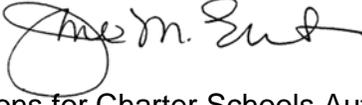


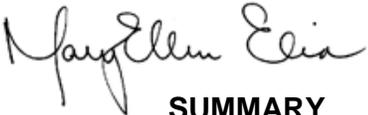


**TO:** P-12 Education Committee

**FROM:** Jhone M. Ebert 

**SUBJECT:** Renewal Decisions for Charter Schools Authorized by the Board of Regents

**DATE:** May 9, 2016

**AUTHORIZATION(S):**   
**SUMMARY**

**Issue for Decision**

Should the Board of Regents approve the proposed renewal charters for the following charter schools authorized by the Board of Regents pursuant to Article 56 of the Education Law (the New York Charter Schools Act):

1. Global Concepts Charter School (5-year renewal)
2. Harriet Tubman Charter School (5-year renewal)
3. La Cima Charter School (5-year renewal)
4. Bronx Charter School for Children (3-year renewal with corrective action)
5. New York City Montessori Charter School (3-year renewal with corrective action)

**Reason(s) for Consideration**

Required by New York State law.

**Proposed Handling**

This issue will be before the Board of Regents P-12 Education Committee and the Full Board for action at the May 2016 Regents meeting.

**Background – Performance Framework**

The Board of Regents Charter School Performance Framework (the “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/Academic Success; (2) Organizational Soundness; and (3) Faithfulness to Charter and Law. The Framework sets forth ten (10) performance benchmarks in these three areas. The Framework is designed to focus on performance outcomes, to preserve operational autonomy and to facilitate transparent feedback to schools. It aligns with the ongoing

accountability and effectiveness work with traditional public schools and balances clear performance measures with Regents’ discretion.

**New York State Education Department  
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 learning standards 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>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>Faithfulness to Charter &amp; Law</b> | <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.   |

## **Charter School Renewal Applications**

In Article 56 of the Education Law, Section 2852(2) requires the chartering entity (in this case the Board of Regents) to make the following findings when considering a charter renewal application:

- (a) The charter school described in the application meets the requirements set out in this article and all other applicable laws, rules and regulations;
- (b) The applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner;
- (c) Granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty one of this article; 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) granting the application would have a significant educational benefit to the students expected to attend the proposed charter school or (ii) the school district in which the charter school will be located consents to such application.

In addition, Renewal Guidelines contained in the Regulations of the Commissioner (8 NYCRR 119.7(d)) were adopted by the Board of Regents, and require that the Board further consider the following when evaluating a charter renewal application:

- (a) The information in the charter school's renewal application;
- (b) Any additional material or information submitted by the charter school;
- (c) Any public comments received;
- (d) Any information relating to the site visit and the site visit report;
- (e) The charter school's annual reporting results including, but not limited to, student academic achievement;
- (f) The Department's renewal recommendation and the charter school's written response, if any; and
- (g) Any other information that the board, in its discretion, may deem relevant to its determination whether the charter should be renewed.

Beyond the requirements to make the findings set forth in the Education Law and consider the factors set forth above, the Charter Schools Act leaves the decision of whether to renew a charter to the sound discretion of the Board of Regents.

## **State Education Department Renewal Recommendations**

The attached Renewal Recommendation Reports provide summary information about each of the Renewal Applications that are before the Regents for action today as well as an analysis of the academic and fiscal performance of each school over the charter term.

The Department considers evidence related to the ten Performance Benchmark areas when making recommendations to the Regents concerning charter renewal applications. However, student academic performance is of paramount importance when evaluating each school. Each of the recommendations below was made after a full due-diligence process over the charter term, including review of the information presented by each school in its Renewal Application, a specific fiscal review, a two-day renewal site visit conducted by a Department team

during the fall of 2015, comprehensive analysis of achievement data and consideration of public comment.

### GLOBAL CONCEPTS CHARTER SCHOOL

In accordance with Education Law, Article 56, Sections 2851(4) and 2852(2), Commissioners Regulation 119.7 and the Board of Regents Charter School Renewal Policy (November 2012), the **New York State Education Department (NYSED) recommends a third renewal term for a period of five years for the Global Concepts Charter School. The charter term would begin on July 1, 2016 and expire on June 30, 2021.**

The school has demonstrated satisfactory academic performance over the past charter term, and is implementing the mission, key design elements, education program, and organizational design set forth in the charter. Global Concepts Charter School is close to meeting enrollment and retention targets as prescribed by the Board of Regents for students who are economically disadvantaged, and is demonstrating effort toward meeting enrollment targets for students with disabilities and students who are English language learners.

#### Charter School Summary

|                               |   |
|-------------------------------|---|
| <b>Name of Charter School</b> | Global Concepts Charter School  |
| <b>Board Chair</b>            | Dawan Jones   |
| <b>District of location</b>   | Lackawanna City School District   |
| <b>Opening Date</b>           | 9/3/2002  |
| <b>Charter Terms</b>          | Initial Charter Term: January 16, 2002 – January 15, 2007<br>First Renewal: January 16, 2007- January 15, 2012<br>Second Renewal: January 16, 2012 – June 30, 2016  |
| <b>Management Company</b>     | None  |
| <b>Partners</b>               | None  |
| <b>Facilities</b>             | 1001 Ridge Road, Lackawanna, New York 14218 (K-8)<br>30 Johnson Street, Lackawanna, New York 14218 (9-12)   |
| <b>Mission Statement</b>      | <i>“The mission of Global Concepts Charter School is to provide a top-quality educational program wherein students: achieve high academic results; are geared toward higher education and career opportunities; become responsible, caring, family and community members; are highly knowledgeable of the multicultural world they are part of; and possess the qualities and problem solving skills to collaborate peacefully in the community and worldwide.”</i> |
| <b>Requested Revisions</b>    | None  |

#### Enrollment

| School Year | Grades Served | Maximum Approved Enrollment | Actual Enrollment |
|-------------|---------------|-----------------------------|-------------------|
| 2015-2016   | K-12          | 975                         | 975               |
| 2014-2015   | K-12          | 975                         | 967               |
| 2013-2014   | K-12          | 975                         | 923               |

## Background

The Board of Regents granted an initial charter to Global Concepts Charter School (GCCS) in January 2002. The school opened in Lackawanna, New York in September 2002 with 172 students in grades K-3. The school added grades 4 and 5 in the subsequent two academic years, ending its first charter term in the 2006-2007 school year with 365 students in grades K-5. The Regents granted a five year renewal to the school in December 2006, and also permitted the school to add a middle school program. The Regents approved a charter revision in February 2010 to allow the school to add a high school program, which was carried out one grade at a time until reaching K-12 in 2013-2014, with 923 students.

The majority of the students reside in the City of Lackawanna and the City of Buffalo; however, students from a dozen other suburban districts also attend. Waiting lists exist for every grade level.

## Summary of Evidence

### **Educational Success**

#### **Student Performance**

Over the five-year charter term, GCCS administered the NYS English language arts, mathematics and science assessments to students in grades 3-8. The school also assessed students in high school grades, measured in cohort Regents outcomes and graduation rates. The outcomes from these assessments serve as the basis for determination of academic success in absolute proficiency outcomes, comparisons to the state and district of location, and comparison to similar schools throughout New York.

#### *Elementary/Middle School Academic Outcomes*

GCCS' performance in mathematics shows the school has made tremendous growth from 2013 to 2014 and remained high in the subsequent year. Since 2013, the school's proficiency outcomes in ELA have been regressing. Science proficiency outcomes have been above 90% for the last three years of testing. See Table 1, below.

Students who are identified as economically disadvantaged tend to perform on par with the aggregate student population in all three tested subjects. Students identified with a disability who were administered the NYS assessments at GCCS constitute between 7-8% of the tested student population, a relatively small sample size. These students did not perform as strongly as their general education peers; however, they do slightly outperform the NYS average in ELA and math for students with disabilities in grades 3-8. English language learners also comprise a very small testing group (4-5%) and show a similar trend of underperformance compared to the general education population.

Table 1: 2013-2015 Aggregate and Subgroup Grades 3-8 ELA and Mathematics Outcomes - Global Concepts Charter School

| Subject     | School Year | All Students | Students with Disabilities | English Language Learners | Economically Disadvantaged |
|-------------|-------------|--------------|----------------------------|---------------------------|----------------------------|
| ELA         | 2012-13     | 33%          | 8%                         | 9%                        | 30%                        |
|             | 2013-14     | 29%          | 12%                        | 13%                       | 29%                        |
|             | 2014-15     | 26%          | 9%                         | 9%                        | 25%                        |
| Mathematics | 2012-13     | 35%          | 15%                        | 24%                       | 34%                        |
|             | 2013-14     | 44%          | 15%                        | 35%                       | 43%                        |
|             | 2014-15     | 43%          | 12%                        | 22%                       | 41%                        |
| Science     | 2012-13     | 94%          | *                          | *                         | 93%                        |
|             | 2013-14     | 90%          | 83%                        | 79%                       | 90%                        |
|             | 2014-15     | 92%          | 100%                       | *                         | 92%                        |

Note: Data in table 1 represents tested students in respective subgroups who scored proficiently (level 3 or above) on each state assessment. From 2013-2015, ELA and mathematics assessments were aligned to the Common Core; Science assessments remained in the original NYS Testing Program format.

\* In some cases, student subgroups did not have enough tested students to form a representative sample (<10 students). For these subgroups, testing data was withheld.

GCCS' comparative outcomes to Lackawanna School District, Buffalo City School District, and the New York State average show distinct strengths and some areas for improvement. In aggregate comparison to both the district and New York State testing outcomes, GCCS' performance in mathematics has been above the respective averages (see Table 2). ELA performance shows the school outperformed both school districts, yet has slowly declined in annual aggregate performed compared to the statewide aggregate. Comparative 4<sup>th</sup> and 8<sup>th</sup> grade science outcomes show the school had outperformed both the state and district averages. The NYS Testing Program for 4<sup>th</sup> and 8<sup>th</sup> grade science assessments are not yet aligned to the Common Core and, therefore, have significantly different testing margins.

