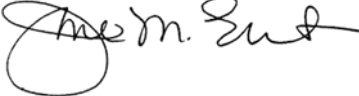





**TO:** P-12 Education Committee

**FROM:** Jhone M. Ebert 

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

**DATE:** April 11, 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. La Cima Charter School (5 year renewal)
2. Niagara Charter School (5 year renewal)
3. Aloma D. Johnson Charter School (3 year renewal)
4. Amani Public Charter School (3 year renewal)
5. Discovery Charter School (3 year renewal)

#### **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 April 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 (see *Attachment A*). 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.

## **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 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 all of the 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.

### 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, key design elements, 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 to 430 students and to offer Spanish language arts instead of a dual language program.

#### Charter School Summary<sup>1</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>Remove dual language program as a key design element, offering Spanish language arts instead. |

<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 was authorized by the Board of Regents on January 15, 2008 and opened on August 18, 2008. 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) because of academic performance.

La Cima Charter School opened 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 2015-16 school year serves 410 students in grades K-5.

## **Summary of Evidence**

### **Educational Success**

#### **Student Performance**

Over the second renewal charter term, La Cima 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.

La Cima's 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 La Cima in 2013-2015 did not perform proficiently in ELA yet did show a modest increase in overall math proficiency. La Cima did test English language learners between 2013 and 2015 but the testing group was too small to make a fair assessment of the overall ELL program.

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.

La Cima's 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, La Cima's 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 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>2</sup> using La Cima'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 La Cima 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 La Cima 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, La Cima significantly outperforms matched schools in math and outperformed the NYS average in 2013 despite educational barriers experienced in similarly matched schools.

<sup>2</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.

According to the Department's accountability designations for 2015-2016 and 2016-2017, La Cima Charter School is a school in *Good Standing*.

## **Organizational Viability**

### **Financial Condition**

La Cima Charter School 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>3</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 (see Appendix A for more details).

### **Financial Management**

La Cima Charter 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.

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<sup>3</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 – La Cima Charter School Compared to District of Location<sup>4</sup>

|  | 2013-2014             |     |          | 2014-2015             |     |          | 2015-2016 <sup>5</sup> |
|--|-----------------------|-----|----------|-----------------------|-----|----------|------------------------|
|  | Percent of Enrollment |     |          | Percent of Enrollment |     |          | Percent of Enrollment  |
|  | School                | CSD | Variance | School                | CSD | Variance | School                 |
| <b>Enrollment of Special Populations<sup>6</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, La Cima Charter School 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 the outreach and retention strategies for each of these groups of students for the upcoming charter term.

### Retention

On average, La Cima Charter School 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

<sup>4</sup> As enacted, section 2854(2)(a) of the Education Law required that schools demonstrate good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities ("SWD") and limited English proficient students when compared to the enrollment figures for such students in the school district in which the charter is located. 2010 amendments to the law require a demonstration of good faith efforts to enroll and retain SWD, English language learners ("ELL"), and students eligible for the Federal free and reduced price lunch program ("FRPL"), and charged the Board of Regents ("Regents") and the Board of Trustees of the State University of New York ("SUNY") to set specific enrollment and retention targets for each charter school (2852(9-a)(b)(i)). All charter schools that were initially chartered after August 2010 or renewed after January 1, 2011, are expected to meet or exceed the enrollment and retention targets set by the Regents and SUNY. When submitting an application for renewal of the charter, schools are required to provide information detailing the means by which they will meet the enrollment and retention targets (2851(4)(e)), and this information is considered by the Regents in the review of the school's performance over the charter term. Schools are also required to submit information regarding the targets in their annual reports 2857(2)(d)). A school's repeated failure to comply with the requirement to meet or exceed their enrollment and retention targets is cause for termination or revocation of the charter pursuant to section 2855(1)(e) of the Education Law.

<sup>5</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>6</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.

who was enrolled in the school at any time and persisted at the school between the 2012-2013 and 2014-2015 school years<sup>7</sup>.

### **Legal Compliance**

La Cima Charter School 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 La Cima Charter School renewal application. 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, La Cima Charter School is seeking to reduce maximum approved enrollment from 480 to serve 430 students in grades K-5, and to remove its dual language program as a key design element, offering Spanish language arts instead.

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<sup>7</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.

## Niagara 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 fourth renewal term of five years for the Niagara Charter School (NCS)**. The charter term would begin on July 1, 2016 and expire on June 30, 2021.

The school has demonstrated improvement in 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. Niagara 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.

This report is the primary means by which NYSED summarizes for the New York State Board of Regents its findings and recommendations regarding a charter school's Renewal Application.

### Charter School Summary<sup>8</sup>

|                               |  |
|-------------------------------|--|
| <b>Name of Charter School</b> | Niagara Charter School   |
| <b>Board Chair</b>            | James C. Muffoletto  |
| <b>District of location</b>   | Niagara Wheatfield CSD   |
| <b>Opening Date</b>           | August 21, 2006  |
| <b>Charter Terms</b>          | Initial Charter Term: July 22, 1005-June 30-2010<br>1 <sup>st</sup> renewal term: July 1, 2010-June 30,2013<br>2 <sup>nd</sup> renewal term: July 1, 2013-June 30, 2014<br>3 <sup>rd</sup> renewal term: July 1, 2014-June 30, 2016                                      |
| <b>Management Company</b>     | None   |
| <b>Partners</b>               | Expeditionary Learning   |
| <b>Facilities</b>             | 2077 Lockport Road, Niagara Falls, New York 14304  |
| <b>Mission Statement</b>      | <i>"Niagara Charter School is a project-based learning K-6 school that fosters the unique potential of each child through involvement in original research, critical thinking, and problem-solving, along with development of character and active learning skills."</i> |
| <b>Requested Revisions</b>    | None   |

### Enrollment

| School Year | Grades Served | Maximum Approved Enrollment | Actual Enrollment |
|-------------|---------------|-----------------------------|-------------------|
| 2015-2016   | K-6           | 350                         | 350               |
| 2014-2015   | K-6           | 350                         | 349               |
| 2013-2014   | K-6           | 350                         | 345               |

<sup>8</sup> The information in this section was provided by the NYS Education Department Charter School Office.

