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

TO:	P-12 Education Committee
FROM:	Cosimo Tangorra, Jr.
SUBJECT:	Charter Schools: Revision to Charter Authorized by the Chancellor of the New York City Department of Education (NYCDOE)
DATE:	February 5, 2015
AUTHORIZATION(S):	

SUMMARY

Issue for Decision

Should the Regents approve the proposed charter revision for Explore Charter School and Explore Empower Charter School, which are both 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 February 2015 meeting of the Board of Regents.

Background Information

Explore Charter School (Explore) was first authorized by the Chancellor of the NYCDOE as a charter school to open for the 2002-2003 school year. Explore is in its third charter term and was issued a full renewal in June 2011. Explore is authorized to serve students in grades K-8 at scale and in the 2014-2015 school year currently enrolls 526 students. Explore is operating at authorized scale. Explore Empower Charter School (Explore Empower) was first authorized by the Chancellor of the NYCDOE as a charter school to open for the 2009-2010 school year. Explore Empower is in its second charter term and was issued a short-term renewal in December 2013. Explore Empower

is authorized to serve students in grades K-8 at scale and in the 2014-2015 school year currently serves 470 students in grades K-7.

The Chancellor of the NYCDOE recommends the following actions:

- Leave the NYCDOE to merge with four other Explore network charter schools currently authorized by The State University of New York Board of Trustees.

The chart below outlines the material terms of the Explore Charter School and Explore Empower Charter School proposed revision.

Explore Charter School	
Board Chair(s)	Graeme Daykin
School Leader(s)	Morty Ballen
Charter Management Organization (if applicable)	Explore Schools Inc.
Other Partner(s)	N/A
District(s) of Location	NYC Community School District 17
Physical Address(es)	655 Parkside Avenue, Brooklyn
Facility Owner(s)	DOE
School Opened For Instruction	2002-2003
Current Charter Term Expiration Date	6/12/2016
Current Authorized Grade Span	K-8
Current Authorized Enrollment	540

Explore Empower Charter School	
Board Chair(s)	Graeme Daykin
School Leader(s)	Brian Ferreira
Charter Management Organization (if applicable)	Explore Schools Inc.
Other Partner(s)	N/A
District(s) of Location	NYC Community School District 17
Physical Address(es)	188 Rochester Avenue, Brooklyn
Facility Owner(s)	DOE
School Opened For Instruction	2009-2010
Current Charter Term Expiration Date	6/30/2017
Current Authorized Grade Span	K-8
Current Authorized Enrollment	540

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 Explore Charter School is amended accordingly.

Timetable for Implementation

The Regents action for the Schools would take effect on July 1, 2015; the start of fiscal year 2016.

School: Explore Charter School (84K704)
CSD: 17
Enrollment/ Grades Served in 2014-2015:[1] 531/K-8

School Background
- Explore received a full-term renewal in June 2011. At the time of renewal, the school demonstrated academic achievement and progress.
- In every year of the current charter term including the past two years of Common Core Learning Standards (CCLS) aligned NYS assessments, the school performed above the CSD of location in both ELA and math absolute proficiency. In 2013-2014, 23.1% of Explore's students were proficient in ELA on the NYS assessments; this placed the school at the 50th percentile citywide, 71st percentile compared to CSD 17 elementary/middle schools and at the 43rd percentile of peer schools. Additionally, in 2013-2014, 52.9% of Explore's students were proficient in math on the NYS assessments; this placed the school at the 78th percentile citywide, 100th percentile compared to CSD 17 elementary/middle schools and at the 70th percentile amongst peer schools.
- Explore's ELA median adjusted growth percentile in 2013-2014 was 58%; this was even higher for students in the lowest third at 68%. Explore's math median adjusted growth percentile in 2013-2014 was 57%; this was also higher for students in the lowest third at 60%.

School: Explore Empower Charter School (84K742)
CSD: 17
Enrollment/ Grades Served in 2014-2015:[2] 475/K-7

School Background
- Explore Empower received a short-term renewal of three years in December 2013. At the time of renewal, the school partially demonstrated academic achievement and progress.
- In every year of the current charter term including the past two years of Common Core Learning Standards (CCLS) aligned NYS assessments, the school performed above the CSD of location in both ELA and math absolute proficiency with the exception of ELA proficiency in 2013-2014 which was 5.6 percentage points below CSD 17 ELA proficiency for grades 3-6. In 2013-2014, 14.7% of Explore Empower's students were proficient in ELA on the NYS assessments; this placed the school at the 26th percentile citywide, 30th percentile compared to CSD 17 elementary schools and performing above only 13% of peer schools. Additionally, in 2013-2014, 32.0% of Explore Empower's students were proficient in math on the NYS assessments; this placed the school at the 47th percentile citywide, 80th percentile compared to CSD 17 elementary schools and at the 75th percentile amongst peer schools.
- Explore Empower's ELA median adjusted growth percentile in 2013-2014 was 46%; this was even higher for students in the lowest third at 64%. Explore's math

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[1] Enrollment reflects ATS data as of October 31, 2014
[2] Enrollment reflects ATS data as of October 31, 2014

median adjusted growth percentile in 2013-2014 was 50%; this was also higher for students in the lowest third at 64%.

