prepared for the achievement of becoming bilingual and biliterate in English and Spanish. This model of instruction is designed to allow students to achieve academic success in two languages based on models that support language acquisition, both home language and new language acquisition.”
- Amend its Key Design Elements **from** a) Instruction Content Blocks; b) STEM Education; c) Dual-Immersion Programming; d) Cambridge Primary; e) Teaching Tolerance; f) Physical Education; and g) Parent Involvement **to** a) Dual Language Program; b) Project and Experiential Based Learning; c) Culturally Responsive Instruction; d) Data Driven Instruction and Assessment; e) Teacher Development and Support; f) June MiniMester (accelerated two-week course); g) DREAM Advisory; and h) a two-week intensive Teacher Academy.
- Amend its organizational/leadership structure and staffing plan to reflect significant changes upon approval.

Table 2: Current Grade Levels and Approved Enrollment

	Year 1 2019 to 2020	Year 2 2020 to 2021	Year 3 2021 to 2022	Year 4 2022 to 2023	Year 5 2023 to 2024
Grade Configuration	K - Grade 1	K - Grade 2	K - Grade 3	K - Grade 4	K - Grade 5
Total Approved Enrollment	160	248	388	504	616

***Table 3: Recommended Grade Levels and Recommended Enrollment**

	Year 1 2023 to 2024	Year 2 2024 to 2025	Year 3 2025 to 2026	Year 4 2026 to 2027	Year 5 2027 to 2028
Grade Configuration	K - Grade 1	K - Grade 2	K - Grade 3	K - Grade 4	K - Grade 5
Total Recommended Enrollment	150	225	300	375	450

*The proposed chart was submitted by the American Dream Charter School II. It is subject to change pending the final revision recommendation and approval by the Board of Regents.

Rationale for Revisions Recommendation

NYSED recommends that the Board of Regents approve the revisions described above in the **Issue for Decision** section, for the following reasons.

In November 2018, the Board of Regents approved and chartered the Education Unlimited Lyceum Charter School (“EULCS” or “the school”) in New York City Community School District 6 (NYC CSD 6). The school’s educational program was to focus on creating a high-quality Dual Language, STEM program for students in kindergarten through Grade 5 in Washington Heights (NYC CSD 6).

Over a year ago, EULCS began a partnership with ADCS whose mission was closely aligned to EULCS to provide academic, community building, and student/teacher recruitment support. The partnership has been positive to the point that ADCS board members were invited to join the EULCS board, and EULCS decided to seek approval to rename the school as the ADCS II. The name change, high capacity of ADCS, and community recognition of ADCS’s reputation for its high-quality dual-immersion program, along with its strong connections and partnerships in the southern Bronx and northern Manhattan, will put the school in the best position to best serve the community the school was chartered to serve.

In March 2022, the Board of Regents approved the trustees’ material charter revision to allow the school to change its name to American Dream Charter School II (ADCS II), to reflect the school’s partnership with the existing Board of Regents-authorized American Dream Charter School (ADCS) located in the Bronx (NYC CSD 7).

As a result of the changes in the community due to the pandemic and continuing community engagement, the school proposed the revisions presented in this item. During the 2022-2023 academic year, the Board of Trustees and leaders are actively building its staff and establishing a stakeholder community primarily through the recruitment of students/families. The Board of Trustees and staff are deeply engaged with future students, families, staff, and community partners. Community Outreach Committees are planned to help create, review, and recommend actions in collaboration with staff to maintain positive relationships with parents and the community. Strategies to accomplish the goal of building and maintaining strong connections are noted in the revision materials. Those strategies include conducting home visits, establishing an active Parent Association, and building relationships with not-for-profit organizations and local agencies.

Based on the existing successful model from its partner school in the Bronx, the educational program focuses on developing student academic excellence in both Spanish and English, preparing students to excel in middle

and high school, and supporting students in becoming leaders in their communities as described in the proposed charter revision request.

The school's trustees request that the Board of Regents approve material revisions to the school's charter to allow the school to decrease its maximum authorized enrollment from 616 students to 450 students by year 5 of its charter term; amend its educational philosophy, program, goals, curriculum model, policies, and overall school design including the elimination of summer school; amend its mission; amend its vision; amend its Key Design Elements; and amend its organizational/leadership structure and staffing plan to reflect significant changes (including the addition of an executive director, chief of staff, operations director and operations managers, data analysts, human resources coordinator, directors/deans, etc.) beginning in Year 1 of operation.

Approving these revision requests will result in a significant educational benefit to the students expected to attend the charter school, because the board of trustees of ADCS II, which has successfully operated a dual-immersion program at ADCS for eight years, will provide the expertise and support needed to best attract, retain, and support students for this program.

Approving this revision request is likely to improve student learning and achievement because the school will develop student academic excellence in both Spanish and English, prepare students to excel in middle and high school, and become leaders in their communities, as evidenced at ADCS in the Bronx.