Table 2: 2013-2015 Aggregate Comparison Gr 3-8 ELA, Mathematics and Science Outcomes - Global Concepts Charter School

| Subject | School Year | Global Concepts CS | Lackawanna SD Avg | Global Concepts Compared to Lackawanna | Buffalo CSD Avg | Global Concepts Compared to Buffalo | New York State Avg | Global Concepts Compared to NYS |
|---------|-------------|--------------------|-------------------|--|-----------------|-------------------------------------|--------------------|---------------------------------|
| ELA     | 2012-13     | 33%                | 15%               | +18                                    | 12%             | +21                                 | 32%                | +2                              |
|         | 2013-14     | 29%                | 14%               | +15                                    | 12%             | +17                                 | 31%                | -2                              |
|         | 2014-15     | 26%                | 9%                | +17                                    | 12%             | +14                                 | 32%                | -6                              |
| Math    | 2012-13     | 35%                | 15%               | +21                                    | 11%             | +24                                 | 32%                | +4                              |
|         | 2013-14     | 44%                | 20%               | +24                                    | 14%             | +30                                 | 39%                | +5                              |
|         | 2014-15     | 43%                | 19%               | +24                                    | 15%             | +27                                 | 39%                | +4                              |
| Science | 2012-13     | 94%                | 71%               | +24                                    | 55%             | +40                                 | 80%                | +14                             |
|         | 2013-14     | 90%                | 62%               | +28                                    | 47%             | +43                                 | 76%                | +14                             |
|         | 2014-15     | 92%                | 58%               | +35                                    | 47%             | +45                                 | 77%                | +15                             |

Note: Data in table 2 represents tested students only in grades 3-8 at Global Concepts, Lackawanna SD (district of location), Buffalo CSD (major sending district) and NYS who scored proficiently (level 3 or above) on each state assessment. This table was created using grade level data to generate the comparative values, the percent difference between the school's performance and the district or state averages. All values were calculated to the nearest tenth, therefore, the percent differences may show a rounded value.

The Department also conducted an analysis of similar schools using Global Concept's 2013-2015 ELA and mathematics outcomes compared to other schools across NYS with similar grade configurations and at-risk student populations. This analysis is used to better understand how GCCS performed academically over the charter term given the significantly high percentages of enrolled at-risk students, especially students in poverty. The NYS mean in ELA and math was used as the "anchor" for each year of the analysis to control for variations in grade configuration and fluctuations in test reliability.

The results of the analysis show that when at-risk factors and grade composition were controlled, students at GCCS performed significantly better than matched schools in ELA, though the results show similar schools are closing the gap. GCCS' aggregate math proficiency outcomes are quite high compared to Lackawanna SD, Buffalo CSD and NYS; however, when compared to other schools with similar grade composition and demographics, GCCS' comparative mathematics outcomes are slightly below the outcomes of other similar schools.

#### High School Academic Outcomes

GCCS has graduated two cohorts of students (2010 and 2011 cohorts) over the course of this charter term. A review of the school's ELA, mathematics, and graduation cohorts shows that the assessment outcomes for ELA and mathematics are well above 85% proficiency and the 4-year and 5-year rates do not show fluctuations in proficiency outcomes. Additionally, the articulation from the 2010 and 2011 cohort outcomes show a marked improvement in cohort assessment results. GCCS 4-year graduation rate is well above the 80% state accountability level, yet the school's 5-year graduation rate for the 2010 cohort is even higher (91%), showing the school's commitment to help students graduate even if it requires another year of high school (see table 3).

Table 3: 2010-2011 4- and 5-Year Cohort ELA, Mathematics and Graduation Outcomes - Global Concepts Charter School

| Area      | Cohort | Global Concepts 4-Year Cohort | Global Concepts 5-Year Cohort |
|-----------|--------|-------------------------------|-------------------------------|
| ELA       | 2010   | 87%                           | 87%                           |
|           | 2011   | 94%                           | N/A                           |
| Math      | 2010   | 93%                           | 93%                           |
|           | 2011   | 97%                           | N/A                           |
| Grad Rate | 2010   | 87%                           | 91%                           |
|           | 2011   | 95%                           | N/A                           |

Note: Data in table 3 represents tested students who enrolled in the 9th grade in the respective cohort year. The 4-year or 5-year cohort rates represent the number of years it took students in that cohort to complete graduation requirements. The 5-year rates for the 2011 cohort have not yet been released by the NYSED.

In addition to a review of the high school academic and graduation data, the Department also analyzed the school’s cohort data compared to other similar schools (see table 5 below). The NYS mean in ELA, math, and the graduation rate for each cohort were used as the “anchor” of the analysis to control for variations in grade configuration and fluctuations in Regents test reliability.

The results of the analysis show that when at-risk factors and grade composition are controlled, students at GCCS performed similarly to similar schools in ELA and mathematics, though the 2010 cohort performed better than the 2011 cohort in comparison. GCCS’ graduation rates were comparatively stronger in the 2010 cohort; the 2011 cohort of similar schools yielded a higher graduation rate than GCCS, despite the school’s 95% graduation rate.

According to the Department’s accountability designations for 2015-2016 and 2016-2017, GCCS is a school in *Good Standing*.

## Organizational Viability

### Financial Condition

GCCS appears to be in stable financial condition as evidenced by performance on key indicators derived from the schools independently audited financial statements. The Department reviews the financial performance and management of charter schools using several near-term and long-term financial performance indicators.<sup>1</sup> Near-term indicators, such as the current ratio and unrestricted days cash, are measures of liquidity and of the charter school’s capacity to maintain operations.

<sup>1</sup> These rigorous indicators of fiscal soundness are aligned with those recommended by the National Association of Charter School Authorizers, and are also used by the Trustees at the State University of New York (SUNY) in their capacity as a charter school authorizer (SUNY-CSI) in New York State.

Long-term indicators, such as total margin and debt-to asset ratio, are measures of the charter school’s capacity to remain viable and to meet financial obligations.

## Financial Management

GCCS 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.

## Faithfulness to the Charter and Law

### Enrollment, Recruitment and Retention

GCCS is located in the Lackawanna School District yet draws 60% of its population from the Lackawanna School District and 34% of its population from the Buffalo City School District. As such, enrollment percentages in the tables below will consider both school districts in comparison to subgroup percentages at GCCS.

*Table 4: Student Demographics – Global Concepts Charter School Compared to District of Location (Lackawanna SD)*

|  | 2013-2014             |     |          | 2014-2015             |     |          | 2015-2016 <sup>2</sup> |
|--|-----------------------|-----|----------|-----------------------|-----|----------|------------------------|
|  | Percent of Enrollment |     |          | Percent of Enrollment |     |          | Percent of Enrollment  |
|  | School                | CSD | Variance | School                | CSD | Variance | School                 |
| <b>Enrollment of Special Populations<sup>3</sup></b> |                       |     |          |                       |     |          |                        |
| Economically Disadvantaged                           | 95%                   | 87% | +8.0%    | 83%                   | 89% | -6.1%    | 84%                    |
| English Language Learners                            | 10%                   | 15% | -5.1%    | 8%                    | 18% | -9.9%    | 11%                    |
| Students with Disabilities                           | 8%                    | 23% | -14.9%   | 7%                    | 20% | -12.2%   | 8%                     |

According to the Department records, GCCS has comparatively fewer students enrolled as English language learners and students with disabilities compared to the K-12 Lackawanna School District subgroup enrollment. Percentages of students identified as economically disadvantaged (poverty) also dropped between the 2013-2014 and 2014-2015 school years.

<sup>2</sup> Enrollment for the 2015-16 school year is preliminary and therefore cannot be compared to the district. The enrollment figures provided for this school year have been reported by the school.

<sup>3</sup> Percentages of English language learners and students with disabilities include students who were exited from these services within the last three years of the enrollment record.

*Table 5: Student Demographics – Global Concepts Charter School Compared to Additional Major Sending District (Buffalo CSD)*

|  | 2013-2014             |     |          | 2014-2015             |     |          | 2015-2016             |
|--|-----------------------|-----|----------|-----------------------|-----|----------|-----------------------|
|  | Percent of Enrollment |     |          | Percent of Enrollment |     |          | Percent of Enrollment |
|  | School                | CSD | Variance | School                | CSD | Variance | School                |
| <b>Enrollment of Special Populations</b> |                       |     |          |                       |     |          |                       |
| Economically Disadvantaged               | 95%                   | 76% | +18.1%   | 83%                   | 79% | +4.0%    | 84%                   |
| English Language Learners                | 10%                   | 15% | -5.2%    | 8%                    | 16% | -7.4%    | 11%                   |
| Students with Disabilities               | 8%                    | 22% | -13.5%   | 7%                    | 22% | -14.4%   | 8%                    |

While GCCS is enrolling fewer students from the Buffalo City School District than the Lackawanna School District, Buffalo is the source of the second largest enrollment of students (34%), thus merits a comparison to the school’s population as well. Similar to the Lackawanna School District comparison, GCCS is lagging behind the Buffalo City School District in its enrolled English language learner and students with disabilities populations. GCCS percentages of students who are economically disadvantaged are slightly higher than the Buffalo City School District, though the school’s drop in enrolled students in poverty over the past several years is noted.