## Background

The Board of Regents granted an initial charter to Niagara Charter School on July 22, 2005. The school opened in the fall of 2006 with 264 students in Grades K-4. The school added Grade 5 in 2007-2008 and Grade 6 in 2008-2009. In December, 2009, the school was granted a short-term renewal of three years for a period from July 1, 2010 through June 30, 2013. At the time of that renewal decision, the school was experiencing growth in student scores on the New York State assessments, but was given a short term renewal due to concerns about fiscal oversight and internal controls. Subsequently, the school was granted another short-term renewal, this time for one year, due to academic concerns. Following that, the Regents granted a two-year renewal in response to a slight increase in test scores. The renewal site visit conducted in January 2015 showed that the school now meets or exceeds all Charter School Performance Framework benchmarks with the exception of Benchmark 9, Enrollment and Retention targets.

## Summary of Evidence

### Educational Success

#### Student Performance

Niagara Charter School administered the NYS English language arts, mathematics and science assessments to students in grades 3-6. 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.

Niagara Charter School's aggregate performance in ELA, and science shows strong growth (see Table 1 below). Subgroup performance at Niagara Charter School shows that students who are identified as economically disadvantaged mirrored trends in growth visible in the aggregate student population in all three tested subjects.

*Table 1: 2013-2015 Aggregate and Subgroup Grades 3-6 ELA, Mathematics & Science Outcomes - Niagara Charter School*

| Subject     | School Year | All Students | Students with Disabilities | English Language Learners | Economically Disadvantaged |
|-------------|-------------|--------------|----------------------------|---------------------------|----------------------------|
| ELA         | 2012-13     | 7%           | 0%                         | *                         | 8%                         |
|             | 2013-14     | 13%          | 4%                         | *                         | 12%                        |
|             | 2014-15     | 22%          | 7%                         | *                         | 23%                        |
| Mathematics | 2012-13     | 19%          | 4%                         | *                         | 19%                        |
|             | 2013-14     | 28%          | 12%                        | *                         | 28%                        |
|             | 2014-15     | 43%          | 41%                        | *                         | 43%                        |
| Science     | 2012-13     | 78%          | *                          | *                         | 82%                        |
|             | 2013-14     | 83%          | 86%                        | *                         | 84%                        |
|             | 2014-15     | 84%          | *                          | *                         | 83%                        |

*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.*

In a comparative analysis of Niagara Charter School’s academic outcomes, the school was compared to Niagara-Wheatfield CSD, Niagara Falls CSD, and the New York State mean. NCS is unique in terms of its student composition: the school is physically located in the Niagara-Wheatfield CSD yet it draws more than 95% of its students from the Niagara Falls CSD. As with all charter schools in the Regents portfolio, Niagara CS is compared to the district of location (Niagara-Wheatfield), despite the fact that very few students attending the school actually reside in this district (see Table 2). Though the school underperforms the Niagara Wheatfield, there is a clear trend of closing the gap in comparative testing outcomes from 2013 to 2015. Compared to the major sending district, Niagara Falls CSD, the school not only showed marked improvement but ultimately outperformed the district in ELA and math. In fact, the school’s mathematics outcomes showed NCS outperformed the district by 21 points, a 15 point comparative increase from the prior year. Niagara’s comparative outcomes to New York State show the school is very quickly closing the gap in ELA performance and even slightly outperformed the state average in mathematics in 2015.

*Table 2: 2013-2015 Aggregate Comparison Grades 3-6 ELA, Mathematics & Science Outcomes - Niagara Charter School*

| Subject | School Year | Niagara CS |  | Niagara Falls Avg (Major Sending District) | Niagara CS Compared to Niagara Falls |  | New York State Avg | Niagara CS Compared to NYS |
|---------|-------------|------------|--|--|--------------------------------------|--|--------------------|----------------------------|
| ELA     | 2012-13     | 7%         |  | 18%  | -10.7                                |  | 31%                | -23.2                      |
|         | 2013-14     | 13%        |  | 20%  | -6.1                                 |  | 30%                | -16.9                      |
|         | 2014-15     | 22%        |  | 16%  | 6.7                                  |  | 32%                | -9.3                       |
| Math    | 2012-13     | 19%        |  | 19%  | 0.0                                  |  | 33%                | -14.3                      |
|         | 2013-14     | 28%        |  | 22%  | 5.5                                  |  | 40%                | -12.2                      |
|         | 2014-15     | 43%        |  | 22%  | 20.5                                 |  | 42%                | 0.7                        |
| Science | 2012-13     | 78%        |  | 92%  | -13.2                                |  | 90%                | -12.0                      |
|         | 2013-14     | 83%        |  | 90%  | -6.6                                 |  | 87%                | -4.0                       |
|         | 2014-15     | 84%        |  | 87%  | -3.1                                 |  | 86%                | -2.3                       |

*Note: Data in table 2 represents tested students only in grades 3-6 at Niagara CS, Niagara Falls CSD 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<sup>9</sup> NCS'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 Niagara Charter School 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 Niagara CS underperformed similar schools in ELA in 2013 and 2014, than perform similarly to matched schools in 2015. Niagara's mathematics outcomes are the most compelling as the school was underperforming similar schools in 2013 and 2014, then significantly outperformed similar schools in 2015; a trend that closely parallels the ELA outcomes.

According to the Department's accountability designations for 2015-2016 and 2016-2017, Niagara Charter School is a school in *Good Standing*.

## Organizational Viability

### Financial Condition

Niagara Charter School 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>10</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

Niagara Charter 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.

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<sup>9</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.

<sup>10</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: Niagara Charter School Compared to Niagara-Wheatfield CSD: District of Location<sup>11</sup>*

|                            | 2013-2014             |     |          | 2014-2015             |     |          | 2015-2016 <sup>12</sup> |
|----------------------------|-----------------------|-----|----------|-----------------------|-----|----------|-------------------------|
|                            | Percent of Enrollment |     |          | Percent of Enrollment |     |          | Percent of Enrollment   |
|                            | School                | CSD | Variance | School                | CSD | Variance | School                  |
| <b>Special Populations</b> |                       |     |          |                       |     |          |                         |
| Economically Disadvantaged | 94%                   | 38% | +56.3    | 97%                   | 36% | +61.2    | 95.6%                   |
| English language learners  | 0%                    | 1%  | -1.4     | 0%                    | 1%  | -1.2     | 0%                      |
| Students with Disabilities | 14%                   | 11% | +2.9     | 12%                   | 12% | +5       | 10.9%                   |

Niagara Charter School enrolls significantly more students in poverty (economically disadvantaged) than the district of location (Niagara-Wheatfield CSD). The school is below the district's enrollment of English language learners though the district enrollment of this subgroup is quite small. The school is also below the district in students with disabilities enrollment compared to the district of location.