These revisions would allow the school to enroll a lower number of students than planned, which is realistic based on changes in the community since the COVID-19 pandemic began. Changes to the charter of ADCS II will allow the school to provide the same high-quality levels of student growth and academic achievement that are experienced at ADCS.

Summary of Public Comment

The required public hearing was held by the New York City Department of Education (NYCDOE) on October 13, 2022. One person from the school attended and responded to NYCDOE questions. No one from the community spoke in favor or in opposition to the revision.

Innova Girls Academy Charter School

In accordance with Education Law, Article 56, **the New York State Education Department recommends that this charter school be permitted to amend its** organizational chart to reflect significant changes beginning in the 2023-2024 school year.

Note that Innova Girls Academy Charter School is a newly authorized charter school and is scheduled to commence instruction in fall 2023.

Table 1: Charter School Summary

Name of Charter School	Innova Girls Academy Charter School
Board Chair	Jonathan Nwagbaraocha
District of Location	Rochester City School District ²
Initial Commencement of Instruction	Fall 2023
Current Term Authorized Grades / Approved Enrollment	Kindergarten - Grade 6 / 312 students
Mission Statement	<i>In an inclusive school community focused on STEAM, Innova Girls Academy Charter School empowers girls in K-Grade 6 to excel as innovative leaders and confident problem-solvers.</i>
Key Design Elements³	<ul style="list-style-type: none"> • STEAM education unlocks doors. • An all-girls setting develops leaders. • Classrooms should spark curiosity and creativity to build strong academic foundations. • All students should thrive at school. • A great teacher can inspire excellence. • We believe in the power of partnerships.
Recommended Material Revisions	<ul style="list-style-type: none"> • Amend the charter school’s organizational chart to reflect significant changes beginning in the 2023-2024 school year, the first year of operation for this school.

Table 2: Current Grade Levels and Approved Enrollment

	Year 1 2023 to 2024	Year 2 2024 to 2025	Year 3 2025 to 2026	Year 4 2026 to 2027	Year 5 2027 to 2028
Grade Configuration	K - Grade 2	K - Grade 3	K - Grade 4	K - Grade 5	K - Grade 6
Total Approved Enrollment	104	156	208	260	312

² Eleven percent of all students residing in this district attend charter schools.

³ The school’s detailed Key Design Elements as approved by the Board of Regents are set forth on page four of their initial charter application.

Rationale for Revision Recommendation

NYSED recommends that the Board of Regents approve the revision described above in the **Issue for Decision** section, for the following reasons.

In November 2021, the Board of Regents approved and chartered the Innova Girls Academy Charter School (“IGACS” or “the school”) in the Rochester City School District. The school’s educational program focuses on a STEAM-focused curriculum designed to empower girls to excel as innovative leaders and confident problem-solvers, through a unique partnership with the Girl Scouts of Western New York. The school, when open, is expected to implement its mission, key design elements, education program, and organizational plan set forth in its charter.

The school’s trustees request that the Board of Regents approve a material revision to the school’s charter to allow the school to amend its organizational chart to reflect significant changes beginning in the 2023-2024 school year. Specifically, the IGACS seeks approval to adjust the leadership structure that was proposed in the initial charter application. The initial application proposed a year 1 leadership team that included one head of school, one operations manager, and one dean of curriculum and instruction. IGACS seeks to reconfigure these three positions into two new positions: head of school academics and head of school operations. This change would also allow for the hiring of a full-time dean of student supports and full-time English language learning specialist in year 1 of operation.

Approving this revision request will result in a significant educational benefit to the students expected to attend the charter school because this revision allows for an increase in distributed leadership on the IGACS leadership team. The school will move away from a hierarchical approach with one leader in the head of school position to a head of school academics and a head of school operations.

Approving this revision request is likely to improve student learning and achievement because current research on best practices in school leadership indicates that distributed leadership will allow for improved school outcomes. The model proposed by the IGACS board mirrors the dual leadership model employed at other charter schools, which describes this model as “critical to ensuring both instructional and operational excellence in our schools.” The revision will allow the school to hire a full-time English language learning specialist in the first year of operation making IGACS an appealing option for newly arriving immigrant families to Rochester who are interested in single-gender educational options for their children.

Summary of Public Comment

The required public hearing was held by Rochester City School District on September 22, 2022. No one attended. No comments were submitted.

Staten Island Hebrew Public Charter School

In accordance with Education Law, Article 56, **the New York State Education Department recommends that this charter school be permitted to revise its charter** to decrease its authorized enrollment for year 1 from the currently approved 162 students to 115 students.