Historical and Planned Efforts to Meet Special Population Targets

While GCCS is nearly comparable to the enrollment target for economically disadvantaged students, the school acknowledges its deficit in enrolling students with disabilities and English language learners. In response, it has increased targeted outreach to strengthen recruitment of all three populations. Efforts to increase the percentages of economically disadvantaged students, English language learners and students with disabilities include:

- Advertising the school’s special education services and services for English language learners in a variety of media and languages.
- Strengthening partnerships with preschool, head start, day care, early intervention agencies, and other community based organizations in Buffalo and Lackawanna that serve communities where there are high concentrations of families who are in poverty or new to the United States.
- Contacting institutions, such as Catholic Charities, refugee centers, ethnic markets and religious institutions, to assist in publicizing GCCS program resources for special populations.
- Revising the GCCS enrollment policy to utilize a weighted lottery system to provide students who identify themselves in any of the three priority categories with additional weighting for open seats until equilibrium is maintained between GCCS and district of location percentages.
- Documenting and evaluating outreach efforts to determine success and focus.

## Student Persistence and Attrition

On average, 94% of students enrolled at GCCS have persisted and remained enrolled or graduated in the current charter term. In tracking individual students over time, attrition accounts for only 6% of students enrolled at GCCS.

The Department reviewed the school's attrition rate of students from 2012-2015, using student level enrollment records that are submitted annually by the school. This review includes any student who was enrolled in the school at any time and persisted at the school between the 2012-2013 and 2014-2015 school years<sup>4</sup>.

## **Legal Compliance**

GCCS has compiled a record of substantial compliance with applicable state and federal laws and the provisions of its charter. The school operates in accordance with applicable law, regulations, rules and other policies, including its by-laws and other school-specific policies, and including disciplinary procedures for students with disabilities to address section 300.519-300.529 of the Code of Federal Regulations and NYS DASA regulations. The board holds meetings in accordance with Open Meetings Law.

## **Public Hearing Information**

The required hearing was held on October 13, 2015. Five members of the community attended (at least one of which was from the charter school) as well as two administrators from the charter school. No comments were submitted.

## **Revisions**

GCCS is not requesting any revisions to its charter in the upcoming renewal term.

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<sup>4</sup> Students who would have exited the school at the end of the school year in the highest grade were not included in this analysis. Students who were enrolled at the school for a duration of more than a day were included in this analysis.

## HARRIET TUBMAN CHARTER SCHOOL

### Introduction

In accordance with Education Law, Article 56, Sections 2851(4) and 2852(2), Commissioners Regulation 119.7 and the Board of Regents Charter School Renewal Policy (November 2012), the **New York State Education Department (NYSED) recommends a sixth renewal term for a period of five years for the Harriet Tubman Charter School. The charter term would begin on July 1, 2016 and expire on June 30, 2021.**

Harriet Tubman Charter School has demonstrated satisfactory academic performance and implementation of the mission, key design elements, education program, and organizational design set forth in the charter. The school is making efforts toward meeting enrollment and retention targets as prescribed by the Board of Regents for students with disabilities, English language learners, and students who are economically disadvantaged.

### Charter School Summary

|                               |  |
|-------------------------------|--|
| <b>Name of Charter School</b> | Harriet Tubman Charter School  |
| <b>Board Chair</b>            | Cliff Frazier  |
| <b>District of location</b>   | Community School District #9, Bronx  |
| <b>Opening Date</b>           | September 1, 2001  |
| <b>Charter Terms</b>          | Initial Charter Term: January 13, 2000 – January 12, 2005<br>First Renewal: January 13, 2005 – January 10, 2007<br>Second Renewal: January 9, 2007 - June 30, 2007<br>Third Renewal: July 1, 2007 - June 30, 2009<br>Fourth Renewal: July 1, 2009 - June 30, 2011<br>Fifth Renewal: July 1, 2011 - June 30, 2016   |
| <b>Management Company</b>     | None currently; Edison Learning (until 6/30/2014)  |
| <b>Partners</b>               | Morrissiana Revitalization Corporation and NY Metropolitan Dr. MLK, Jr. Center for Non-violence  |
| <b>Facilities</b>             | 3565 Third Avenue, Bronx, New York 10456<br>and<br>1176 Franklin Avenue, Bronx, New York 10456   |
| <b>Mission Statement</b>      | <i>“The Harriet Tubman Charter School is committed to helping each child develop to his or her full potential. We recognize that all human beings are endowed with unique talents and gifts, and we believe that the process of schooling should lead each student to the realization, development and expression of his or her potential. We are a performance-based charter school created to serve the children of the Southeast Bronx while exploring the heritage of many cultures represented in our neighborhood. We are an extended family of students, teachers, parents and community members who promote the educational achievements of our children through a relentless focus on high academic standards for all. HTCS is designed to help students develop the skills to become leaders who read, think, write and communicate at high levels. Our mission is to prepare our children for success throughout their college years and beyond.”</i> |
| <b>Requested Revisions</b>    | To discontinue the contract with Edison Learning (Charter Management Organization).  |

## **Enrollment**

| <b>School Year</b> | <b>Grades Served</b> | <b>Maximum Approved Enrollment</b> | <b>Actual Enrollment</b> |
|--------------------|----------------------|------------------------------------|--------------------------|
| 2015-2016          | K-8                  | 675                                | 641                      |
| 2014-2015          | K-8                  | 675                                | 652                      |
| 2013-2014          | K-8                  | 675                                | 638                      |

## **Background**

Harriet Tubman Charter School was authorized by the Board of Regents in January 2000, with an opening date of September 1, 2001. The first renewal was for two years, the second for right-sizing (6 months), the third for two years, the fourth for two years, and the fifth for a full five years. The school contracted with Charter Management Organization (CMO) Edison Learning until June 2014, when the contract terminated. The school then purchased the services of Charter School Business Management (CSBM) for specific financial support services. During the period of multiple short term renewals, there were issues around financial matters, some of which were attributed to the services provided by the CMO. These have since been resolved.

## **Summary of Evidence**

### **Educational Success**

#### **Student Performance**

Over the charter term, Harriet Tubman Charter School (HTCS) administered the NYS English language arts, mathematics, and science assessments to students in grades 3-8. The outcomes from these assessments serve as the basis for determination of academic success in absolute proficiency outcomes, comparisons to the state and district of location, and comparison to similar schools throughout New York.

HTCS's outcomes show visible year-to-year growth in aggregate percentages of students proficient in ELA, mathematics, and science (see Table 1 below). Students who are identified as economically disadvantaged and students with disabilities followed the same trend of year-to-year improvement in all three tested subjects. English language learner data showed mixed results over the past three years, although this represents a small percentage of tested students.

Table 1: 2013-2015 Aggregate and Subgroup Grades 3-8 ELA and Mathematics Outcomes - Harriet Tubman Charter School

| Subject     | School Year | All Students | Students with Disabilities | English Language Learners | Economically Disadvantaged |
|-------------|-------------|--------------|----------------------------|---------------------------|----------------------------|
| ELA         | 2012-13     | 17%          | 2%                         | 7%                        | 15%                        |
|             | 2013-14     | 21%          | 0%                         | 4%                        | 16%                        |
|             | 2014-15     | 25%          | 4%                         | 0%                        | 23%                        |
| Mathematics | 2012-13     | 29%          | 8%                         | 11%                       | 27%                        |
|             | 2013-14     | 36%          | 13%                        | 4%                        | 32%                        |
|             | 2014-15     | 43%          | 12%                        | 15%                       | 39%                        |
| Science     | 2012-13     | 78%          | 67%                        |                           | 75%                        |
|             | 2013-14     | 76%          | 48%                        |                           | 71%                        |
|             | 2014-15     | 84%          | 73%                        | 40%                       | 84%                        |

*Note: Data in table 1 represents tested students in respective subgroups who scored proficiently (level 3 or above) on each state assessment. From 2013-2015, ELA and mathematics assessments were aligned to the Common Core; science assessments remained in the original NYS Testing Program format. In some cases, student subgroups did not have enough tested students to form a representative sample (<10 students). For these subgroups, testing data was withheld.*

In a comparative analysis of HTCS academic performance, the school was compared to the district of location (CSD 9 – Bronx) and the NYS average (see Table 2). The school performed at or above the district average in all three subjects; most notable are the school’s math and science proficiency outcomes. In comparison to the state average, the school underperforms the state’s ELA average but has been incrementally closing the gap over the last three years. The school’s math outcomes are within 3-4 points of the state average, whereas the school’s science 4<sup>th</sup> and 8<sup>th</sup> grade outcomes are just at or slightly above the state average. The NYSTP 4<sup>th</sup> and 8<sup>th</sup> grade science assessments are not yet aligned to the Common Core and, therefore, have significantly different testing margins.

*Table 2: 2013-2015 Aggregate Comparison Grades 3-8 ELA and Mathematics Outcomes - Harriet Tubman Charter School*

| Subject | School Year | Harriet Tubman CS | NYC #9 - Bronx | Harriet Tubman CS Compared to NYC #9 | New York State Avg | Harriet Tubman CS Compared to NYS |
|---------|-------------|-------------------|----------------|--------------------------------------|--------------------|-----------------------------------|
| ELA     | 2012-13     | 17%               | 11%            | 5.5                                  | 32%                | -14.6                             |
|         | 2013-14     | 21%               | 13%            | 7.8                                  | 31%                | -10.2                             |
|         | 2014-15     | 25%               | 14%            | 11.0                                 | 32%                | -7.3                              |
| Math    | 2012-13     | 29%               | 14%            | 15.1                                 | 32%                | -2.7                              |
|         | 2013-14     | 36%               | 18%            | 18.0                                 | 39%                | -2.9                              |
|         | 2014-15     | 43%               | 17%            | 25.6                                 | 39%                | 4.3                               |
| Science | 2012-13     | 78%               | 54%            | 23.9                                 | 80%                | -1.7                              |
|         | 2013-14     | 76%               | 51%            | 25.5                                 | 76%                | 0.5                               |
|         | 2014-15     | 84%               | 54%            | 29.2                                 | 77%                | 6.6                               |

*Note: Data in table 2 represents tested students only in grades 3-8 at HTCS, CSD 9 - Bronx, and NYS who scored proficiently (level 3 or above) on each state assessment. This table was created using grade level data to generate the comparative values, the percent difference between the school's performance and the district or state averages. All values were calculated to the nearest tenth, therefore, the percent differences may show a rounded value.*

The Department also conducted an analysis of similar schools using HTCS’s 2013-2015 ELA and mathematics outcomes compared to other schools across NYS with similar grade configurations and at-risk student populations. This analysis is used to better understand how HTCS performed academically over the charter term holding constant for the percentages of enrolled at-risk students, especially students in poverty.<sup>5</sup> The NYS mean in ELA and math were used as the “anchor” for each year of the analysis to control for variations in grade configuration and fluctuations in test reliability. The results of the analysis show that when at-risk factors and grade composition are controlled, students at HTCS perform very similarly to matched schools in math. However, the school is underperforming similarly matched schools in ELA though the comparative gap has narrowed over the last three years.