<sup>11</sup> As enacted, section 2854(2)(a) of the Education Law required that schools demonstrate good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities ("SWD") and limited English proficient students when compared to the enrollment figures for such students in the school district in which the charter is located. 2010 amendments to the law require a demonstration of good faith efforts to enroll and retain SWD, English language learners ("ELL"), and students eligible for the Federal free and reduced price lunch program ("FRPL"), and charged the Board of Regents ("Regents") and the Board of Trustees of the State University of New York ("SUNY") to set specific enrollment and retention targets for each charter school (2852(9-a)(b)(i)). All charter schools that were initially chartered after August 2010 or renewed after January 1, 2011, are expected to meet or exceed the enrollment and retention targets set by the Regents and SUNY. When submitting an application for renewal of the charter, schools are required to provide information detailing the means by which they will meet the enrollment and retention targets (2851(4)(e)), and this information is considered by the Regents in the review of the school's performance over the charter term. Schools are also required to submit information regarding the targets in their annual reports 2857(2)(d)). A school's repeated failure to comply with the requirement to meet or exceed their enrollment and retention targets is cause for termination or revocation of the charter pursuant to section 2855(1)(e) of the Education Law.

<sup>12</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.

Table 4: Niagara Charter School Compared to Niagara Falls CSD: Major Sending District

|                            | 2013-2014             |     |          | 2014-2015             |     |          | 2015-2016             |
|----------------------------|-----------------------|-----|----------|-----------------------|-----|----------|-----------------------|
|                            | Percent of Enrollment |     |          | Percent of Enrollment |     |          | Percent of Enrollment |
|                            | School                | CSD | Variance | School                | CSD | Variance | School                |
| <b>Special Populations</b> |                       |     |          |                       |     |          |                       |
| Economically Disadvantaged | 94%                   | 75% | +19      | 97%                   | 79% | +18      | 95.6%                 |
| English language learners  | 0%                    | 2%  | -2       | 0%                    | 2%  | -2       | 0%                    |
| Students with Disabilities | 14%                   | 18% | -4       | 12%                   | 18% | -6       | 10.9%                 |

Similar to the comparison to Niagara-Wheatfield CSD, Niagara Charter School enrolls more students in poverty than the major sending district, Niagara Falls CSD. Again, English language learner (ELL) percentages at both the school and district are low; enrollment of students with disabilities is slightly below the Niagara Falls CSD.

Niagara CS employs a full-time community/parent liaison whose role is to serve as a bridge between the school, parents, and the community. The liaison is also responsible for recruiting students. This year, the school is extending efforts to attract students with disabilities and ELL students in an attempt to achieve the proportional percentage. In addition to ongoing strategies of mailings to families, advertising, and placements in print media, the liaison described beginning efforts to build relationships with immigration agencies in the area. The school's website was also redesigned last summer to make it more user-friendly.

#### Retention

On average, Niagara Charter School has retained 87% of enrolled students in the current charter term.

The Department 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>13</sup>

<sup>13</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**

Niagara Charter School 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. The school responded appropriately to changes in General Municipal law that precludes school employees (teachers) from serving on the board.

### **Public Hearing Information**

The required hearing was held on October 7, 2015. Twenty-five individuals from the charter school attended, including parents, faculty and board of trustees members. Five board of education members from Niagara Wheatfield CSD spoke, as well as one administrator, one parent, and one board of trustees member from Niagara Charter School. All except one comment were favorable, with the exception being more neutral than negative.

### **Revisions**

No material revisions to the charter are requested.

## Aloma D. Johnson 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 three years and academic probation for the Aloma D. Johnson Charter School (ADJCS or “Aloma”)**. The charter term would begin on July 1, 2016 and expire on June 30, 2019.

This report is the primary means by which NYSED summarizes for the New York State Board of Regents its findings and recommendations regarding a charter school’s Renewal Application.

### Charter School Summary<sup>14</sup>

|                               |   |
|-------------------------------|---|
| <b>Name of Charter School</b> | Aloma D. Johnson Charter School   |
| <b>Board Chair</b>            | Ms. Jerry Linder  |
| <b>District of location</b>   | Buffalo City School District  |
| <b>Opening Date</b>           | August 20, 2008   |
| <b>Charter Terms</b>          | Initial charter term: February 12, 2008-February 11, 2013<br>1 <sup>st</sup> Renewal Term: February 12, 2013-June 30, 2013<br>2 <sup>nd</sup> Renewal Term: July 1, 2013-June 30, 2016  |
| <b>Management Company</b>     | None  |
| <b>Partners</b>               | None  |
| <b>Facilities</b>             | 15 Jewett Parkway, Buffalo, New York 14214  |
| <b>Mission Statement</b>      | <i>“The Aloma D. Johnson Charter School fosters students’ intellectual, physical, social and emotional growth, helping students acquire the knowledge, skills, and abilities they need to reach their full learning potential. The school is focused on high academic achievement and prepares all students to meet NYS Learning Standards in an environment of high expectations. The school is committed to sustaining a safe and caring learning community that respects diversity and encourages strong home, school and community partnerships. With its small school learning environment, intensive focus on building student reading and math achievement, ongoing commitment to staff development, interdisciplinary themes of business and leadership and the use of innovative tools such as Creative Problem Solving (CSDP) and Project Based Learning (PBL) the school prepares students to direct and participate in the renaissance of their neighborhood, community and city.</i> |

### Enrollment

| School Year | Grades Served | Maximum Enrollment | Actual Enrollment |
|-------------|---------------|--------------------|-------------------|
| 2015-2016   | K-4           | 300                | 290               |
| 2014-2015   | K-4           | 300                | 296               |
| 2013-2014   | K-4           | 300                | 298               |

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

## **Background**

Aloma D. Johnson Charter School is currently completing a short-term (three year) renewal term, due to academic performance and organizational instability. Over the school's history, leadership and staff turnover have impeded the full realization of the school's mission and key design elements and impacted its academic performance.