Table 1: Charter School Summary

Name of Charter School	Staten Island Hebrew Public Charter School
Board Chair	David N. Sorkin
District of Location	NYC CSD 31 ⁴
Initial Commencement of Instruction	Fall 2022
Current Term Authorized Grades / Approved Enrollment	K- Grade 5 / 522 students
Comprehensive Management Service Provider	Hebrew Public: Charter Schools for Global Citizens
Facilities	ES: 829 Father Capodanno Blvd., Staten Island, NY 10305 – Private Space
Mission Statement	<i>Staten Island Hebrew Public Charter School is an exceptional, diverse public charter school that teaches Modern Hebrew to children of all backgrounds and prepares them to be successful global citizens.</i>
Key Design Elements	<ul style="list-style-type: none"> • Modern Hebrew language instruction through the proficiency approach. • Academic differentiation for every learner, including robust supports for students with disabilities. • Diverse by design school community. • Emphasis on social-emotional learning. • Emphasis on developing the traits of global citizens such as empathy, cross-cultural communication, and civic engagement. • Support from charter management organization, including frequent and in-depth professional development and philanthropic support.
Recommended Material Revisions	<ul style="list-style-type: none"> • To decrease its authorized enrollment for year 1 from its currently approved 162 students to 115 students.

⁴ Eleven percent of all students residing in this district attend charter schools.

Table 2: Current Grade Levels and Approved Enrollment

	Year 1 2022 to 2023	Year 2 2023 to 2024	Year 3 2024 to 2025	Year 4 2025 to 2026	Year 5 2026 to 2027
Grade Configuration	K - Grade 1	K - Grade 2	K - Grade 3	K - Grade 4	K - Grade 5
Total Approved Enrollment	162	249	348	435	522

***Table 3: Recommended Grade Levels and Recommended Enrollment**

	Year 1 2022 to 2023	Year 2 2023 to 2024	Year 3 2024 to 2025	Year 4 2025 to 2026	Year 5 2026 to 2027
Grade Configuration	K - Grade 1	K - Grade 2	K - Grade 3	K - Grade 4	K - Grade 5
Total Recommended Enrollment	115	249	348	435	522

*The proposed chart was submitted by the Staten Island Hebrew Public Charter School. It is subject to change pending the final revision recommendation and approval by the Board of Regents.

Rationale for Revision Recommendation

NYSED recommends that the Board of Regents approve the revision described above in the **Issue for Decision** section, for the following reasons.

In November 2021, the Board of Regents approved and chartered the Staten Island Hebrew Public Charter School (“SIHP” or “the school”) in the New York City School District. The school’s educational program focuses on teaching Modern Hebrew to children of all backgrounds and prepares them to be successful global citizens by developing the traits such as empathy, cross-cultural communication, and civic engagement. The school opened in September 2022 and is fully implementing the mission, Key Design Elements, education program, and organizational plan set forth in its charter.

The school’s trustees requested that the Board of Regents approve a material revision to the school’s charter to allow the school to reduce its authorized enrollment for year 1 from the currently approved 162 to 115 students. Since the start of the COVID-19 pandemic, there have been substantial citywide enrollment declines. The school, with the support of Hebrew Public (charter management organization), remains committed to implementing its recruitment and retention strategies to ensure that it meets its enrollment goals.

Approving this revision request will result in a significant educational benefit to the students expected to attend the charter school because the school will still be able to provide a high-quality education while remaining financially stable in the long term. Approving this revision request is likely to improve student learning and achievement as the school continues to implement its education program described above.

Summary of Public Comment

The required public hearing was held by the New York City Department of Education on October 13, 2022. No one attended. No comments were made in favor or in opposition to the revision.

APPENDIX

Laws, Regulations, and Regents-endorsed Internal Policies Applicable to Board of Regents-Authorized Charter School Revisions

Statutory requirements pertaining to Board of Regents charter school decision-making are enumerated in Article 56 of the Education Law. This section of the law sets forth the purpose of 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.

Criteria regarding the evaluation of charter schools, including for revision decisions, 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?; 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) 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 to such application?

Performance Framework

The Board of Regents Charter School Performance 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 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 the Education Law while providing the Regents with discretion. Generally, charter schools are required to demonstrate performance outcomes that exceed those of traditional public schools.

The Department considers evidence related to all ten performance benchmark areas of the Charter School Performance Framework when making recommendations to the Regents concerning charter revisions. However, student academic performance is of paramount importance when evaluating each school (See [§ 8 NYCRR 119.7](#) (<http://www.nysed.gov/charter-schools/law-regulations-memos>)). The recommendations in this document were made after a full due-diligence process over the charter term as set forth in the [NYSED Charter School Monitoring Plan](#) (<http://www.nysed.gov/charter-schools/oversight-plan-board-regents-authorized-charter-schools>), including review of the information presented by the schools in their application for each revision; specific fiscal reviews; desk audits; comprehensive analysis of achievement data; and consideration of public comment.