According to the Department’s accountability designations for 2015-2016 and 2016-2017, HTCS is a school in *Good Standing*.

<sup>5</sup> It should be noted that HTCS’s reported enrollment of economically disadvantaged students has been inconsistent from 2012 to 2015. The data used to create similar schools comprises an average of these years of reported data in an effort to rectify reporting errors or fluctuations in student population.

## Organizational Viability

### Financial Condition

HTCS appears to be in stable financial condition as evidenced by performance on key indicators derived from the school's independently audited financial statements. The Department reviews the financial performance and management of charter schools using quantitative methods. Quantitative reporting is done through the fiscal dashboard. The dashboard presents several near-term and long-term financial performance indicators.<sup>6</sup> Near-term indicators, such as the current ratio and unrestricted days cash, are measures of liquidity and of the charter school's capacity to maintain operations. Long-term indicators, such as total margin and debt-to asset ratio, are measures of the charter school's capacity to remain viable and to meet financial obligations.

### Financial Management

HTCS is operating 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.

### Faithfulness to the Charter and Law

### Enrollment, Recruitment and Retention

*Table 3: Student Demographics – Harriet Tubman Charter School Compared to District of Location*

|  | 2013-2014             |     |          | 2014-2015             |     |          | 2015-2016 <sup>7</sup> |
|--|-----------------------|-----|----------|-----------------------|-----|----------|------------------------|
|  | Percent of Enrollment |     |          | Percent of Enrollment |     |          | Percent of Enrollment  |
|  | School                | CSD | Variance | School                | CSD | Variance | School                 |
| <b>Enrollment of Special Populations<sup>8</sup></b> |                       |     |          |                       |     |          |                        |
| Economically Disadvantaged                           | 70%                   | 94% | -23.3%   | 85%                   | 92% | -7.0%    | 68%                    |
| English Language Learners                            | 9%                    | 30% | -21.3%   | 12%                   | 29% | -17.7%   | 31%                    |
| Students with Disabilities                           | 15%                   | 21% | -6.8%    | 13%                   | 23% | -9.2%    | 11%                    |

According to State Education Department records, HTCS is not enrolling comparative percentages of at-risk students to the district of location. The most significant disparities are in the English language learner and the students with disabilities populations. The school appears to be making progress in the proportion of economically disadvantaged students and English language learners served relative to the district of location, but remains below the district percentages in all three categories.

<sup>6</sup> These rigorous indicators of fiscal soundness are aligned with those recommended by the National Association of Charter School Authorizers, and are also used by the Trustees at the State University of New York (SUNY) in their capacity as a charter school authorizer (SUNY-CSI) in New York State.

<sup>7</sup> Enrollment for the 2015-16 school year is preliminary and therefore cannot be compared to the district. The enrollment figures provided for this school year have been reported by the school.

<sup>8</sup> Percentages of English language learners and students with disabilities include students who were exited from these services within the last three years of the enrollment record.

## Recruitment

The school is making the following efforts to increase the percentages of students served in each of the special population groups:

- Revising the school print brochure to highlight available instructional services for special education students (ICT classroom at each grade level) and for English language learners students, and to provide school brochure in multiple languages.
- Increasing the number of family recruitment workshops to address instructional, cultural adaptation, and language needs of prospective students.
- Developing bus ads in Spanish and French, and targeting communities in which families with a home language other than English reside.
- Revising the HTCS enrollment policy to implement a weighted lottery system that would provide students who self-identify in any of the three priority categories with additional weighting.

## Retention

On average, HTCS has retained 92% of enrolled students in the current charter term.

The Department also reviewed the school's retention rate of students from 2012-2015, using student level enrollment records that are submitted annually by the school. This review includes any student who was enrolled in the school at any time and persisted at the school between the 2012-2013 and 2014-2015 school years<sup>9</sup>.

## **Legal Compliance**

The school has compiled a record of substantial compliance with applicable laws, regulations, and the provisions of its charter.

## **Public Hearing Information**

The required charter renewal hearing was held on October 14, 2015 by the Department of Education in New York City. Twenty-four people attended the hearing and four spoke in support of the proposed renewal. There were no negative comments.

## **Charter Revisions**

HTCS requests a material revision to remove a charter management organization from the school's organizational structure.

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<sup>9</sup> Students who would have exited the school at the end of the school year in the highest grade were not included in this analysis. Students who were enrolled at the school for a duration of more than a day were included in this analysis.

## LA CIMA CHARTER SCHOOL

In accordance with Education Law, Article 56, Sections 2851(4) and 2852(2), Commissioners Regulation 119.7 and the Board of Regents Charter School Renewal Policy (November 2012), the **New York State Education Department (NYSED) recommends a third renewal term of five years for La Cima Charter School (LCCS)**. The charter term would begin on July 1, 2016 and expire on June 30, 2021.

The school has demonstrated improvement in academic performance in most areas over the past charter term, and is implementing the mission, education program, and organizational design set forth in the charter. La Cima Charter School is close to meeting enrollment and retention targets as prescribed by the Board of Regents for students with disabilities, English language learners and students who are economically disadvantaged.

NYSED recommends approval of the school's request to decrease the maximum approved enrollment from 480 to 430 students and to offer Spanish language arts instead of the alternate immersion program described in the school's initial charter.

### Charter School Summary<sup>10</sup>

|                               |  |
|-------------------------------|--|
| <b>Name of Charter School</b> | La Cima Charter School   |
| <b>Board Chair</b>            | Nakia Booth  |
| <b>District of location</b>   | New York City Community School District 16 (Brooklyn)  |
| <b>Opening Date</b>           | August 18, 2008  |
| <b>Charter Terms</b>          | Initial Charter Term: January 15, 2008 – January 14, 2013<br>First Renewal: January 15, 2013 – June 30, 2013<br>Second Renewal: July 1, 2013 – June 30, 2016   |
| <b>Management Company</b>     | None   |
| <b>Partners</b>               | None   |
| <b>Facility</b>               | 800 Gates Avenue, Brooklyn, NY 11221   |
| <b>Mission Statement</b>      | <i>"The mission of La Cima Elementary Charter School is to prepare our students for academic and life-long success through a rigorous and relevant academic program."</i>  |
| <b>Requested Revisions</b>    | Decrease maximum approved enrollment to 430 K-5 students (from 480 students) in accordance with facility space limits.<br><br>Replace Spanish language alternate immersion program with Spanish language arts program. |

<sup>14</sup>The information in the section was provided by the NYS Education Department Charter School Office

## **Enrollment**

| <b>School Year</b> | <b>Grades Served</b> | <b>Maximum Approved Enrollment</b> | <b>Actual Enrollment</b> |
|--------------------|----------------------|------------------------------------|--------------------------|
| 2015-2016          | K-5                  | 480                                | 410                      |
| 2014-2015          | K-5                  | 480                                | 428*                     |
| 2013-2014          | K-5                  | 480                                | 376                      |

\* In 2014, the La Cima Charter School Board of Directors resolved to limit enrollment to 430 students due to facility limitations.

## **Background**

La Cima Charter School (LCCS) was authorized by the Board of Regents on January 15, 2008 to open in Jackson Heights/Corona (CSD 24 or 30), with intent to provide a culturally relevant curriculum, including English language development for its anticipated Spanish-speaking students through an alternate immersion instructional program. Prior to opening, the school was unable to secure private facility space in Queens, and was offered district space by the NYC Department of Education in Brooklyn (CSD 16). The school sought and received an amendment to the provisional charter to locate in Brooklyn.

LCCS opened on August 18, 2008, in co-located space in Brooklyn, NY with 139 students in grades K through 1. The school added one grade per year starting in 2009-2010 and in the 2015-2016 school year serves 410 students in grades K-5.

The LCCS population in CSD 16, unlike the population originally anticipated to be served in Queens, is predominantly English-speaking. In accordance with community interest and with the knowledge of the Department, at the time of opening the school modified its approach toward a culturally relevant curriculum by offering a Spanish language arts program for its predominantly English-speaking students. LCCS students who are English language learners are provided services as outlined in the charter. The current revision request is to decrease the maximum approved enrollment in accordance with the LCCS facility space and to correct the description of the LCCS educational model to Spanish Language Arts.

A first renewal term was approved in January 2013 as a right-sizing term of five months. In February 2013, the Board of Regents approved a second renewal term of three years (short-term) on the basis of the school's academic performance.

## **Summary of Evidence**

### **Educational Success**

#### **Student Performance**

Over the second renewal charter term, LCCS administered the NYS English language arts, mathematics and science assessments to students in grades 3-5. The outcomes from these assessments serve as the basis for determination of academic success in absolute proficiency outcomes, comparisons to the state and district of location, and comparison to similar schools throughout New York.