The initial charter was granted to Aloma D. Johnson Charter School on February 12, 2008. The school opened in September 2008 with 99 students in Grades K-2. The school expanded one grade each subsequent year, reaching its full grade span of K-4 in school year 2010-2011.

In February 2013, the Board of Regents granted a first renewal charter until June 30, 2013 to "right-size" the charter term. In June of 2013, the school was granted a short term three-year renewal, ending on June 30, 2016.

## **Summary of Evidence**

### **Educational Success**

#### **Student Performance**

Over the course of this charter term, Aloma D. Johnson Charter School administered the Common Core NYS English Language Arts, Mathematics and New York State Testing Program 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.

Annual trends show Aloma's testing performance in mathematics is improving incrementally, however, ELA and science show inconsistent patterns. While mathematics outcomes improved by an average of 16 points from 2013-2015, ELA only improved by 2 points and science improved by 3 points with a period of regress in 2014 (see Table 1).

Students with a disability who were administered the NYS assessments at Aloma in 2013-2015 did not perform proficiently in ELA and did not show gains in mathematics until 2015. Students who were identified as economically disadvantaged tended to score equivalent to their non-economically disadvantaged grade level peers in all tested subjects. Aloma did test English language learners between 2013-2015, but the testing group was too small to make a fair assessment of the overall ELL program.

Table 1: 2013-2015 Aggregate and Subgroup Grades 3-4 ELA, Mathematics & Science Outcomes - Aloma D Johnson Charter School

| Subject     | School Year | All Students | Students with Disabilities | English Language Learners | Economically Disadvantaged |
|-------------|-------------|--------------|----------------------------|---------------------------|----------------------------|
| ELA         | 2012-13     | <b>12%</b>   | 0%                         | *                         | 12%                        |
|             | 2013-14     | <b>7%</b>    | 0%                         | *                         | 7%                         |
|             | 2014-15     | <b>14%</b>   | 0%                         | *                         | 14%                        |
| Mathematics | 2012-13     | <b>10%</b>   | 0%                         | *                         | 10%                        |
|             | 2013-14     | <b>20%</b>   | 0%                         | *                         | 20%                        |
|             | 2014-15     | <b>26%</b>   | 9%                         | *                         | 26%                        |
| Science     | 2012-13     | <b>69%</b>   | 55%                        | *                         | 71%                        |
|             | 2013-14     | <b>59%</b>   | 40%                        | *                         | 59%                        |
|             | 2014-15     | <b>72%</b>   | *                          | *                         | 71%                        |

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.

In aggregate comparison to the Buffalo City School District, Aloma is underperforming or at the Buffalo CSD level in ELA, outperforming the Buffalo CSD in math in the last two years, and outperforming or at the Buffalo CSD in science (see Table 2). In aggregate comparison to New York State testing outcomes in ELA and mathematics, Aloma's performance is significantly below the NYS average in all three subjects.

*Table 2: 2013-2015 Aggregate Comparison Grades 3-4 ELA, Mathematics & Science Outcomes  
Aloma Charter School*

| Subject | School Year | Aloma CS | Buffalo CSD Avg | Aloma Compared to Buffalo CSD | New York State Avg | Aloma Compared to NYS |
|---------|-------------|----------|-----------------|-------------------------------|--------------------|-----------------------|
| ELA     | 2012-13     | 12%      | 12%             | -0.5                          | 31%                | -19                   |
|         | 2013-14     | 7%       | 14%             | -6.9                          | 32%                | -24                   |
|         | 2014-15     | 14%      | 13%             | +0.6                          | 32%                | -19                   |
| Math    | 2012-13     | 10%      | 13%             | -2.6                          | 35%                | -25                   |
|         | 2013-14     | 20%      | 16%             | +4.0                          | 42%                | -21                   |
|         | 2014-15     | 26%      | 18%             | +8.2                          | 43%                | -17                   |
| Science | 2012-13     | 69%      | 66%             | +3.9                          | 87%                | -18                   |
|         | 2013-14     | 59%      | 60%             | -0.5                          | 84%                | -25                   |
|         | 2014-15     | 72%      | 63%             | +9.1                          | 86%                | -14                   |

*Note: Data in table 2 represents tested students in only in grades 3-4 at Aloma, BUffalo CSD, 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>15</sup> using Aloma's 2013-2015 ELA and mathematics outcomes compared to other schools across NYS with similar grade configurations and at-risk student populations<sup>1</sup>. This analysis was used to determine how Aloma performed academically over the charter term given the significantly high percentages of enrolled students in poverty.

The results of the analysis show that when at-risk factors and grade composition are controlled, students at Aloma perform on average 7 points below similarly matched schools in ELA; 5 points below similarly matched schools in math. The difference in the two subjects, however, is that Aloma is showing steady annual gap closure trends in math, whereas ELA has remained relatively stagnant.

<sup>15</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 limited English Proficient population *and/or* students with disabilities 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.

\* *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.

According to the Department's accountability designations for 2015-2016 and 2016-2017, Aloma D. Johnson Charter School is in *Good Standing*.

## **Organizational Viability**

### **Financial Condition**

Aloma D. Johnson Charter School 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>16</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 (see Appendix A for more detail).

### **Financial Management**

The CSO team reviewed Aloma D. Johnson Charter School's 2011-12, 2012-13, 2013-14 and 2014-15 annual financial audits to determine whether the independent auditor observed sufficient internal controls over financial statements. Audited Financial Statements for 2013-14 included two management letter observations that are considered internal control deficiencies. Audited Financial Statements for 2014-15 included two management letter observations, which were repeat recommendations from the 2013-14.

The school continues to have a lack of segregation of duties around the treasury cycle. The business manager performs much of the processing and reconciliation within the treasury function. The school appropriately has procedures for additional reviews within the school's procedures manual in order to mitigate this concern. There is no formal documentation that these reviews have taken place to date.

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<sup>16</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

### Student Enrollment

Aloma D. Johnson Charter School enrolls a significant percentage of students in poverty (economically disadvantaged) in grades K-4; more than enrolled in the Buffalo City School District K-4 grades. Over the course of the charter term, Aloma did not enroll district comparable percentages of English language learners, however, many of these students do attend specialized language-centered schools in the Buffalo CSD. Aloma also did not enroll district comparable percentages of students with disabilities despite the district's percentages increasing in grades K-4 (see table 4).

