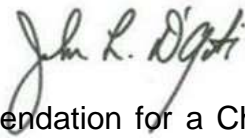




**TO:** P-12 Education Committee

**FROM:** John L. D'Agati 

**SUBJECT:** Revision Recommendation for a Charter School Authorized by the Board of Regents

**DATE:** March 4, 2021

**AUTHORIZATION(S):** 

### **SUMMARY**

#### **Issue for Decision**

Should the Board of Regents approve the proposed revision to the charter of the following charter school authorized by the Board of Regents?

**American Dream Charter School** (to increase the charter school's authorized enrollment from the currently approved 565 students to 600 students, to commence upon Regents approval in the current school year).

#### **Reason(s) for Consideration**

Required by State statute.

#### **Proposed Handling**

This issue will come before the P-12 Education Committee and the Full Board for action at its March 2021 meeting.

#### **Procedural History**

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

#### **Background Information**

The Board of Regents and the Department are bound by law, regulation, and Regents-endorsed internal policies regarding the criteria that can be considered in decision making pertaining to the authorization of new charter schools, charter school

renewals, and charter school revisions. Detailed information on these laws, regulations, and Regents-endorsed internal policies can be found in the Appendix.

### **Related Regents Items**

#### **American Dream Charter School**

December 2013: [Initial Charter](https://www.regents.nysed.gov/common/regents/files/1213p12a2%5B1%5D.pdf)  
(<https://www.regents.nysed.gov/common/regents/files/1213p12a2%5B1%5D.pdf>)

March 2017: [Revision--Enrollment and Grade Span Increase](https://www.regents.nysed.gov/common/regents/files/317p12a5.pdf)  
(<https://www.regents.nysed.gov/common/regents/files/317p12a5.pdf>)

February 2019: [First Renewal and Revision--Enrollment and Grade Span Increase](https://www.regents.nysed.gov/common/regents/files/319p12a1.pdf)  
(<https://www.regents.nysed.gov/common/regents/files/319p12a1.pdf>)

### **Recommendation**

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

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

### **Timetable for Implementation**

The Board of Regents action for **American Dream Charter School** will become effective immediately upon Regents approval for the current school year.

## American Dream Charter School

In accordance with Education Law, Article 56, the **New York State Education Department recommends that this charter school be permitted to revise its charter to increase the charter school’s authorized enrollment from the currently approved 565 students to 600 students to commence upon Regents approval in the current school year.**

**Table 1: School Summary**

<b>Name of Charter School</b>	American Dream Charter School
<b>Board Chair</b>	Luz Maria Rojas
<b>District of Location</b>	NYC CSD 7
<b>Opening Date</b>	Fall 2014
<b>Current Term Authorized Grades /Approved Enrollment</b>	Grades 6-12 / 565 students
<b>Comprehensive Management Service Provider</b>	None
<b>Facilities</b>	510 E. 141st Street, Bronx - Private Space
<b>Mission Statement</b>	<i>The American Dream School develops academic excellence in both Spanish and English for grades 6-12, preparing students to excel in college and become leaders in their communities.</i>
<b>Key Design Elements</b>	<ul style="list-style-type: none"> <li>• Dual Language Program</li> <li>• Project- and Experiential-Based Learning</li> <li>• Culturally Responsive Instruction</li> <li>• Data-Driven Instruction and Assessment</li> <li>• Teacher Development and Support</li> <li>• June Mini-Mester</li> <li>• DREAM Advisory</li> <li>• Teacher Academy</li> </ul>
<b>Proposed Revisions</b>	<ul style="list-style-type: none"> <li>• <b>To increase the charter school’s authorized enrollment from the currently approved 565 students to 600 students to commence upon Regents approval in the current school year.</b></li> </ul>

In December 2013, the Board of Regents approved and chartered the American Dream Charter School (“ADCS”) in NYC CSD 7. The school’s educational program focuses on providing an innovative dual language program in English and Spanish and establishing a rich, supportive, and nurturing cultural environment for all students.

At the school’s last renewal site visit in the 2018-2019 school year, ADCS was meeting nine out of the 10 benchmarks set forth in the Board of Regents Charter School Performance Framework. The school is implementing the mission, key design elements, education program, and organizational plan set forth in the charter.

The school's trustees request that the Board of Regents approve a material revision to the school's charter to allow the school to increase the charter school's authorized enrollment from the currently approved 565 students to 600 students to commence upon Regents approval in the current school year. This revision would allow the school to better serve students in NYC CSD 7 by responding to increased enrollment demand. The school's mission to serve at-risk students, the quantity of applicants and the number of applicants waitlisted for a seat at ADCS each school year supports the request for an enrollment increase. In the last academic year's enrollment lottery, ADCS had a total of 504 students applying for 130 available seats. Based on the school's current maximum authorized enrollment, ADCS was only able to accept 21 percent of the students who applied to the school. The total number of applicants to ADCS for the 2020-2021 school year, including post-lottery applicants, exceeded the number of seats the school had available by over 460 percent, or an average of four to five student applicants vying for the same one seat, leaving 74 percent of applicants on a waitlist. These strong indicators of demand demonstrate the appeal of the school's dual language instructional approach and commitment to community. ADCS recruits high-need students to enroll at the school and positions itself, through regular and authentic communication and outreach, as a true partner within its community. ADCS enjoys broad organizational support from its co-located district school, neighboring charter, and traditional public schools, NYCDOE district leadership, community-based organizations, city agencies, and elected officials.

