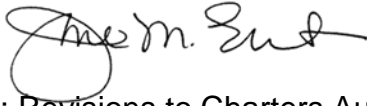





TO: P-12 Education Committee
FROM: Jhone M. Ebert 
SUBJECT: Charter Schools: Revisions to Charters Authorized by the Board of Regents
DATE: March 21, 2016
AUTHORIZATION(S): 

SUMMARY

Issue for Decision

Should the Regents approve the proposed revisions to the charters of the following four schools authorized by the Board of Regents:

1. Charter High School for Law and Social Justice
2. Evergreen Charter School
3. Neighborhood Charter School of Harlem
4. Urban Dove Team Charter School

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 March 2016 Regents meeting.

Background Information

The Commissioner and Department staff recommend that the Board of Regents amend the charters of the above listed charter schools. Information about each revision request is provided below.

CHARTER HIGH SCHOOL FOR LAW AND SOCIAL JUSTICE

Table 1: School Summary

Name of Charter School	Charter High School for Law and Social Justice
Board Chair	Richard Marsico, Esq.
District of Location	CSD 11
Opening Date	September 2015
Current Charter Term	September 2, 2015 – June 30, 2020
Facility	Private facility
Current Grade Levels/Number of Students	Approved to open with 120 students in grade 9 and to serve up to 450 students in grades 9 through 12.
Mission	The Charter High School for Law and Social Justice will provide students from the southern Bronx with a comprehensive high school education and lay the academic and social groundwork for success in college and careers. Using a theme of law and social justice, the School will engage, inspire, and empower students, and will equip them with the academic skills to earn a Regents diploma and gain admission to the college of their choice prepared for success. The School will create a pathway for its students to law school and careers as attorneys. The pathway will include mentoring opportunities with law students and attorneys and partnerships with institutions of higher learning. These institutions will offer college and law school experiences to our students and share with them the academic benchmarks and habits necessary to gain entrance to college and law school.
Proposed Revision	The Board of Trustees of the Charter High School for Law and Social Justice has submitted a request to amend the School’s charter, proposing to change the district in which the School is located from CSD 11 to CSD 10.

On December 17, 2013, the Board of Regents approved and chartered the Charter High School for Law and Social Justice (“CHSLSJ” or the “School”) in the Bronx, CSD 11. The school planned to be located in Bronx Community School Districts (“CSD”) 8, 9, or 12, but had difficulty securing private facilities. The school received approval in March 2014 to use 2014-2015 as a planning year.

Pursuant to New York Education Law §2853(3)(e), the School submitted a written request dated June 6, 2014 to the New York City Department of Education (NYC DOE) requesting co-location space for the 2014-2015 school year in the three approved Bronx Community School Districts and also in CSD 7. The NYC DOE denied the request on November 10, 2014 for co-located space in Bronx Community School Districts 7, 8, 9, and 12. Unable to secure public or private space within CSD 7, 8, 9, or 12, the School's Trustees requested that the Board of Regents approve a material revision to its charter to allow the School to change the district of location for the School to a private facility leased for 2 years in CSD 11. The School opened in September 2015 with 120 grade 9 students, and currently operates in a privately-leased facility located at 1741 Williamsbridge Road in Bronx CSD 11. This facility is not large enough to house the School's projected student enrollment beyond 2016-17, with the lease set to expire June 30, 2017. The Board of Trustees has negotiated a privately leased facility located at 1942 Martin Luther King, Jr. Boulevard in Bronx CSD 10 that will accommodate the School's projected student enrollment and grades at full growth permanently.

The Board of Trustees has negotiated the remaining year lease (which expires on June 30, 2017) of its current facility to another charter school. The School's Trustees now request that the Board of Regents approve a material revision to its charter to allow the School to operate in CSD 10, beginning July 1, 2016.

Table 2: Charter High School for Law and Social Justice Approved Enrollment

	Year 1 2015-2016	Year 2 2016-2017	Year 3 2017-2018	Year 4 2018-2019	Year 5 2019-2020
Grade Configuration	Grade 9	Grades 9-10	Grades 9-11	Grades 9-12	Grades 9-12
Total Approved Enrollment	126	252	378	450	450

Summary of Public Comment

As required by the Charter School Act, the New York City Department of Education, held a public hearing about the proposed revision on January 20, 2016. Seven individuals attended the hearing. No comments were made in support of or in opposition to the proposed charter revision.