*Table 3: Student Demographics – Aloma CS Compared to District of Location<sup>17</sup>*

|  | 2013-2014             |     |                        | 2014-2015             |     |          | 2015-2016             |
|--|-----------------------|-----|------------------------|-----------------------|-----|----------|-----------------------|
|  | Percent of Enrollment |     | Variance <sup>18</sup> | Percent of Enrollment |     | Variance | Percent of Enrollment |
|  | School                | CSD |                        | School                | CSD |          | School <sup>19</sup>  |
| <b>Enrollment of Special Populations</b> |                       |     |                        |                       |     |          |                       |
| Economically Disadvantaged               | 100%                  | 83% | 16.9                   | 96%                   | 85% | 11.3     | 97%                   |
| English Language Learners                | 2%                    | 15% | -13.5                  | 2%                    | 17% | -14.5    | 2%                    |
| Students with Disabilities               | 16%                   | 23% | -7                     | 11%                   | 24% | -12.4    | 11%                   |

Aloma has maintained a steady enrollment of approximately 300 students per year of the charter term. There has been no waiting list and the school backfills throughout the school year. The school actively recruits students through a variety of media and events throughout the year.

The school has identified recruitment efforts to increase services to students with disabilities, including partnerships with Child and Adolescent Treatment Services, Early Prevention in the Community, Community Health of Buffalo, Big Brothers/Big Sisters, Catholic Charities, Mid-Erie Counseling Services, Gloria J. Parks Community Center, Main Pediatrics and Gateway Longview.

Aloma has actively recruited students classified as English language learners by working with local organizations dedicated to serving the needs of immigrant and refugee populations in Buffalo. Recruitment efforts at Journey's End, Hispanics United and the Father Belle Center were conducted in the 2014-2015 and 2015-2016 school years.

<sup>17</sup> As enacted, section 2854(2)(a) of the Education Law required that schools demonstrate good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities ("SWD") and limited English proficient students when compared to the enrollment figures for such students in the school district in which the charter is located. 2010 amendments to the law require a demonstration of good faith efforts to enroll and retain SWD, English language learners ("ELL"), and students eligible for the Federal free and reduced price lunch program ("FRPL"), and charged the Board of Regents ("Regents") and the Board of Trustees of the State University of New York ("SUNY") to set specific enrollment and retention targets for each charter school (2852(9-a)(b)(i)). All charter schools that were initially chartered after August 2010 or renewed after January 1, 2011, are expected to meet or exceed the enrollment and retention targets set by the Regents and SUNY. When submitting an application for renewal of the charter, schools are required to provide information detailing the means by which they will meet the enrollment and retention targets (2851(4)(e)), and this information is considered by the Regents in the review of the school's performance over the charter term. Schools are also required to submit information regarding the targets in their annual reports 2857(2)(d)). A school's repeated failure to comply with the requirement to meet or exceed their enrollment and retention targets is cause for termination or revocation of the charter pursuant to section 2855(1)(e) of the Education Law.

<sup>18</sup> Variance is defined as the percent of subgroup enrollment between the charter school and the district of location.

<sup>19</sup> Reported by the school; 2015-16 enrollment data has not been publicly released as of the date of this report.

## Retention

On average, between the 2012-13 and 2014-15 school years, 84% of the students who were enrolled at Aloma in the previous year returned.

## **Legal Compliance**

Aloma D. Johnson Charter School 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**

The required hearing was held by the Buffalo Board of Education on October 21, 2015. Four Board of Education members were present, along with one staff member from the district. The school leader was present, with a consultant and eight community members. The school leader presented a power point and there were no negative comments expressed.



## Amani Public 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 first renewal term for a period of three years for the Amani Public Charter School (Amani)**. The charter term would begin on July 1, 2016 and expire on June 30, 2019.

Amani Public Charter School is meeting or exceeding the district academic testing outcomes and implementing the mission, key design elements, education program and organizational design set forth in the charter. Amani Public Charter School must demonstrate significant improvement in 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, and in reporting accurate enrollment data to the State Education Department.

NYSED recommends approval of the school’s request to increase the maximum approved enrollment to 355 students.

This report is the primary means by which NYSED summarizes for the New York State Board of Regents its findings and recommendations regarding a charter school’s Renewal Application.

### Charter School Summary<sup>20</sup>

|                               |   |
|-------------------------------|---|
| <b>Name of Charter School</b> | Amani Public Charter School   |
| <b>Board Chair</b>            | Sidney Burke  |
| <b>District of location</b>   | Mount Vernon City School District   |
| <b>Opening Date</b>           | August 29, 2011   |
| <b>Charter Terms</b>          | Initial term: December 14, 2010 – June 30, 2016   |
| <b>Management Company</b>     | N/A   |
| <b>Facilities</b>             | 2014-2015 to present: 60 South Third Avenue, Mount Vernon, New York 10550<br>2011-2014: 214 East Lincoln Avenue, Mount Vernon, New York 10552   |
| <b>Mission Statement</b>      | <i>“The mission of the Amani Public Charter School (APCS) is to provide 100% of Mount Vernon students who attend the school from the fifth through eighth grade with the academic and critical thinking skills necessary to succeed in competitive high school programs, college and the career of their choice. APCS graduates are academically accomplished, intellectually curious, and civically engaged young people who tackle challenges diligently and creatively.”</i> |
| <b>Proposed Revision</b>      | Increase maximum approved enrollment from 320 to 355  |

<sup>20</sup> The information in this section was provided by the NYS Education Department Charter School Office.

## Enrollment

| School Year | Grades Served | Maximum Approved Enrollment | Actual Enrollment |
|-------------|---------------|-----------------------------|-------------------|
| 2015-2016   | 5-8           | 320                         | 331               |
| 2014-2015   | 5-8           | 320                         | 336               |
| 2013-2014   | 5-7           | 240                         | 250               |
| 2012-2013   | 5-6           | 160                         | 157               |
| 2011-2014   | 5             | 80                          | 82                |

### Background

The Board of Regents granted an initial charter to Amani Public Charter School in December 2010 to provide a grades 5-8 program for 320 students in Mount Vernon City School District. Amani opened in August 2011 with 80 students in Grade 5. The school added one grade per year starting in 2012. Amani has been at full enrollment in Grades 5-8 since 2014-2015. The school relocated to a new facility in 2014-2015.