Revision Background:
- The revision sought would allow the two NYC DOE Chancellor-authorized charter schools in the Explore network, Explore Charter School and Explore Empower Charter School to leave the NYC DOE and move to SUNY as the schools' charter authorizer.
- Explore and Explore Empower would not merge into one education corporation while authorized by the NYC DOE but instead move as two individual educational corporations to SUNY.
- It is the understanding of the NYC DOE that Explore and Explore Empower will merge with the other four SUNY-authorized Explore network schools after moving to SUNY as authorizer. These then six SUNY-authorized Explore schools would merge under one education corporation, Explore Schools of Brooklyn.
- The merger of Explore and Explore Empower is to take effect with the next fiscal year as of July 1, 2015.
- The NYC DOE is not aware of any plans by either Explore or Explore Empower to alter the total number of students served (authorized enrollment) or the grades served (each authorized to serve grades K-8 at scale).
- The NYC DOE primarily evaluates charter merger revisions based on the proposed benefit to students. According to the merger application submitted by the school, students would be able to transfer between schools within the schools' network and access all of the network's resources.
  - Students with learning disabilities can attend the school site with the appropriate accommodations/programming.
  - Students in need of an ADA-accessible building would be able to access the appropriate building through the merged structure.
  - Specialized programming and staff could be shared among the campuses and serve appropriate students
  - Students who are admitted via lottery and/or admitted through the sibling preference would be able to continue attending an Explore school if the family moves to a new community.
- Further, the NYC DOE evaluates the benefit to school staff, operations, and governance. Explore Schools application adequately addresses how staff would benefit from the schools merging.
  - Staff members would be able to work across schools sites.
  - Staff members can benefit from more streamlined processes, saving time and increasing efficiency. For example, the Explore Schools Network's Director of Operations would now spend time on one audit process instead of six separate audits.

Explore Schools have met the standard in describing how the school's operations and finances would benefit from a merger.
  - School can share staff resources and programs, for example, a high school placement coordinator could work with more than one school site, and not have to be employed by more than one of the Explore Schools.

- Staff would be freed up to do operational tasks to support instruction and resources, financial and others could be allocated appropriately.

Explore Schools have adequately described how the school's governance would benefit from a merger.

- A single governing board would be able to leverage its resources and capacity to advocate and on behalf of all six schools while providing oversight to all schools leveraging its expertise to serve the needs of all schools.

ES/MS 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
Explore Charter School	43.1%	40.8%	53.0%	22.0%	23.1%
CSD 17	33.7%	37.0%	38.7%	17.1%	19.8%
Difference from CSD 17 *	9.4	3.9	14.3	4.9	3.4
NYC	42.4%	43.9%	46.9%	26.4%	28.4%
Difference from NYC *	0.7	-3.1	6.1	-4.4	-5.3
New York State **	53.2%	52.8%	55.1%	31.1%	30.6%
Difference from New York State	-10.1	-12.0	-2.1	-9.1	-7.5

% Proficient in Mathematics					
	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Explore Charter School	66.7%	66.9%	85.8%	44.0%	52.9%
CSD 17	42.7%	47.1%	50.5%	17.5%	20.9%
Difference from CSD 17 *	24.0	19.8	35.3	26.6	32.0
NYC	54.0%	57.3%	60.0%	29.6%	34.2%
Difference from NYC *	12.7	9.6	25.8	14.4	18.6
New York State **	61%	63.3%	64.8%	31.1%	36.2%
Difference from New York State	5.7	3.6	21.0	12.9	16.7

* All comparisons to either the CSD or NYC take into account only grades the school itself served. CSD comparisons are particular to the CSD in which the school was sited each year.

** New York State proficiency rates were taken from data.nysed.gov.

Performance on the NYC Progress Report

Explore Charter School ES/MS Progress Report Grades	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Overall Grade	B	C	A	C	Progress Reports were discontinued beginning with the 2013-2014 school year.
Student Progress	B	D	A	C	
Student Performance	C	C	A	C	
School Environment	A	A	B	C	

Enrollment of Special Populations

Special Population		2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Free and Reduced Price Lunch (FRPL)	**Explore Charter School**	**71.4%**	**78.4%**	**81.0%**	**79.1%**	**77.3%**
	CSD 17	95.4%	95.2%	94.2%	94.1%	93.3%
	NYC	86.3%	81.6%	83.9%	82.9%	82.4%
Students with Disabilities (SWD)	**Explore Charter School**	**16.0%**	**14.9%**	**15.1%**	**15.1%**	**14.7%**
	CSD 17	15.0%	15.2%	14.9%	15.5%	17.7%
	NYC	18.1%	18.0%	18.0%	18.5%	20.0%
English Language Learners (ELL)	**Explore Charter School**	**1.5%**	**1.7%**	**1.8%**	**2.7%**	**2.5%**
	CSD 17	10.2%	10.6%	10.4%	10.4%	10.6%
	NYC	16.2%	16.1%	15.5%	15.1%	14.7%