EVERGREEN CHARTER SCHOOL

Table 1: School Summary

Name of Charter School	Evergreen Charter School
Board Chair	Gil Bernardino
District of Location	Hempstead Union Free School District
Opening Date	January 2009
Current Charter Term	January 13, 2014 – June 30, 2019
Facility	Leased
Current Grade Levels/Number of Students	Grades K-5 300 students
Mission	The mission of the Evergreen Charter School (ECS) is to nurture the intellectual, physical and social development of children, through a comprehensive program that promotes academic excellence and prepares its students for success in school and in life.
Proposed Revision	Evergreen Charter School proposes to expand to serve students in grades K-6, with a corresponding increase in enrollment from 300 students to 375 students for the 2016-2017 school year. The sixth grade class would have 50 students (2 classes of 25) and the school would add an additional kindergarten class of 25 students.

On January 13, 2009, the Board of Regents approved and chartered the Evergreen Charter School (“ECS” or the “School”), located at 605 Peninsula Blvd, Hempstead, NY 11561 in the Hempstead Union Free School District. The School opened for instruction in 2009, and its charter was renewed for a second term on January 13, 2014 and has a current enrollment of 300 students in Grades K to 5.

The School’s Trustees request that the Board of Regents approve a material revision to its charter to allow the School to expand enrollment from 300 students to 375 students for the 2016-2017 school year. This change will enable the school to serve students continuously from Grade K through Grade 6, in accordance with parent demand. The limited viable options for families in Hempstead Union Free School District are also a major factor for the request, and the School has provided evidence to support the fact that the present facility will be able to accommodate the proposed enrollment.

Evergreen Charter School ensures that students of varied cultural and social backgrounds and different ability levels achieve their academic potential while developing a positive sense of self-worth. Additionally, instruction in a second language, i.e. Spanish, and integration of content regarding Hispanic history and culture is an

important element of the School's curriculum. The School features enriched arts and physical education programs, and it fosters healthy life choices within a child-centered school environment that places a premium on environmental education and conservation of resources. The School uses a balanced instructional approach and employs a workshop delivery model to provide its students with a stronger foundation in ELA, which will prepare them for success as they move through the grades.

Table 2: Evergreen Charter School Approved Enrollment

	Year 1 2014-2015	Year 2 2015-2016	Year 3 2016-2017
Grade Configuration	K - 5	K - 5	K - 5
Total Approved Enrollment	300	300	300

Table 3: Evergreen Charter School Proposed Enrollment

	Year 1 2014-2015	Year 2 2015-2016	Year 3 2016-2017
Grade Configuration	K - 5	K - 5	K - 6
Total Proposed Enrollment	300	300	375

Table 4: Evergreen Charter School Academic Achievement

All Students	ELA					Math				
	Evergreen CS	Hempstead UFSD	Variance to District	NYS	Variance to NYS	Evergreen CS	Hempstead UFSD	Variance to District	NYS	Variance to NYS
2013-2014	21%	10%	+11%	31%	-10%	32%	15%	+17%	41%	-9%
2014-2015	31%	9%	+22%	32%	-1%	43%	15%	+28%	43%	0%

Table 5: Evergreen Charter School Demographics Compared to District of Location

	2013 -2014			2014 -2015		
	Evergreen CS	Hempstead UFSD	Variance	Evergreen CS	Hempstead UFSD	Variance
Economically Disadvantaged	74%	76%	-2%	89%	81%	+8%
English Language Learners (Former & Current)	37%	44%	-7%	40%	40%	0%
Students with Disabilities (Former & Current)	8%	9%	-1%	7%	9%	-2%

Summary of Public Comment

As required by the Charter School Act, the Hempstead Union Free School District held a public hearing about the proposed revision on Wednesday, February 17, 2016 at 4:00pm in Hempstead High School’s Little Theater. Sixty-three individuals attended the hearing. No comments were made in support of or in opposition to the proposed charter revision.