### Summary of Evidence

#### **Educational Success**

#### **Student Performance**

From 2013 to 2015, Amani administered the Common Core NYS English Language Arts, Mathematics and New York State Testing Program Science assessments to students in grades 5-8. 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 comparisons to similar schools throughout New York.

Amani's 2014-2015 student achievement on Common Core ELA, mathematics, and science assessments outperforms that of the Mount Vernon School District. The school has been making steady gains in ELA over the past three years and subsequently outperformed the district in the final year of the analysis (see Table 2). Since the vast majority of students enrolled at Amani are from the Mount Vernon School District, this comparison provides a regional evaluation of how students at Amani would have likely performed had they remained in the district schools. Compared to the NYS average, Amani's performance is lower in all three tested subjects, yet showing signs of trending toward the NYS mean in ELA and mathematics. In this case, the NYS average serves as a baseline statewide student performance on the Common Core assessments, a broad control for adjustments in test format and adding grade levels.

Amani students who are identified as economically disadvantaged tend to perform similarly or slightly better than aggregate students of the school population in all three tested subjects (see Table 1). Amani did test English language learners between 2013 and 2015 but the testing group was too small to make a fair assessment of the overall ELL program. In 2013 and 2014, special education students did not perform proficiently on the ELA assessment and less than 10% of this subgroup performed proficiently on the mathematics assessment. This is an area of growth for the school.

Table 1: 2013-2015 Aggregate and Subgroup Grades 3-5 ELA and Mathematics Outcomes - Amani Charter School

| Subject     | School Year | All Students | Students with Disabilities | English Language Learners | Economically Disadvantaged |
|-------------|-------------|--------------|----------------------------|---------------------------|----------------------------|
| ELA         | 2012-13     | 14%          | 0%                         | *                         | 15%                        |
|             | 2013-14     | 15%          | 0%                         | *                         | 15%                        |
|             | 2014-15     | 21%          | *                          | *                         | 26%                        |
| Mathematics | 2012-13     | 21%          | 0%                         | *                         | 20%                        |
|             | 2013-14     | 25%          | 9%                         | *                         | 31%                        |
|             | 2014-15     | 24%          | *                          | *                         | 33%                        |
| Science     | 2012-13     |              |                            |                           |                            |
|             | 2013-14     |              |                            |                           |                            |
|             | 2014-15     | 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 to 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.

*Table 2: 2013-2015 Aggregate Comparison Grades 5-8 ELA, & Science Mathematics Outcomes Amani Charter School*

| Subject | School Year | Amani CS | Mt Vernon Avg | Amani Compared to Mt Vernon | New York State Avg | Amani Compared to NYS |
|---------|-------------|----------|---------------|-----------------------------|--------------------|-----------------------|
| ELA     | 2012-13     | 14%      | 19%           | -5                          | 30%                | -16                   |
|         | 2013-14     | 15%      | 12%           | +3                          | 29%                | -14                   |
|         | 2014-15     | 21%      | 13%           | +8                          | 32%                | -11                   |
| Math    | 2012-13     | 21%      | 15%           | +6                          | 31%                | -10                   |
|         | 2013-14     | 25%      | 16%           | +9                          | 37%                | -12                   |
|         | 2014-15     | 24%      | 11%           | +13                         | 36%                | -12                   |
| Science | 2012-13     |          |               |                             |                    |                       |
|         | 2013-14     |          |               |                             |                    |                       |
|         | 2014-15     | 51%      | 26%           | +25                         | 64%                | -13                   |

*Note: Data in table 2 represents tested students in only in grades 5-8 at Amani, Mount Vernon SD, 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.*

According to the Department's accountability designations for 2015-2016 and 2016-2017, Amani Charter School is in *Good Standing*.

## Organizational Viability

### Financial Condition

Amani 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 several near-term and long-term financial performance indicators.<sup>21</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 (see Appendix A for more detail).

### Financial Management

Amani Public Charter School generally 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. The Department reviewed Amani's 2012-13, 2013-14, and 2014-15 consolidated financial statements and solicited appropriate corrective actions to implement sufficient internal controls over financial statements.

<sup>21</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 – Amani CS Compared to District of Location<sup>22</sup>

|  | 2013-2014             |     |                        | 2014-2015             |     |          | 2015-2016             |
|--|-----------------------|-----|------------------------|-----------------------|-----|----------|-----------------------|
|  | Percent of Enrollment |     | Variance <sup>23</sup> | Percent of Enrollment |     | Variance | Percent of Enrollment |
|  | School                | CSD |                        | School                | CSD |          | School <sup>24</sup>  |
| <b>Enrollment of Special Populations</b> |                       |     |                        |                       |     |          |                       |
| Economically Disadvantaged               | 43%                   | 75% | -32.0                  | 10%                   | 75% | -65.8    | 71%                   |
| English Language Learners                | 0%                    | 10% | -9.7                   | 1%                    | 9%  | -7.9     | 0%                    |
| Students with Disabilities               | 4%                    | 23% | -18.1                  | 1%                    | 21% | -20.0    | 10%                   |

According to data submitted by the school and reflected in the NYSED School Report Card, the school's demographics from the 2013-2014 to the 2014-2015 academic year are not comparable to that of the district of location, especially in reported percentages of students in poverty (ED) and students with disabilities.

The school has been fairly consistent in retaining students but has not made regular and significant annual progress toward meeting enrollment targets for English Language Learners (ELLs), students with disabilities (SWDs), and students who are economically disadvantaged (ED). The school serves no ELLs at this time and the number of SWDs is not comparable to the number of SWDs served in the Mount Vernon School District. The board and school leaders described some challenges in meeting these targets and acknowledge that recruitment of subgroups is an area that requires more focus. For example, although the school has enlisted a Portuguese teacher to serve as a spokesperson to draw families from the large Portuguese community, efforts have been unsuccessful.

Board members and school leaders explained that the numbers recorded in the NYSED 2014-2015 School Report Card do not accurately reflect the demographics of the school. The director of operations is communicating with the Regional Information Center to identify and resolve the reporting issues so that the school is not penalized for inaccurate enrollment data in the future. Since these data were submitted and verified by the school during the period of data appeal, it is not permissible to rectify data already published in the school's NYS Report Card.