Additional Enrollment Information					
Explore Charter School	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Grades Served	K-8	K-8	K-8	K-8	K-8
CSD(s)	17	17	17	17	17

Comparisons of a charter school's special populations to the CSD and City are made relative only to the grades served by the school. For example, if a charter school serves grades kindergarten through five, comparisons of that school's special populations will only be made relative to grades kindergarten through five in the CSD and citywide. CSD comparisons are particular to the grades served in each CSD each year. Enrollment rates reflect demographic characteristics as of June 1 and enrollment as of October 31 for each given school year, with the exception of enrollment in the 2012-2013 school year, which is as of October 26, 2012.

State enrollment targets were generated by a calculator developed by the State Education Department (SED). Once a school's CSD, total enrollment, and grade span are entered, the calculator generates a school-specific enrollment target. The CSD for a multi-district school is the primary CSD as determined by each school. The enrollment is determined by the total number of students enrolled as of October 31, 2013. Any school with an unusual grade configuration (i.e. K, 6-9) should use an available grade configuration provided by SED that is most aligned as determined by the DOE, otherwise a school's actual grade span is used. For more information regarding SED's methodology behind the calculation of charter school enrollment and retention targets, please refer to the memo at http://www.regents.nysed.gov/meetings/2012Meetings/July2012/712brca11.pdf.

ES/MS 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
Explore Empower Charter School	-	56.6%	47.9%	19.8%	14.7%
CSD 17	-	43.3%	42.8%	18.4%	20.3%
Difference from CSD 17 *	-	13.3	5.1	1.3	-5.6
NYC	-	48.1%	50.6%	28.0%	28.7%
Difference from NYC *	-	8.5	-2.7	-8.2	-14.0
New York State **	-	52.8%	55.1%	31.1%	30.6%
Difference from New York State	-	3.8	-7.2	-11.3	-15.9

% Proficient in Mathematics					
	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Explore Empower Charter School	-	61.1%	73.1%	36.5%	32.0%
CSD 17	-	48.8%	50.7%	21.2%	25.2%
Difference from CSD 17 *	-	12.3	22.4	15.3	6.8
NYC	-	54.8%	61.3%	32.7%	37.8%
Difference from NYC *	-	6.3	11.8	3.8	-5.8
New York State **	-	63.3%	64.8%	31.1%	36.2%
Difference from New York State	-	-2.2	8.3	5.4	-4.2

* All comparisons to either the CSD or NYC take into account only grades the school itself served. CSD comparisons are particular to the CSD in which the school was sited each year.

** New York State proficiency rates were taken from data.nysed.gov.

Performance on the NYC Progress Report

Explore Empower Charter School ES/MS Progress Report Grades	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Overall Grade	-	B	C	B	Progress Reports were discontinued beginning with the 2013-2014 school year.
Student Progress	-	C	F	C	
Student Performance	-	B	A	B	
School Environment	-	A	A	B	

Enrollment of Special Populations

Special Population		2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Free and Reduced Price Lunch (FRPL)	**Explore Empower Charter School**	**81.3%**	**85.7%**	**88.0%**	**87.1%**	**89.6%**
	CSD 17	96.2%	96.6%	95.1%	94.9%	93.7%
	NYC	86.0%	81.4%	83.8%	83.0%	82.4%
Students with Disabilities (SWD)	**Explore Empower Charter School**	**10.6%**	**13.0%**	**12.0%**	**17.4%**	**20.6%**
	CSD 17	12.4%	13.4%	14.0%	15.2%	17.9%
	NYC	15.9%	16.3%	16.8%	17.9%	19.9%
English Language Learners (ELL)	**Explore Empower Charter School**	**1.3%**	**1.3%**	**1.0%**	**2.8%**	**2.4%**
	CSD 17	11.4%	11.9%	11.4%	11.4%	11.3%
	NYC	19.7%	18.7%	17.6%	16.6%	15.6%

Additional Enrollment Information					
Explore Empower Charter School	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Grades Served	K-2	K-3	K-4	K-5	K-6
CSD(s)	17	17	17	17	17

Comparisons of a charter school's special populations to the CSD and City are made relative only to the grades served by the school. For example, if a charter school serves grades kindergarten through five, comparisons of that school's special populations will only be made relative to grades kindergarten through five in the CSD and citywide. CSD comparisons are particular to the grades served in each CSD each year. Enrollment rates reflect demographic characteristics as of June 1 and enrollment as of October 31 for each given school year, with the exception of enrollment in the 2012-2013 school year, which is as of October 26, 2012.

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