LCCS performance in mathematics shows strong growth, while ELA gains are being made more slowly. Mathematics outcomes improved by an average of 23 points since 2013 and ELA

improved by an average of 10 points. Fourth grade science outcomes have been declining annually, an aggregate decrease of 21 points over the last three years (see Table 1, below).

Students who are identified as economically disadvantaged tend to perform on par with the aggregate student population in all three tested subjects. Students identified with a disability who were administered the NYS assessments at LCCS in 2013-2015 did not perform proficiently in ELA yet did show a modest increase in overall math proficiency.

*Table 1: 2013-2015 Aggregate and Subgroup Grades 3-5 ELA, Mathematics & Science Outcomes - La Cima Charter School*

| Subject     | School Year | All Students | Students with Disabilities | English Language Learners | Economically Disadvantaged |
|-------------|-------------|--------------|----------------------------|---------------------------|----------------------------|
| ELA         | 2012-13     | 13%          | 0%                         | *                         | 11%                        |
|             | 2013-14     | 24%          | 0%                         | *                         | 23%                        |
|             | 2014-15     | 23%          | 0%                         | *                         | 24%                        |
| Mathematics | 2012-13     | 23%          | 13%                        | *                         | 24%                        |
|             | 2013-14     | 49%          | 18%                        | *                         | 51%                        |
|             | 2014-15     | 42%          | 16%                        | *                         | 44%                        |
| Science     | 2012-13     | 91%          | *                          | *                         | 90%                        |
|             | 2013-14     | 87%          | *                          | *                         | 87%                        |
|             | 2014-15     | 70%          | 50%                        | *                         | 73%                        |

*Note: Data in table 1 represents tested students in respective subgroups who scored proficiently (level 3 or above) on each state assessment. From 2013-2015, ELA and mathematics assessments were aligned to the Common Core; Science assessments remained in the original New York State Testing Program format.*

*\*In some cases, student subgroups did not have enough tested students to form a representative sample (<10 students). For these subgroups, testing data was withheld.*

LCCS comparative outcomes to New York State and NYC CSD16 show distinct strengths and some areas for improvement. In aggregate comparison to New York State testing outcomes, LCCS performance in mathematics has largely been at or above the state and CSD 16 average (see Table 2). ELA performance, however, shows the school marginally outperformed the CSD 16 average in 2014 and 2015, but underperformed the state average in all three years. Comparative fourth grade science outcomes show the school had outperformed both the state and district averages in 2013 and 2014, yet underperformed both in 2015. The New York State Testing Program for 4<sup>th</sup> grade science assessments are not yet aligned to the Common Core and, therefore, have significantly different testing margins.

| Subject | School Year | La Cima CS |  | NYC #16 Avg | La Cima Compared to NYC #16 |  | New York State Avg | La Cima Compared to NYS |
|---------|-------------|------------|--|-------------|-----------------------------|--|--------------------|-------------------------|
| ELA     | 2012-13     | 13%        |  | 18%         | -5                          |  | 31%                | -18                     |
|         | 2013-14     | 24%        |  | 20%         | +3                          |  | 31%                | -7                      |
|         | 2014-15     | 23%        |  | 20%         | +3                          |  | 32%                | -9                      |
| Math    | 2012-13     | 23%        |  | 20%         | +3                          |  | 34%                | -11                     |
|         | 2013-14     | 49%        |  | 19%         | +30                         |  | 41%                | +8                      |
|         | 2014-15     | 42%        |  | 22%         | +20                         |  | 43%                | -1                      |
| Science | 2012-13     | 91%        |  | 81%         | +10                         |  | 90%                | +1                      |
|         | 2013-14     | 87%        |  | 72%         | +15                         |  | 87%                | +0                      |
|         | 2014-15     | 70%        |  | 82%         | -12                         |  | 86%                | -16                     |

Note: Data in table 2 represents tested students only in grades 3-5 at La Cima, NYC #16, and NYS who scored proficiently (level 3 or above) on each state assessment. This table was created using grade level data to generate the comparative values, the percent difference between the school's performance and the district or state averages. All values were calculated to the nearest tenth, therefore, the percent differences may show a rounded value.

The Department also conducted an analysis of similar schools<sup>11</sup> using LCCS 2013-2015 ELA and mathematics outcomes compared to other schools across NYS with similar grade configurations and at-risk student populations. This analysis is used to better understand how LCCS performed academically over the charter term given the significantly high percentages of enrolled at-risk students, especially students in poverty. The NYS mean in ELA and math were used as the “anchor” for each year of the analysis to control for variations in grade configuration and fluctuations in test reliability.

The results of the analysis show that when at-risk factors and grade composition are controlled, students at LCCS perform very similarly to matched schools in ELA. In fact, the school is improving in ELA at a rate that exceeds its similar school peers. Additionally, LCCS significantly outperforms matched schools in math and outperformed the NYS average in 2013 despite educational barriers experienced in similarly matched schools.

According to the Department’s accountability designations for 2015-2016 and 2016-2017, LCCS is a school in *Good Standing*.

<sup>11</sup> The similar schools analysis was conducted using four years of final, end-of-year verified enrollment data sourced from the NYS Education Department Information and Reporting Services website (see <http://www.p12.nysed.gov/irs/statistics/enroll-n-staff/home.html>). Schools are matched on four criteria:

\* **Grade Configuration:** Matched schools must serve students with similar grade configurations. For example, a school with a grade configuration of K-6 could be matched with a school serving students in grades PreK-6, K-3 and 3-6 but not K-8 or 5-9. In order to yield the greatest combination of schools with comparable grades, matched school grade configurations could include one grade below the target school's lowest grade served or one grade above the target school's highest grade served.

\* **Economically Disadvantaged (Poverty) Students:** Schools identified as a match must be within +/- 5 percentage points of the comparison school's averaged economically disadvantaged population. *All matched schools must have comparable economically disadvantaged percentages.*

\* **Limited English Proficient Students:** Schools identified as a match must be within +/- 5 percentage points of the comparison school's averaged English language learner population *and/or* students with disabilities population. At least one subgroup criteria in English language learners or students with disabilities must be met in order for the school to be a match.

\* **Students with Disabilities:** Schools identified as a match must be within +/- 5 percentage points of the comparison school's averaged students with disabilities population *and/or* limited English proficient population. At least one subgroup criteria in limited English proficient or students with disabilities must be met in order for the school to be a match.

## Organizational Viability

### Financial Condition

LCCS appears to be in stable financial condition as evidenced by performance on key indicators derived from the schools independently audited financial statements. The Department reviews the financial performance and management of charter schools using several near-term and long-term financial performance indicators.<sup>12</sup> Near-term indicators, such as the current ratio and unrestricted days cash, are measures of liquidity and of the charter school’s capacity to maintain operations. Long-term indicators, such as total margin and debt-to asset ratio, are measures of the charter school’s capacity to remain viable and to meet financial obligations.

### Financial Management

LCCS 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.

### Faithfulness to the Charter and Law

#### Enrollment, Recruitment and Retention

*Table 3: Student Demographics – La Cima Charter School Compared to District of Location*

|   | 2013-2014             |     |          | 2014-2015             |     |          | 2015-2016 <sup>13</sup> |
|---|-----------------------|-----|----------|-----------------------|-----|----------|-------------------------|
|   | Percent of Enrollment |     |          | Percent of Enrollment |     |          | Percent of Enrollment   |
|   | School                | CSD | Variance | School                | CSD | Variance | School                  |
| <b>Enrollment of Special Populations<sup>14</sup></b> |                       |     |          |                       |     |          |                         |
| Economically Disadvantaged                            | 90%                   | 88% | +1.7     | 84%                   | 86% | -1.5     | 80%                     |
| English Language Learners                             | 9%                    | 6%  | +2.2     | 9%                    | 6%  | +2.3     | 9.9%                    |
| Students with Disabilities                            | 16%                   | 25% | -8.8     | 20%                   | 26% | -5.7     | 17.1%                   |

According to the Department records, LCCS has met or come close to meeting its enrollment targets since the beginning of the charter term for English language learners and economically disadvantaged students.

The variance between the school population of students with disabilities and the CSD population of students with disabilities is decreasing. Although the 2015-2016 school’s self-reported numbers reflect a possible increase in that variance, leaders reported that several students are awaiting initial evaluations, which they believe will increase the percentage of students with disabilities served for the 2015-2016 year. The school has provided a detailed policy statement setting forth

<sup>12</sup> These rigorous indicators of fiscal soundness are aligned with those recommended by the National Association of Charter School Authorizers, and are also used by the Trustees at the State University of New York (SUNY) in their capacity as a charter school authorizer (SUNY-CSI) in New York State.

<sup>13</sup> Enrollment for the 2015-16 school year are preliminary and therefore cannot be compared to the district. The enrollment figures provided for this school year have been reported by the school.

<sup>14</sup> Percentages of English language learners and students with disabilities include students who were exited from these services within the last three years of the enrollment record.

the outreach and retention strategies for each of these groups of students for the upcoming charter term.

### Retention

On average, LCCS has retained 91% of enrolled students over the current charter term.

The Department reviewed the school's retention rate of students from 2012 to 2015 using student level enrollment records submitted annually to the State Education Department. This review includes any student who was enrolled in the school at any time and persisted at the school between the 2012-2013 and 2014-2015 school years<sup>15</sup>.

### **Legal Compliance**

LCCS is in general compliance with laws, regulations and the terms of its charter. The school operates in accordance with applicable law, regulations, rules and other policies, including its by-laws and other school-specific policies, and including disciplinary procedures for students with disabilities to address section 300.519-300.529 of the Code of Federal Regulations and NYS Dignity for All Students Act regulations. The board holds meetings in accordance with Open Meetings Law.

### **Public Hearing Information**

A public hearing was held on October 21, 2015 by the NYC Department of Education to give the public an opportunity to comment on the LCCS renewal application and proposed revisions. Twelve people attended the hearing. There were six speakers in opposition of the proposed renewal and no speakers in support. Comments in opposition to the renewal were based on concerns about colocation and space limitations in the building.