<sup>22</sup> As enacted, section 2854(2)(a) of the Education Law required that schools demonstrate good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities ("SWD") and limited English proficient students when compared to the enrollment figures for such students in the school district in which the charter is located. 2010 amendments to the law require a demonstration of good faith efforts to enroll and retain SWD, English language learners ("ELL"), and students eligible for the Federal free and reduced price lunch program ("FRPL"), and charged the Board of Regents ("Regents") and the Board of Trustees of the State University of New York ("SUNY") to set specific enrollment and retention targets for each charter school (2852(9-a)(b)(i)). All charter schools that were initially chartered after August 2010 or renewed after January 1, 2011, are expected to meet or exceed the enrollment and retention targets set by the Regents and SUNY. When submitting an application for renewal of the charter, schools are required to provide information detailing the means by which they will meet the enrollment and retention targets (2851(4)(e)), and this information is considered by the Regents in the review of the school's performance over the charter term. Schools are also required to submit information regarding the targets in their annual reports 2857(2)(d)). A school's repeated failure to comply with the requirement to meet or exceed their enrollment and retention targets is cause for termination or revocation of the charter pursuant to section 2855(1)(e) of the Education Law.

<sup>23</sup> Variance is defined as the percent of subgroup enrollment between the charter school and the district of location.

<sup>24</sup> Reported by the school; 2015-16 enrollment data has not been publicly released as of the date of this report.

## Retention

On average, Amani Charter School has retained 94% of enrolled students in the current charter term.

The Department 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>25</sup>.

## **Legal Compliance**

### **Applicable Laws and Charter Provisions**

Amani Charter School 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 regulations. The board holds meetings in accordance with Open Meetings Law.

The school is currently overenrolled by 11 students. The school has requested a material revision to the charter to increase student enrollment by 35 students in the upcoming charter term.

### **Proposals for Revision**

The school has submitted, as part of the renewal application, a request to increase enrollment from 320 to 355 students.

### **Public Hearing**

The required hearing was held on October 15, 2015. Eighty-five people were in attendance, and the recorded comments were positive.

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<sup>25</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.

## Discovery 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 first renewal term of three years for Discovery Charter School (Discovery)**. The charter term would begin on July 1, 2016 and expire on June 30, 2019.

Discovery Charter School must demonstrate improvement in academic outcomes in order to earn a subsequent full term renewal.

The school is implementing the mission, key design elements, education program and organizational design set forth in the charter and 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<sup>26</sup>

|                               |   |
|-------------------------------|---|
| <b>Name of Charter School</b> | Discovery Charter School  |
| <b>Board Chair</b>            | David Vigren  |
| <b>District of location</b>   | Greece Community School District  |
| <b>Opening Date</b>           | August 15, 2011   |
| <b>Charter Terms</b>          | Initial Charter Term: July 1, 2011 – June 30, 2016  |
| <b>Management Company</b>     | None  |
| <b>Partners</b>               | Expeditionary Learning  |
| <b>Facilities</b>             | 133 Hoover Drive, Rochester, New York 14615   |
| <b>Mission Statement</b>      | <i>“Discovery Charter School prepares students to meet the challenges of a rapidly changing world, providing children living in poverty “real skills for the real world.” Within a learning environment featuring a rigorous and highly enriched curriculum, Expeditionary Learning, assessment-guided instruction, a culture of inquiry and enthusiasm, and services designed to mitigate the major negative impacts of poverty, students achieve beyond their peers and become exceptionally well prepared to engage the world wherever their interests take them.”</i> |
| <b>Requested Revisions</b>    | None  |

### Enrollment

| School Year                      | Grades Served | Approved Enrollment Growth Plan | Actual Enrollment |
|----------------------------------|---------------|---------------------------------|-------------------|
| 2015-2016                        | K-6           | 280                             | 274               |
| 2014-2015                        | K-5           | 240                             | 259               |
| 2013-2014                        | K-4           | 200                             | 214               |
| 2012-2013                        | K-3           | 160                             | 175               |
| 2011-2012                        | K-2           | 120                             | 122               |
| Maximum approved enrollment: 280 |               |                                 |                   |

<sup>26</sup> The information in this section was provided by the NYS Education Department Charter School Office.

## **Background**

This is the first renewal for Discovery Charter School, which was authorized by the Board of Regents in 2010 to provide a Grade K-6 program for 280 students. The school opened in East Irondequoit in August 2011, with 120 students in Grades K-2. Discovery Charter School relocated to the Greece CSD for the 2013-2014 school year, but continues to draw students primarily from Rochester City School District. The school's enrollment policy gives preference to students eligible for Free and Reduced Price Lunch and although the school is sited in Greece, recruitment is targeted in Rochester City.

## **Summary of Evidence**

### **Educational Success**

#### **Student Performance**

Discovery Charter School completed its initial growth phase over the past charter term. From 2013 to 2015, the school administered the Common Core 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.

Discovery's assessment performance on Common Core mathematics and ELA closely mirror the outcomes of the Rochester CSD in the same testing grades (see Table 2). Since the vast majority of students enrolled at Discovery are from the Rochester CSD, this comparison provides a regional comparison of how students at Discovery would have likely performed had they remained in the district schools. Compared to the NYS average, Discovery's performance is significantly low, especially in mathematics. In this case, the NYS average serves as a baseline statewide student performance on the Common Core assessments, a broad control for adjustments in test format and adding grade levels. However, the school appears to show marginal improvement in ELA over the last three years while performing comparatively worse in mathematics over time. Only on the 4<sup>th</sup> grade science assessment did the school not only outperform the Rochester CSD, but also performed similarly to the 4<sup>th</sup> grade NYS average.

Students who are identified as economically disadvantaged tend to perform on par with the aggregate student population in all three tested subjects (see Table 1). Discovery did test English language learners and students with disabilities between 2013 and 2015 but the testing group was too small to make a fair assessment of the overall ELL or special education programs.



