



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

TO: P-12 Education Committee
FROM: Angelique Johnson-Dingle *Angelique Johnson-Dingle*
SUBJECT: Revision to Charters Authorized by the Board of Regents
DATE: February 2, 2023
AUTHORIZATION(S): *Bellamy*

SUMMARY

Issue for Decision

Should the Board of Regents approve the revision recommendation for the following charter school authorized by the Board of Regents?

- **Great Oaks Charter School** (Revision to decrease the school's authorized enrollment from 573 students to 375 students in Grades 6-12, and to revise the school's approved enrollment pattern to align it with the school's actual enrollment pattern, which reflects the revised schedule for the phasing in of high school grades).

Reason(s) for Consideration

Required by State statute.

Proposed Handling

This issue will come before the P-12 Education Committee for recommendation to the Full Board for action at its February 2023 meeting.

Procedural History

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

Background Information

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

Related Regents Items

Great Oaks Charter School

November 2012: [Initial Charter](http://www.regents.nysed.gov/common/regents/files/documents/meetings/2012Meetings/November2012/1112p12a3.pdf)

(<http://www.regents.nysed.gov/common/regents/files/documents/meetings/2012Meetings/November2012/1112p12a3.pdf>)

October 2014: [Comprehensive Management Service Revision](http://www.regents.nysed.gov/common/regents/files/1014p12a1_0.pdf)

(http://www.regents.nysed.gov/common/regents/files/1014p12a1_0.pdf)

April 2015: [Relocation Revision](http://www.regents.nysed.gov/common/regents/files/meetings/Apr%202015/415p12a6.pdf)

(<http://www.regents.nysed.gov/common/regents/files/meetings/Apr%202015/415p12a6.pdf>)

January 2018: [First Renewal](https://www.regents.nysed.gov/common/regents/files/118p12a2revised.pdf)

(<https://www.regents.nysed.gov/common/regents/files/118p12a2revised.pdf>)

June 2022: [Second Renewal with Key Design Element Revision](https://www.regents.nysed.gov/common/regents/files/622p12a1revised.pdf)

(<https://www.regents.nysed.gov/common/regents/files/622p12a1revised.pdf>)

Recommendation

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

VOTED: That the Board of Regents finds that: (1) the **Great Oaks Charter School** meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules, and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to amend the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of Section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the request to amend the charter will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents, approves the charter revision for **Great Oaks Charter School** and amends the provisional charter accordingly.

Timetable for Implementation

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

Great Oaks Charter School

In accordance with Education Law, Article 56, the **New York State Education Department recommends that this charter school be permitted to revise its** charter to decrease the school’s authorized enrollment from 573 students to 375 students in Grades 6-12 and to revise the school’s approved enrollment pattern to align it with the school’s actual enrollment pattern, which reflects the revised schedule for the phasing in of high school grades.

Table 1: Charter School Summary

Name of Charter School	Great Oaks Charter School
Board Chair	Susan Akselrad
District of Location	NYC CSD 1 ¹
Initial Commencement of Instruction	Fall 2013
Current Term Authorized Grades /Approved Enrollment	Grades 6-12 / 573 students
Comprehensive Management Service Provider	Great Oaks Foundation
Facilities	38 Delancey St 3rd FL, New York, NY 10002 – Private Space
Mission Statement	<i>The mission of the Great Oaks Charter School is to prepare our students to succeed in college by obtaining a four-year degree. We will accomplish this by combining high academic and behavioral expectations for our students with an extraordinary level of individual attention to each student’s needs through tutoring. We believe that this model will be particularly beneficial to English Language Learners and will target them for recruitment.</i>
Key Design Elements²	<ul style="list-style-type: none"> • <u>High Academic and Behavioral Expectations</u> <ul style="list-style-type: none"> ○ Rigorous Academics ○ Building Character • <u>Building Relationships</u> • <u>Individualized Lessons via High-Dosage Tutoring</u> <ul style="list-style-type: none"> ○ Academic skills ○ School culture • <u>Other Key Features:</u> <ul style="list-style-type: none"> ○ Small School ○ Excellent classroom instruction ○ More time on task <ul style="list-style-type: none"> ▪ Longer School Day ▪ Longer School Year ▪ Additional support for struggling students ○ Data-Driven Instructional Practices ○ A special focus on English Language Learners

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

² The full description of the school’s key design elements is in the application.

Recommended Material Revisions	<ul style="list-style-type: none"> A decrease to the school’s authorized enrollment, from 573 students to 375 students in Grades 6-12, and a revision to the school’s approved enrollment pattern to align it with the school’s actual enrollment pattern, which reflects the revised schedule for the phasing in of high school grades. Note, the school is currently serving 300 students and no students will be displaced as a result of this proposed revision.
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Table 2: Current Grade Levels and Approved Enrollment

	Year 1 2022 to 2023	Year 2 2023 to 2024	Year 3 2024 to 2025
Grade Configuration	Grades 6-12	Grades 6-12	Grades 6-12
Total Approved Enrollment	573	573	573

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

	Year 1 2022 to 2023	Year 2 2023 to 2024	Year 3 2024 to 2025
Grade Configuration	Grades 6-12	Grades 6-11	Grades 6-12
Total Recommended Enrollment	573	340	375

* Year 1 in the recommended chart reflects the school’s currently approved enrollment. Due to facilities concerns and the effects of the pandemic, the school delayed the implementation of its high school grades and is currently serving 300 students in Grades 6-10. Years 2 and 3 in the chart were submitted by the Great Oaks Charter School. It is subject to change pending the final revision recommendation and approval by the Board of Regents.