### **Revisions**

In the third renewal term, LCCS is seeking to reduce maximum approved enrollment from 480 to 430 students in grades K-5, and to replace Spanish language alternate immersion program with Spanish language arts for English-speaking students.

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<sup>15</sup> Students who would have exited the school at the end of the school year in the highest grade were not included in this analysis. Students who were enrolled at the school for a duration of more than a day were included in this analysis.

## BRONX CHARTER SCHOOL FOR CHILDREN

### Introduction

In accordance with Education Law, Article 56, Sections 2851(4) and 2852(2), Commissioners Regulation 119.7 and the Board of Regents Charter School Renewal Policy (November 2012), the **New York State Education Department (NYSED) recommends a third renewal term of three years (short-term) with academic corrective action for Bronx Charter School for Children. The charter term would begin on July 1, 2016 and expire on June 30, 2019.**

Bronx Charter School for Children must demonstrate improvement in aggregate and subgroup academic outcomes and make progress toward meeting both enrollment and retention targets during the third charter renewal term. The school is implementing the mission, key design elements, education program, and organizational design set forth in the charter.

### Charter School Summary

|                               |  |
|-------------------------------|--|
| <b>Name of Charter School</b> | Bronx Charter School for Children  |
| <b>Board Chair</b>            | Jane Ehrenberg Rosen   |
| <b>District of location</b>   | NYC CSD 7  |
| <b>Opening Date</b>           | September 9, 2004  |
| <b>Charter Terms</b>          | Initial Charter Term: 1/15/2003-1/15/2008<br>First Renewal Term: 1/16/2008-6/30/2011<br>Second Renewal Term: 7/1/2011-6/30/2016  |
| <b>Management Company</b>     | N/A  |
| <b>Partners</b>               | N/A  |
| <b>Facilities</b>             | 388 Willis Avenue, Bronx, NY 10454   |
| <b>Mission Statement</b>      | <i>"The mission of The Bronx Charter School for Children is to empower our children to achieve their greatest potential both as students and as members of their communities."</i> |

### **Enrollment**

| School Year | Grades Served | Approved Enrollment Growth Plan | Actual Enrollment |
|-------------|---------------|---------------------------------|-------------------|
| 2015-2016   | K-5           | 432                             | 422               |
| 2014-2015   | K-5           | 432                             | 429               |
| 2013-2014   | K-5           | 432                             | 429               |
| 2012-2013   | K-5           | 432                             | 422               |
| 2011-2012   | K-5           | 432                             | 424               |

### Background

This is the third renewal for the Bronx Charter School for Children (BCSC), which was authorized by the Board of Regents in 2003 to provide a grade K-5 program for 308 students. The school opened in private space in the Bronx in September 2004, with 132 students in grades K-1. A revision was approved by the Board of Regents in June 2005 to increase the approved maximum

enrollment to 396. A second revision, increasing the approved maximum enrollment to 432, was approved in June 2010.

## Summary of Evidence

### Educational Success

#### Student Performance

Over the third renewal charter term, BCSC administered the NYS English language arts, mathematics and science assessments to students in grades 3-5. The outcomes from these assessments serve as the basis for determination of academic success in absolute proficiency outcomes, comparisons to the state and district of location, and comparison to similar schools throughout New York.

BCSC's aggregate proficiency outcomes show a 7 point decline in ELA and 9 point decline in mathematics since Common Core testing implementation in 2013. See Table 1, below. Though the 4<sup>th</sup> grade science assessment has not yet been aligned to the Common Core, the school also showed a 7 point drop in science proficiency since 2013.

Students who were identified as economically disadvantaged tend to perform on par with the aggregate student population in all three tested subjects, however, they are still mirroring the same declining trend. There is a considerable achievement gap in ELA and mathematics for students identified with a disability and English language learners who were administered the NYS assessments at BCSC.

*Table 1: 2014-2015 Aggregate and Subgroup Grades 3-4 ELA, Mathematics & Science Outcomes - Bronx Charter School for Children*

| Subject | School Year | <b>All Students</b> | <i>Students with Disabilities</i> | <i>English Language Learners</i> | <i>Economically Disadvantaged</i> |
|---------|-------------|---------------------|-----------------------------------|----------------------------------|-----------------------------------|
| ELA     | 2012-13     | 18%                 | 6%                                | 3%                               | 18%                               |
|         | 2013-14     | 16%                 | 3%                                | 4%                               | 14%                               |
|         | 2014-15     | 11%                 | 11%                               | 0%                               | 11%                               |
| Math    | 2012-13     | 23%                 | 9%                                | 14%                              | 23%                               |
|         | 2013-14     | 25%                 | 15%                               | 14%                              | 25%                               |
|         | 2014-15     | 14%                 | 0%                                | 5%                               | 14%                               |
| Science | 2012-13     | 91%                 | 63%                               | 91%                              | 90%                               |
|         | 2013-14     | 94%                 | *                                 | 90%                              | 93%                               |
|         | 2014-15     | 84%                 | 57%                               | *                                | 84%                               |

Note: Data in table 1 represents tested students in respective subgroups who scored proficiently (level 3 or above) on each state assessment. From 2013-2015, ELA and mathematics assessments were aligned to the Common Core; Science assessments remained in the original NYS Testing Program format.

\* In some cases, student subgroups did not have enough tested students to form a representative sample (<10 students). For these subgroups, testing data was withheld.

BCSC's comparative outcomes to New York State and NYC CSD 7 show the school is not only declining in overall annual proficiency, but falling away from the district and state averages when the district and state have increased every year (see Table 2). This inverse trend suggests that, if the current conditions at the school persist, the academic performance gap between the school and district/state averages will continue to widen.

Table 2: 2014-2015 Aggregate Comparison Grades 3-5 ELA, Mathematics & Science Outcomes - Bronx Charter School for Children

| Subject | School Year | Bronx CS for Children | NYC #7 Avg | BCSC Compared to NYC #7 | New York State Avg | BCSC Compared to NYS |
|---------|-------------|-----------------------|------------|-------------------------|--------------------|----------------------|
| ELA     | 2012-13     | 18%                   | 11%        | +6.50                   | 31%                | -13.12               |
|         | 2013-14     | 16%                   | 12%        | +3.37                   | 31%                | -15.31               |
|         | 2014-15     | 11%                   | 13%        | -1.81                   | 32%                | -20.56               |
| Math    | 2012-13     | 23%                   | 13%        | +9.99                   | 34%                | -10.73               |
|         | 2013-14     | 25%                   | 18%        | +6.93                   | 41%                | -15.92               |
|         | 2014-15     | 14%                   | 19%        | -4.04                   | 43%                | -28.63               |
| Science | 2012-13     | 91%                   | 70%        | +21.02                  | 87%                | +4.06                |
|         | 2013-14     | 94%                   | 67%        | +27.76                  | 84%                | +9.84                |
|         | 2014-15     | 84%                   | 67%        | +16.57                  | 86%                | -2.27                |

Note: Data in table 2 represents tested students in only grades 3-5 at Bronx CS for Children, CSD 7, and NYS who scored proficiently (level 3 or above) on each state assessment. This table was created using grade level data to generate the comparative values, the percent difference between the school's performance and the district or state averages. All values were calculated to the nearest tenth, therefore, the percent differences may show a rounded value.

The Department also conducted an analysis of similar schools<sup>16</sup> using BCSC's 2013-2015 ELA and mathematics outcomes compared to other schools across NYS with similar grade

<sup>16</sup> The similar schools analysis was conducted using four years of final, end-of-year verified enrollment data sourced from the NYS Education Department Information and Reporting Services website (see <http://www.p12.nysed.gov/irs/statistics/enroll-n-staff/home.html>). Schools are matched on four criteria:

\* **Grade Configuration:** Matched schools must serve students with similar grade configurations. For example, a school with a grade configuration of K-6 could be matched with a school serving students in grades PreK-6, K-3 and 3-6 but not K-8 or 5-9. In order to yield the greatest combination of schools with comparable grades, matched school grade configurations could include one grade below the target school's lowest grade served or one grade above the target school's highest grade served.

\* **Economically Disadvantaged (Poverty) Students:** Schools identified as a match must be within +/- 5 percentage points of the comparison school's averaged economically disadvantaged population. *All matched schools must have comparable economically disadvantaged percentages.*

\* **Limited English Proficient Students:** Schools identified as a match must be within +/- 5 percentage points of the comparison school's averaged English language learner population *and/or* students with disabilities population. At least one subgroup criteria in English language learners or students with disabilities must be met in order for the school to be a match.

\* **Students with Disabilities:** Schools identified as a match must be within +/- 5 percentage points of the comparison school's averaged students with disabilities population *and/or* limited English proficient population. At least one subgroup criteria in limited English proficient or students with disabilities must be met in order for the school to be a match.

configurations and at-risk student populations. This analysis is used to better understand how BCSC performed academically over the charter term given the significantly high percentages of enrolled at-risk students, especially students in poverty. The NYS mean in ELA and math were used as the “anchor” for each year of the analysis to control for variations in grade configuration and fluctuations in test reliability. The results of the analysis show that when at-risk factors and grade composition are controlled, students at BCSC significantly underperformed similarly matched schools in ELA and mathematics. In 2013, BCSC performed at the similar schools ELA mean and slightly above the similar schools math mean. However, in 2014 the school slipped below the similar schools mean for both subjects by 3 points, and then fell further behind in 2015 by 8 points in ELA and, more significantly, 13 points in math. This receding trend away from those schools serving a similar population of students in grades 3-5 presents concern for the viability of the school’s program to serve students at least as well as other schools with similar populations, especially those students at-risk.

According to the Department’s accountability designations, BCSC was identified as a school *In Good Standing* for the 2015-2016 and 2016-2017 school years.