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

| Subject     | School Year | All Students | Students with Disabilities | English Language Learners | Economically Disadvantaged |
|-------------|-------------|--------------|----------------------------|---------------------------|----------------------------|
| ELA         | 2012-13     | 2%           | *                          | *                         | 2%                         |
|             | 2013-14     | 10%          | *                          | *                         | 11%                        |
|             | 2014-15     | 10%          | *                          | *                         | 11%                        |
| Mathematics | 2012-13     | 2%           | *                          | *                         | 2%                         |
|             | 2013-14     | 9%           | *                          | *                         | 9%                         |
|             | 2014-15     | 8%           | *                          | *                         | 8%                         |
| Science     | 2012-13     |              |                            |                           |                            |
|             | 2013-14     | 89%          | *                          | *                         | 89%                        |
|             | 2014-15     | 81%          | *                          | *                         | 83%                        |

Note: Data in table 1 represents tested students in respective subgroups who scored proficiently (level 3 or above) on each state assessment. From 2013 to 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.

Discovery Charter School

| Subject | School Year | Discovery CS | Rochester CSD Avg | Discovery Compared to Rochester | New York State Avg | Discovery Compared to NYS |
|---------|-------------|--------------|-------------------|---------------------------------|--------------------|---------------------------|
| ELA     | 2012-13     | 2%           | 6%                | -4                              | 31%                | -29                       |
|         | 2013-14     | 10%          | 7%                | +4                              | 32%                | -22                       |
|         | 2014-15     | 10%          | 6%                | +5                              | 32%                | -21                       |
| Math    | 2012-13     | 2%           | 7%                | -4                              | 34%                | -32                       |
|         | 2013-14     | 9%           | 11%               | -2                              | 42%                | -33                       |
|         | 2014-15     | 8%           | 10%               | -2                              | 43%                | -35                       |
| Science | 2012-13     |              |                   |                                 |                    |                           |
|         | 2013-14     | 89%          | 61%               | +29                             | 84%                | +5                        |
|         | 2014-15     | 81%          | 61%               | +20                             | 86%                | -5                        |

Note: Data in table 2 represents tested students only in grades served at Discovery 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>27</sup> using Discovery's 2013-2015 ELA and mathematics outcomes compared to other schools across NYS with similar grade configurations and at-risk student populations. This analysis was used to determine how Discovery performed academically in ELA and mathematics 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 Discovery underperformed matched schools in ELA and mathematics (see table 3). It should be noted that Discovery's high rate of poverty (>95%) was among the highest poverty rates for elementary schools in the state.

According to the Department's accountability designations for 2015-16 and 2016-17, Discovery Charter School is in *Good Standing*.

## Organizational Viability

### Financial Condition

Discovery Charter School 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 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

Discovery Charter School generally 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. The Department reviewed Discovery's 2012-2013, 2013-2014, and 2014-2015 consolidated financial statements and confirmed that the independent auditor observed sufficient internal controls over financial statements. While the school had a few management letter recommendations in 2012-13 and 2013-14, audited financial statements show that the school has sufficiently addressed those management letter recommendations.

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<sup>27</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 limited English Proficient population *and/or* students with disabilities 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.

\* *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.

## Faithfulness to the Charter and Law

### Enrollment, Recruitment and Retention

Table 3: Student Demographics – Discovery CS Compared to District of Location<sup>28</sup>

|   | 2013-2014             |     |          | 2014-2015             |     |          | 2015-2016 <sup>29</sup> |
|---|-----------------------|-----|----------|-----------------------|-----|----------|-------------------------|
|   | Percent of Enrollment |     | Variance | Percent of Enrollment |     | Variance | Percent of Enrollment   |
|   | School                | CSD |          | School                | CSD |          | School                  |
| <b>Enrollment of Special Populations<sup>30</sup></b> |                       |     |          |                       |     |          |                         |
| Economically Disadvantaged                            | 97%                   | 48% | 48.4     | 96%                   | 53% | 42.3     | 99%                     |
| English Language Learners                             | 1%                    | 5%  | -4.1     | 2%                    | 6%  | -4       | 3%                      |
| Students with Disabilities                            | 10%                   | 13% | -2.2     | 7%                    | 13% | -6.8     | 17%                     |

According to the Department’s student enrollment records, Discovery CS has met or come close to meeting its enrollment targets over this charter term for all three at-risk subgroup populations. The enrolled percentage of students with disabilities has declined slightly from 2013-14 to 2014-15.

#### Retention

On average, Discovery CS retained 92% of enrolled students in 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>31</sup>

<sup>28</sup> As enacted, section 2854(2)(a) of the Education Law required that schools demonstrate good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities (“SWD”) and limited English proficient students when compared to the enrollment figures for such students in the school district in which the charter is located. 2010 amendments to the law require a demonstration of good faith efforts to enroll and retain SWD, English language learners (“ELL”), and students eligible for the Federal free and reduced price lunch program (“FRPL”), and charged the Board of Regents (“Regents”) and the Board of Trustees of the State University of New York (“SUNY”) to set specific enrollment and retention targets for each charter school (2852(9-a)(b)(i)). All charter schools that were initially chartered after August 2010 or renewed after January 1, 2011, are expected to meet or exceed the enrollment and retention targets set by the Regents and SUNY. When submitting an application for renewal of the charter, schools are required to provide information detailing the means by which they will meet the enrollment and retention targets (2851(4)(e)), and this information is considered by the Regents in the review of the school’s performance over the charter term. Schools are also required to submit information regarding the targets in their annual reports (2857(2)(d)). A school’s repeated failure to comply with the requirement to meet or exceed their enrollment and retention targets is cause for termination or revocation of the charter pursuant to section 2855(1)(e) of the Education Law.

<sup>29</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>30</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>31</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 the duration of more than a day were included in this analysis.

### **Legal Compliance**

Discovery Charter School is in general compliance with laws, regulations and the terms of its charter. The school operates in accordance 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 Dignity for All Students Act regulations. The board holds meetings in accordance with Open Meetings Law.

### **Public Hearing Information**

The required hearing was held by the Greece Central School District on October 13, 2015 to give the public an opportunity to comment on the Discovery Charter School renewal application. Thirty-one persons attended the public hearing. No comments in favor or in opposition were recorded.

### **Revisions**

Discovery Charter School is not requesting any revisions to the charter in the renewal term.

## **Renewal Recommendations**

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 **Niagara 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 Niagara 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 **Aloma D. Johnson 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 Aloma D. Johnson 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.

VOTED: That the Board of Regents finds that, the **Amani Public 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 Amani Public 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.

VOTED: That the Board of Regents finds that, the **Discovery 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 Discovery 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 school will become effective immediately.

**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 Common Core Learning Standards (CCLS) 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.  |

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