NEIGHBORHOOD CHARTER SCHOOL OF HARLEM

Table 1: School Summary

Name of Charter School	Neighborhood Charter School of Harlem
Board Chair	Ruth Meyler
Districts of Location	NYC CSD 5 and CSD 6
Opening Date	August 20, 2012
Current Charter Term	August 2012 – June 2017
Facility	Grades 1-4 - 132 West 124th Street, New York, NY 10027 Kindergarten - 421 West 145th St. New York, NY 10031
Current Grade Levels/Number of Students	K-4 271 students
Mission	“To provide Harlem children with new educational opportunities through a rigorous, comprehensive K-8 program that cultivates the intellectual, social and emotional development of each child. Our school is an inclusive community that serves high functioning children on the autism spectrum along with their neighborhood peers. Our students will become independent learners and critical thinkers, will acquire the academic skills that they need to succeed in college preparatory high schools and will exhibit the social and emotional skills that will allow them to reach their full potential.”
Proposed Revision	The school seeks an increase in the maximum authorized enrollment from 323 to 375 students by adding two Kindergarten classes in the 2016-17 school year.

On September 13, 2011, the Board of Regents approved and chartered the Neighborhood Charter School of Harlem (“School”), located at 132 West 124th Street, New York, NY 10027, in NYC CSD 5. The School opened for instruction in 2012, and has a current enrollment of 271 students in K-4.

Since opening in August 2012, the School has received applications that outnumber the seats available each year. For example, in 2015, the School received a total of 917 applications for 78 available seats, including 18 applications for 9 places in the autism spectrum disorder (ASD) program. The School currently has waiting lists for every grade.

The School’s Trustees request that the Board of Regents approve a material revision to its charter to allow the School to increase its enrollment to 375 students for

the 2016-17 academic year. This change will enable the school to accommodate more students. The school has had greater than expected enrollment due to:

1. Increasing interest in attending the School;
2. Attrition being lower than expected;
3. The School's ability to backfill in third and fourth grades without damage to the School's culture or students' ability to catch up academically.
4. The School's increasing enrollment of students with autism spectrum disorders (ASD students); and
5. The ability of the School to serve more students than expected in some ICT classrooms.

Table 2: Neighborhood Charter School of Harlem Approved Enrollment

	Year 1 2012-2013	Year 2 2013-2014	Year 3 2014-2015	Year 4 2015-2016	Year 5 2016-2017
Grade Configuration	K-1	K-2	K-3	K-4	K-5
Total Approved Enrollment	106	163	219	271	323

Table 3: Neighborhood Charter School of Harlem Proposed Enrollment

	Year 1 2012-2013	Year 2 2013-2014	Year 3 2014-2015	Year 4 2015-2016	Year 5 2016-2017
Grade Configuration	K-1	K-2	K-3	K-4	K-5
Total Proposed Enrollment	106	163	219	314	375

Neighborhood Charter School of Harlem far exceeded the goals set forth in the NYSED's Performance Framework for the percentage of students proficient in ELA and Mathematics in state assessments.

Table 4: Neighborhood Charter School of Harlem Academic Achievement

All Students	ELA					Math				
	Neighborhood CS of Harlem	CSD 5	Variance ¹ to CSD 5	NYS	Variance to NYS	Neighborhood CS of Harlem	CSD 5	Variance to CSD 5	NYS	Variance to NYS
2014-2015: Gr 3	53%	17%	+36%	31%	+22%	79%	21%	+58%	42%	+37%

Neighborhood Charter School of Harlem’s demographics demonstrate that they are exceeding the district location only in the enrollment of students with disabilities. Their enrollment of economically disadvantaged students and English Language Learners are not proportional to the district of location and reflect a downward trend.

Table 5: Neighborhood Charter School of Harlem Demographics Compared to District of Location

	2013 -2014			2014 -2015		
	Neighborhood CS of Harlem	CSD 5	Variance	Neighborhood CS of Harlem	CSD 5	Variance
Economically Disadvantaged	69%	91%	-22%	64%	90%	-26%
English Language Learners ²	3%	14%	-11%	5%	15%	-10%
Students with Disabilities ³	30%	20%	+10%	33%	23%	+10%

Summary of Public Comment

As required by the Charter School Act, the New York City Department of Education held a public hearing about the proposed revision on February 2, 2016. Six individuals attended the hearing and there were no comments. The UFT District leader provided a written comment in support of the proposed expansion.

¹ Variance is defined as the percent difference of subgroup enrollment between the charter school and district of location.