Rationale for Revision Recommendation

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

In November 2012, the Board of Regents approved and chartered the Great Oaks Charter School (“Great Oaks” or “the school”) in the NYC CSD 2. The school was subsequently authorized to operate in NYC CSD 1. The school has a college preparatory program based on rigorous instruction tailored to the needs of each of its students, which includes individualized tutoring for every student. The school is substantially implementing the mission, key design elements, education program, and organizational plan set forth in the charter.

The school’s trustees request that the Board of Regents approves a material revision to the school’s charter to allow the school to decrease the school’s authorized enrollment, from 573 students to 375 students in Grades 6-12 and align the school’s enrollment pattern to reflect the revised schedule for the phasing in of high school grades. The current location in private space at 38 Delancey Street in

Manhattan’s Lower East Side could not support the school’s full growth from Grades 6-8 to Grades 6-12. That, combined with the impact of the COVID-19 pandemic on student enrollment, necessitated a modification of student enrollment to reflect the school’s current reality. Note: When the school’s second renewal was approved in June 2022, the Board of Regents was informed that *‘Due to concerns about facilities and the effects of the COVID-19 pandemic, the school delayed implementation of its high school grades. As a result, the school plans to submit a request to revise its enrollment pattern.’* The school first added a grade 9 in the 2020–2021 school year and plans to complete its transition to grades 6-12 school in the 2024–2025 school year.

Approving this revision request is likely to improve student learning and achievement and result in a significant educational benefit to the students expected to attend the charter school because it will allow the school to fully expand, enabling current students to continue to matriculate through the full academic program. In anticipation of approval, the school has reached out to the Greenwich House (a settlement house founded in 1902 that is located adjacent to the new school building) and is planning to develop a partnership to feature joint programming, including student mentorship. The school’s plans have been discussed with and are supported by stakeholders during monthly board, parent council, and student advisory board meetings, and weekly staff meetings.

Performance Framework Ratings:

At the time of the June 2022 renewal, the Great Oaks Charter School was rated on each of the 10 NYSED Charter School Performance Framework Benchmarks, as follows. These ratings reflect performance over the entire charter term and were considered when making a renewal recommendation, pursuant to the Board of Regents Renewal Policy. At that time, the Great Oaks Charter School was meeting five out of the 10 benchmarks set forth in the NYSED Charter School Performance Framework.

**2015 Charter School Performance Framework Benchmark Ratings
Great Oaks Charter School**

2015 Performance Benchmark		Level
Educational Success	<p>Benchmark 1: Student Performance: 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).</p> <p>Note: Due to the ongoing impact of the COVID-19 pandemic, the data used to formulate this rating has not been updated since the administration of the state 3-8 math and ELA Assessments in SY 2018-2019. Therefore, this rating does not reflect the efficacy of the school’s academic program in SY 2019-2020 through the current academic year which is reflected in the Benchmark 2 and 3 ratings.</p>	Approaches
	<p>Benchmark 2: Teaching and Learning: School leaders have systems in place designed to cultivate shared accountability and high expectations that lead to students’ well-being, improved academic outcomes, and educational success. The school has a rigorous and coherent curriculum and assessments that are aligned with the New York State Learning Standards (NYSLS) for all students. Teachers engage in strategic practices and decision-making in order to address the gap between what students know and need to learn so that all students experience consistently high levels of engagement, thinking, and achievement.</p>	Meets
	<p>Benchmark 3: Culture, Climate, and Family Engagement: 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.</p>	Meets

2015 Performance Benchmark		Level
Organizational Soundness	Benchmark 4: Financial Condition: The school is in a sound and stable financial condition as evidenced by performance on key financial indicators.	Approaches
	Benchmark 5: Financial Management: 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.	Approaches
	Benchmark 6: Board Oversight and Governance: 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.	Approaches
	Benchmark 7: Organizational Capacity: 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.	Meets
Faithfulness to Charter & Law	Benchmark 8: Mission and Key Design Elements: The school is faithful to its mission and has implemented the key design elements included in its charter.	Meets
	Benchmark 9: Enrollment, Recruitment, and Retention: 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.	Meets
	Benchmark 10: Legal Compliance: The school complies with applicable laws, regulations, and the provisions of its charter.	Approaches

Summary of Public Comment

The required public hearing was held by the New York City Department of Education on January 20, 2023. Two people attended, and one spoke. One person spoke in favor of the revision and no one was opposed.

The school provided evidence of community support for this revision request recommendation by providing meeting materials showing the revision was discussed with families.

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

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

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

Criteria regarding the evaluation of charter schools, including for revision decisions, are set forth in Section 2852(2) of the Education Law:

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

Performance Framework

The Board of Regents Charter School Performance Framework, which is part of the Board of Regents Charter School Renewal Policy and the Oversight Plan included in the Charter Agreement for each school, outlines three key areas of charter school performance: (1) Educational Success; (2) Organizational Soundness; and (3) Faithfulness to Charter and Law. The Charter School Performance Framework sets forth ten performance benchmarks in these three areas. The Charter School Performance Framework is designed to focus on performance outcomes, preserve operational autonomy, and facilitate transparent feedback to schools. It aligns with the Department's ongoing accountability and effectiveness work under the Every Student Succeeds Act (ESSA) and holds charter schools accountable to standards set forth in the Education Law while providing the Regents with discretion. Generally, charter schools are required to demonstrate performance outcomes that exceed those of traditional public schools.

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