## **Organizational Viability**

### **Financial Condition**

BCSC appears to be in stable financial condition as evidenced by performance on key indicators derived from the schools independently audited financial statements. The Department reviews the financial performance and management of charter schools using several near-term and long-term financial performance indicators.<sup>17</sup> Near-term indicators, such as the current ratio and unrestricted days cash, are measures of liquidity and of the charter school’s capacity to maintain operations. Long-term indicators, such as total margin and debt-to asset ratio, are measures of the charter school’s capacity to remain viable and to meet financial obligations.

### **Financial Management**

BCSC generally operates in a fiscally sound manner with appropriate internal controls and procedures, and in accordance with state law and generally accepted accounting practices. The Department reviewed BCSC’s 2014-2015 and 2013-2014 financial audits to determine whether the independent auditor observed sufficient internal controls over financial statements.

The school acted in April 2016 to implement recommendations to update the school’s fiscal policies and procedures manual and to establish a reserve policy.

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<sup>17</sup> These rigorous indicators of fiscal soundness are aligned with those recommended by the National Association of Charter School Authorizers, and are also used by the Trustees at the State University of New York (SUNY) in their capacity as a charter school authorizer (SUNY-CSI) in New York State.

## Faithfulness to the Charter and Law

### Enrollment, Recruitment and Retention

*Table 3: Student Demographics – The Bronx Charter School for Children Compared to District of Location*

|   | 2013-2014             |     |          | 2014-2015             |     |          | 2015-2016 <sup>18</sup> |
|---|-----------------------|-----|----------|-----------------------|-----|----------|-------------------------|
|   | Percent of Enrollment |     | Variance | Percent of Enrollment |     | Variance | Percent of Enrollment   |
|   | School                | CSD |          | School                | CSD |          | School                  |
| <b>Enrollment of Special Populations<sup>19</sup></b> |                       |     |          |                       |     |          |                         |
| Economically Disadvantaged                            | 90%                   | 97% | -6.5%    | 93%                   | 96% | -3.5%    | 87%                     |
| English Language Learners                             | 24%                   | 24% | +6%      | 25%                   | 24% | +7%      | 24%                     |
| Students with Disabilities                            | 15%                   | 25% | -10.0%   | 16%                   | 25% | -9.0%    | 11%                     |

According to the Department records, BCSC has met or come close to meeting its enrollment targets for students identified as economically disadvantaged and English language learners.

The school is approximately 10 points below the district’s enrollment of students with disabilities and is making efforts to increase that percentage. However, the school needs additional time for the efforts to yield an increase in the numbers of students with disabilities enrolled and retained at the school. Efforts to increase the enrollment and retention of students with disabilities include:

- Establishment of a kindergarten Integrated Co-Teaching (ICT) classroom in 2015-2016. With this program addition, there is an ICT class at each grade level at BCSC.
- Revising the school’s enrollment policy to increase 2017 lottery access for students with disabilities by giving additional weighting to those applications.
- Meeting with CSE/CSD 7 representatives to strategize programmatic additions that would meet the needs of students with disabilities (e.g. provision of a 12:1:1 setting).
- Attending workshops facilitated by the Charter School Center and collaborating with other charter schools to further strategize methods that will improve the special education program at BCSC.

### Retention

On average, BCSC has retained 74% of enrolled students over the current charter term.

The Department reviewed the school’s retention rate of students from 2012 to 2015 using student level enrollment records submitted annually to the State Education Department. This review includes any student who was enrolled in the school at any time and persisted at the school between the 2012-2013 and 2014-2015 school years<sup>20</sup>.

<sup>18</sup> Enrollment for the 2015-16 school year is preliminary and therefore cannot be compared to the district. The enrollment figures provided for this school year have been reported by the school.

<sup>19</sup> Percentages of English language learners and students with disabilities include students who were exited from these services within the last three years of the enrollment record.

<sup>20</sup> Students who would have exited the school at the end of the school year in the highest grade were not included in this analysis. Students who were enrolled at the school for a duration of more than a day were included in this analysis.

## **Legal Compliance**

The BCSC demonstrates evidence of substantial compliance with applicable laws, regulations, rules and other policies, including its by-laws and other school-specific policies and including disciplinary procedures for students with disabilities to address section 300.519-300.529 of the Code of Federal Regulations and NYS DASA regulations. The board holds meetings in accordance with Open Meetings Law.

The board of trustees contracts with an attorney who monitors board practices and policies and educates board members about changes in state and federal laws. The school meets its reporting requirements as determined by monitoring visits and review of submitted documents.

## **Public Hearing Information**

The required hearing was held on October 15, 2015. Twenty people were in attendance. Three people spoke, all in favor of the BCSC renewal.

## **Proposals for Revision**

BCSC is not requesting any revisions to the charter with this renewal.

## NEW YORK CITY MONTESSORI CHARTER SCHOOL

### Introduction

In accordance with Education Law, Article 56, Sections 2851(4) and 2852(2), Commissioners Regulation 119.7 and the Board of Regents Charter School Renewal Policy (November 2012), the **New York State Education Department (NYSED) recommends a first renewal term of three years with academic corrective action for New York City Montessori Charter School. This term provides the school with a final opportunity to remediate the academic, operational, and fiscal issues noted in this report. The charter term would begin on July 1, 2016 and expire on June 30, 2019.**

During the initial charter term, the school has implemented the mission and key design elements set forth in their charter. However, academic performance is lower than the district of location and the school has reported errors in service provision and billing for special education students. The Department is currently conducting an audit to determine the extent of the special education service and billing errors at New York City Montessori Charter School, but findings are preliminary and will not become final before June 2016. New York City Montessori Charter School is close to meeting enrollment and retention targets as prescribed by the Board of Regents for students with disabilities, English language learners, and students who are economically disadvantaged.

### Charter School Summary

|                               |   |
|-------------------------------|---|
| <b>Name of Charter School</b> | New York City Montessori Charter School   |
| <b>Board Chair</b>            | Rory Cohen  |
| <b>District of location</b>   | New York City Community School District 7 (Bronx)   |
| <b>Opening Date</b>           | September 6, 2011   |
| <b>Charter Terms</b>          | Initial Charter Term: July 1, 2011-June 30, 2016  |
| <b>Management Company</b>     | None  |
| <b>Partners</b>               | SOBRO   |
| <b>Facility</b>               | 423 East 138 <sup>th</sup> Street, Bronx, NY 10454  |
| <b>Mission Statement</b>      | <i>"The New York City Montessori Charter School will empower children to be critical thinkers and creative problem solvers with strong social skills so that they can succeed in their world and continue to learn in their pursuit of higher education as they prepare for careers needed in the 21<sup>st</sup> Century."</i> |

### Enrollment

| School Year | Grades Served | Maximum Approved Enrollment | Actual Enrollment |
|-------------|---------------|-----------------------------|-------------------|
| 2015-2016   | K-5           | 294                         | 277               |
| 2014-2015   | K-4           | 294                         | 249               |
| 2013-2014   | K-3           | 294                         | 204               |

### Background

New York City Montessori Charter School (NYCMCS) was authorized by the Board of Regents on December 14, 2010 and opened on September 6, 2011. The school opened in private space in

Bronx, New York with 98 students in grades K through 1. The school added one grade per year starting in 2012-2013 and is serving students in their approved grade span of kindergarten through grade 5 in 2015-2016. Current enrollment is 277 students with a maximum approved enrollment of 294 students. In fall 2015, the board of trustees revised the leadership structure of the school in an effort to improve academic outcomes and operational reliability.

## **Summary of Evidence**

### **Educational Success**

#### **Student Performance**

Over the first renewal charter term, NYCMCS administered the NYS English language arts, mathematics, and science assessments to students in grades 3-4. The outcomes from these assessments serve as the basis for determination of academic success in absolute proficiency outcomes, comparisons to the state and district of location, and comparison to similar schools throughout New York.

NYCMCS's performance in mathematics shows the school is making gains toward meeting the NYC CSD 7 average in 3<sup>rd</sup> and 4<sup>th</sup> grade testing, while ELA progress is relatively small. Mathematics outcomes improved by an average of 10 points since 2014 while ELA increased by 3 points. NYCMCS tested 4<sup>th</sup> grade students for the first time in 2015, though first time outcomes showed low performance in comparison to the district and state. See Table 1 below.

Students who are identified as economically disadvantaged tend to perform on par with the aggregate student population in all three tested subjects. Students identified with a disability who were administered the NYS assessments at NYCMCS in 2014 and 2015 did not perform proficiently in ELA; math and science outcomes for students with disabilities were largely below the aggregate student population.

*Table 1: 2014-2015 Aggregate and Subgroup Grades 3-4 ELA, Mathematics & Science Outcomes - NYC Montessori Charter School*

| Subject | School Year | <b>All Students</b> | <i>Students with Disabilities</i> | <i>English Language Learners</i> | <i>Economically Disadvantaged</i> |
|---------|-------------|---------------------|-----------------------------------|----------------------------------|-----------------------------------|
| ELA     | 2013-14     | 2%                  | 0%                                | *                                | 2%                                |
|         | 2014-15     | 5%                  | 0%                                | *                                | 4%                                |
| Math    | 2013-14     | 8%                  | 8%                                | *                                | 9%                                |
|         | 2014-15     | 18%                 | 8%                                | *                                | 15%                               |
| Science | 2014-15     | 53%                 | 33%                               | *                                | 51%                               |

*Note: Data in table 1 represents tested students in respective subgroups who scored proficiently (level 3 or above) on each state assessment. From 2013-2015, ELA and mathematics assessments were aligned to the Common Core; science assessments remained in the original NYS Testing Program format.*

*\* In some cases, student subgroups did not have enough tested students to form a representative sample (<10 students). For these subgroups, testing data was withheld.*

NYCMCS's comparative outcomes to New York State and NYC CSD 7 show that the school is trending toward the district average in math only, but is far below the state in all tested subjects

(see Table 2). At this point in the charter term, the school only has two years of testing data for ELA and math and one year of data for science. Analysis of NYCMCS's testing outcomes warrants concern for the viability of the School's academic programs since the school is not yet even meeting the district average; however, the limited data portfolio precludes establishment of concrete trends at this time.