² Includes ELL students exited from a program within the last three years of the reporting period.

³ Includes SWD students exited from a program within the last three years of the reporting period.

URBAN DOVE TEAM CHARTER SCHOOL SUMMARY

Table 1: School Summary

Name of Charter School	Urban Dove Team Charter School
Board Chair	Mike Grandis
District of Location	CSD 13 (Brooklyn)
Opening Date	8/27/2012
Current Charter Term	8/27/2012 – 6/30/2017
Facility	600 Lafayette Avenue, Brooklyn, NY 11216
Current Grade Levels/Number of Students	Ungraded high school 240
Mission	Urban Dove's mission is to provide young people, regardless of their economic or social background, the critical skills needed to develop into strong, successful adults who are economically, socially and emotionally independent. Our program model uses a combination of academics, life skills, job skills and sports to energize, educate and empower young people in a safe, positive environment of high expectations and shared responsibility.
Proposed Revision	The School is requesting an increase in maximum authorized enrollment from 240 to 265 students

On December 14, 2010, the Board of Regents approved and chartered the Urban Dove Charter School (“UD” or the “School”), located at 600 Lafayette Avenue, in the CSD 13. The School opened for instruction in August 2012 after take a planning year, and has a current enrollment of 240 students in high school (ungraded). In October 2013, the School requested and was approved by the Board of Regents to change its name to Urban Dove Team Charter School.

The School’s Trustees request that the Board of Regents approve a material revision to its charter to allow the School to increase its maximum enrollment from 240 to 265. This change will enable the School to respond to the high need for early intervention transfer opportunities for low credit-earning 9th graders in CSDs 15 and 13 and for those same students residing in the entire borough of Brooklyn. In addition, due to high retention rates, the School has grown to a larger “at capacity” enrollment than anticipated. As a result, it has caused an increase in the total number of students beyond what was originally anticipated. With a new, larger facility, the School believes it has ample space to serve more students.

Table 2: Urban Dove Team Charter School Approved Enrollment

	Year 1 2012-2013	Year 2 2013-2014	Year 3 2014-2015	Year 4 2015-2016	Year 5 2016-2017
Grade Configuration	Ungraded	Ungraded	Ungraded	Ungraded	Ungraded
Total Approved Enrollment	95	170	240	240	240

Table 3: Urban Dove Team Charter School Proposed Enrollment

	Year 1 2012-2013	Year 2 2013-2014	Year 3 2014-2015	Year 4 2015-2016	Year 5 2016-2017
Grade Configuration	Ungraded	Ungraded	Ungraded	Ungraded	Ungraded
Total Approved Enrollment	95	170	240	240	265

Table 4: Urban Dove Team Charter School Demographics Compared to District of Location

Urban Dove Team Charter School is currently exceeding or coming close to meeting its enrollment targets for special populations; however, economically disadvantaged and English Language Learners student populations are trending with greater deviation from the district of location as the charter term has moved on.

	2013-2014			2014-2015		
	Urban Dove	CSD 13	Variance	Urban Dove	CSD 13	Variance
Economically Disadvantaged	73%	71%	+2%	69%	70%	-1%
English Language Learners (Former & Current)	4%	5%	-1%	3%	5%	-2%
Students with Disabilities (Former and Current)	33%	9%	+24%	38%	10%	+28%

Table 5: Urban Dove Team Charter School Academic Achievement

Urban Dove Team Charter School's graduation rate using the 5-year outcome exceeds the state accountability graduation target of 80%.

**High School Graduation Rate
(4-Year and 5-Year Outcomes)**

	All Students				
	2007 Cohort	2008 Cohort	2009 Cohort	2010 Cohort	2011 Cohort
4Yr	83%	70%	74%	76%	75%
5Yr	84%	81%	83%	86%	N/A

Summary of Public Comment

As required by the Charter School Act, the New York City Department of Education held a public hearing about the proposed revision on March 8, 2016. Three individuals attended the hearing, and all three were in favor of the proposed revision.

Recommendation

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

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

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

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

Timetable for Implementation

The Regents action for Charter High School for Law and Social Justice will become effective immediately.

The Regents action for Evergreen Charter School will become effective immediately.

The Regents action for Neighborhood Charter School of Harlem will become effective immediately.

The Regents action for Urban Dove Team Charter School will become effective immediately.