*NYC Montessori Charter School*

| Subject | School Year | NYC Montessori CS | NYC #7 Avg | Montessori Compared to NYC #7 | New York State Avg | Montessori Compared to NYS |
|---------|-------------|-------------------|------------|-------------------------------|--------------------|----------------------------|
| ELA     | 2012-13     |                   |            |                               |                    |                            |
|         | 2013-14     | 2%                | 12%        | -10                           | 31%                | -29                        |
|         | 2014-15     | 5%                | 14%        | -9                            | 32%                | -27                        |
| Math    | 2012-13     |                   |            |                               |                    |                            |
|         | 2013-14     | 8%                | 18%        | -10                           | 42%                | -33                        |
|         | 2014-15     | 18%               | 19%        | -1                            | 43%                | -25                        |
| Science | 2012-13     |                   |            |                               |                    |                            |
|         | 2013-14     |                   |            |                               |                    |                            |
|         | 2014-15     | 53%               | 67%        | -14                           | 86%                | -33                        |

*Note: Data in table 2 represents tested students only in grades 3-4 at NYCMCS, CSD 7, and NYS who scored proficiently (level 3 or above) on each state assessment. This table was created using grade level data to generate the comparative values, the percent difference between the school's performance and the district or state averages. All values were calculated to the nearest tenth, therefore, the percent differences may show a rounded value.*

The Department also conducted an analysis of similar schools<sup>21</sup> using NYCMCS's 2014 and 2015 ELA and mathematics outcomes compared to other schools across NYS with similar grade configurations and at-risk student populations. This analysis is used to better understand how NYCMCS performed academically over the charter term given the significantly high percentages of enrolled at-risk students, especially students in poverty. The NYS mean in ELA and math were

<sup>21</sup> The similar schools analysis was conducted using four years of final, end-of-year verified enrollment data sourced from the NYS Education Department Information and Reporting Services website (see <http://www.p12.nysed.gov/irs/statistics/enroll-n-staff/home.html>). Schools are matched on four criteria:

\* **Grade Configuration:** Matched schools must serve students with similar grade configurations. For example, a school with a grade configuration of K-6 could be matched with a school serving students in grades PreK-6, K-3 and 3-6 but not K-8 or 5-9. In order to yield the greatest combination of schools with comparable grades, matched school grade configurations could include one grade below the target school's lowest grade served or one grade above the target school's highest grade served.

\* **Economically Disadvantaged (Poverty) Students:** Schools identified as a match must be within +/- 5 percentage points of the comparison school's averaged economically disadvantaged population. *All matched schools must have comparable economically disadvantaged percentages.*

\* **Limited English Proficient Students:** Schools identified as a match must be within +/- 5 percentage points of the comparison school's averaged English language learner population *and/or* students with disabilities population. At least one subgroup criteria in English language learners or students with disabilities must be met in order for the school to be a match.

\* **Students with Disabilities:** Schools identified as a match must be within +/- 5 percentage points of the comparison school's averaged students with disabilities population *and/or* limited English proficient population. At least one subgroup criteria in limited English proficient or students with disabilities must be met in order for the school to be a match.

used as the “anchor” for each year of the analysis to control for variations in grade configuration and fluctuations in test reliability.

The results of the analysis show that when at-risk factors and grade composition are controlled, students at NYCMCS significantly underperformed similarly matched schools in ELA and mathematics. Compared to other similar schools, the analysis also showed the gap in mathematics performance did shrink in the second year of testing, however, the school is still significantly underperforming other schools that tested students in grades 3 and 4 within the same timeframe.

According to the Department’s accountability designations, NYCMCS was identified as a *local assistance plan (LAP)* school for the 2015-2016 school year. The school’s 2016-2017 accountability designation identifies NYCMCS as a *priority charter school*. This accountability determination was made by the NYS Education Department’s Office of Accountability using the school’s last two years of testing data (2014 and 2015) and placing the school’s outcomes in the bottom 7<sup>th</sup> percentile statewide for ELA and mathematics performance with less than a 10 point gain among those testing years.

## **Organizational Viability**

### **Financial Condition**

The financial condition of NYCMCS needs improvement, as evidenced by performance on key indicators derived from the schools independently audited financial statements. The school has a low composite score, which is a weighting of primary reserves, equity, and net income. The Department reviews the financial performance and management of charter schools using several near-term and long-term financial performance indicators. Near-term indicators, such as the current ratio and unrestricted days cash, are measures of liquidity and of the charter school’s capacity to maintain operations. Long-term indicators, such as total margin and debt-to asset ratio, are measures of the charter school’s capacity to remain viable and to meet financial obligations.

### **Financial Management**

The Department reviewed NYCMCS’s 2013-2014 and 2014-2015 financial audits to determine whether the independent auditor observed sufficient internal controls over financial statements. Through review of external audits as well as through Charter School Office on-site testing conducted in 2015, the Department found that NYCMCS must strengthen internal controls and procedures. The 2014-2015 audit management letter included two recommendations, one of which related to the lack of support for some debit card transactions. NYCMCS had negative net assets for 2013-2014, and was able to decrease its negative net assets for 2014-2015.

In November, NYCMCS informed NYSED of special education billing errors in school year 2014-2015. As a result, NYCMCS is currently being audited by NYSED’s Office of Audit Services to determine the extent of the billing error.

## Faithfulness to the Charter and Law

### Enrollment, Recruitment and Retention

*Table 3: Student Demographics – NYC Montessori Charter School Compared to District of Location*

|   | 2013-2014             |     |          | 2014-2015             |     |          | 2015-2016 <sup>22</sup> |
|---|-----------------------|-----|----------|-----------------------|-----|----------|-------------------------|
|   | Percent of Enrollment |     |          | Percent of Enrollment |     |          | Percent of Enrollment   |
|   | School                | CSD | Variance | School                | CSD | Variance | School                  |
| <b>Enrollment of Special Populations<sup>23</sup></b> |                       |     |          |                       |     |          |                         |
| Economically Disadvantaged                            | 87%                   | 97% | -9.7%    | 93%                   | 97% | -3.7%    | 90%                     |
| English Language Learners                             | 13%                   | 23% | -10.5%   | 19%                   | 24% | -4.7%    | 18%                     |
| Students with Disabilities                            | 20%                   | 23% | -3.2%    | 23%                   | 24% | -.9%     | 16%                     |

According to the Department records, NYCMCS has come close to meeting its enrollment targets since the beginning of the charter term for all at-risk student populations. From 2014 to 2015, the school has increased the enrollment percentage of at-risk students to come closer to the NYC CSD 7 percentages.

### Retention

On average, NYCMCS has retained 85% of enrolled students over the current charter term.

The Department reviewed the school's retention rate of students from 2012 to 2015 using student level enrollment records submitted annually to the State Education Department. This review includes any student who was enrolled in the school at any time and persisted at the school between the 2012-13 and 2014-15 school years<sup>24</sup>.

## Legal Compliance

NYCMCS generally operates in accordance with law, regulations, rules, and other policies, including its by-laws and other school-specific policies, and including disciplinary procedures for students with disabilities to address section 300.519-300.529 of the Code of Federal Regulations and NYS DASA regulations. The board holds meetings in accordance with Open Meetings Law.

In November 2015, the NYCMCS board of trustees contacted NYSED to discuss its internal finding that certain services for students with disabilities had not been provided in accordance

<sup>22</sup> Enrollment for the 2015-16 school year is preliminary and therefore cannot be compared to the district. The enrollment figures provided for this school year have been reported by the school.

<sup>23</sup> Percentages of English language learners and students with disabilities include students who were exited from these services within the last three years of the enrollment record.

<sup>24</sup> Students who would have exited the school at the end of the school year in the highest grade were not included in this analysis. Students who were enrolled at the school for a duration of more than a day were included in this analysis.

with the students IEP. The school's board indicated that it learned that there were issues with improper billing by the charter school to the New York City Department of Education during the 2014-15 school year and possibly the 2015-16 school year. They were investigating to determine the scope of the problem and took remedial actions to replace certain staff members.

In response, the Charter School Office arranged for the SED Office of Special Education's Special Education Quality Assurance team to participate in the renewal visit to determine the extent of the problem and guide next steps. The NYSED Office of Audit Services was also contacted to determine the fiscal implications of the issue. They are currently in the process of conducting a review.

### **Public Hearing Information**

The required charter renewal hearing was held on October 27, 2015 by the Department of Education in New York City. Six individuals provided written comments or spoke at the hearing. Three parents were supportive of the school, with three others expressing concern about their children's special education services.

## Renewal Recommendations

VOTED: That the Board of Regents finds that, the **Global Concepts Charter School**: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application 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 this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the **Global Concepts Charter School** and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including **June 30, 2021**.

VOTED: That the Board of Regents finds that, the **Harriet Tubman Charter School**: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application 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 this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the **Harriet Tubman Charter School** and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including **June 30, 2021**.

VOTED: That the Board of Regents finds that, the **La Cima Charter School**: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application 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 this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the **La Cima Charter School** and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including **June 30, 2021**.

VOTED: That the Board of Regents finds that, the **Bronx Charter School for Children**: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application 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 this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the **Bronx Charter School for Children** and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including **June 30, 2019**.

VOTED: That the Board of Regents finds that, the **New York City Montessori Charter School**: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application 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 this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the **New York City Montessori Charter School** and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including **June 30, 2019**.

### **Timetable for Implementation**

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