This enrollment increase would allow ADCS to provide a strong dual language educational program to more at-risk students in the Bronx. The school is located in the poorest congressional district in the country with a high percentage of immigrants, and it provides an innovative dual language program in English and Spanish to all of its students. Dual language instruction is the cornerstone of ADCS's mission and vision. Its board of trustees and a high percentage of its faculty and support staff are fully literate in English and Spanish, and ADCS faculty mirror the diversity of its student body. The school is committed to establishing a welcoming environment for non-English speakers and identifies as part of its mission providing a rich, supportive, and nurturing cultural environment for all students. A key focus is sending a strong message of commitment to the community, wherein students and families are valued for their unique individual character and collective culture. In addition, the school has established numerous supports to meet the academic needs of all students, including but not limited to students with disabilities (SWDs), English language learners (ELLs), and economically disadvantaged (ED) students. The school's recruitment practices target these respective populations. The school enrolls ELLs and ED students at a higher level than the district of location.

This enrollment increase would also allow the school to enroll additional SWDs starting in Grade 6, and ultimately increasing the percentage of SWDs served by the school as a whole, through their partnerships with local community-based organizations that serve the needs of SWDs, as well as connections with the school's CSE and district schools in the neighborhood.

**2018-2019 Charter School Performance Framework Benchmark Ratings  
American Dream Charter School**

<b>2015 Performance Benchmark</b>		<b>Level</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>Meets</b>
	<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 New York State Learning Standards (NYSL) 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>Meets</b>
	<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>Meets</b>
<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>Meets</b>
	<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>Meets</b>
	<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>Meets</b>
	<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>Meets</b>
<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>Meets</b>
	<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>Approaches</b>
	<b>Benchmark 10: Legal Compliance:</b> The school complies with applicable laws, regulations, and the provisions of its charter.	<b>Meets</b>

**Table 2: American Dream Charter School Approved Enrollment  
For the Current Charter Term**

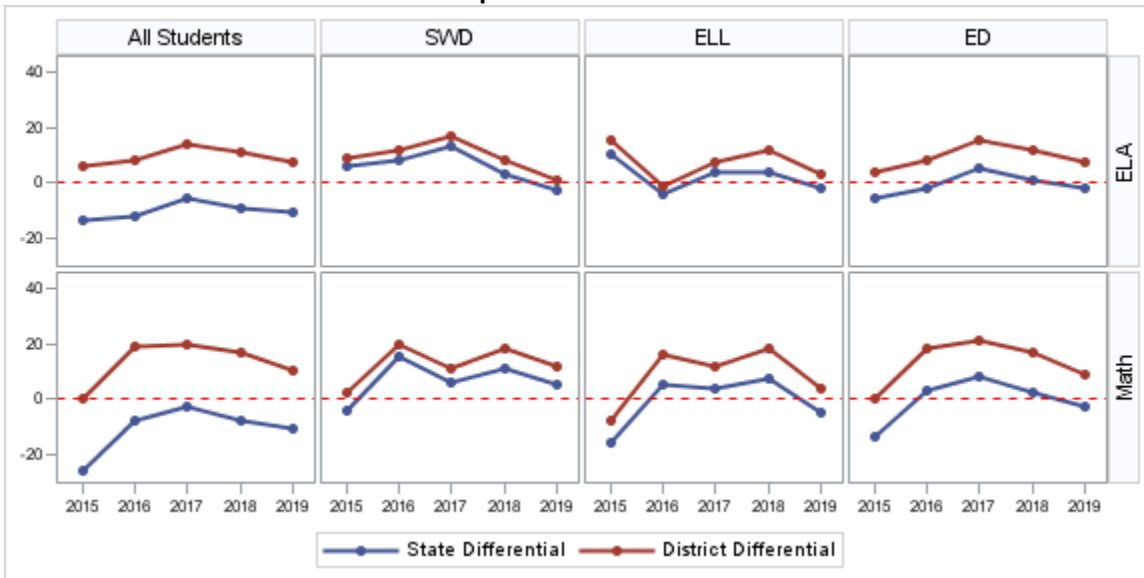
	<b>Year 1 2019-2020</b>	<b>Year 2 2020-2021</b>	<b>Year 3 2021-2022</b>	<b>Year 4 2022-2023</b>	<b>Year 5 2023-2024</b>
<b>Grade Configuration</b>	Grades 6 - 11	Grades 6 - 12	Grades 6 - 12	Grades 6 - 12	Grades 6 - 12
<b>Total Approved Enrollment</b>	490	565	565	565	565

**\*Table 3: American Dream Charter School Proposed Enrollment**

	<b>Year 2 2020-2021</b>	<b>Year 3 2021-2022</b>	<b>Year 4 2022-2023</b>	<b>Year 5 2023-2024</b>
<b>Grade Configuration</b>	Grades 6 - 12	Grades 6 - 12	Grades 6 - 12	Grades 6 - 12
<b>Total Proposed Enrollment</b>	600	600	600	600

\*The proposed chart was submitted by the American Dream Charter School. It is subject to change pending the final revision recommendation and approval by the Board of Regents. In the 2020-2021 school year, the change will be effective upon Regents approval. The school will not be paid for students over-enrolled in the months prior to Regents approval.

**Figure 1: Elementary/Middle School Assessment Proficiency State and District Differentials Over Time Comparison to NYC CSD 7**



**Table 4: Elementary/Middle School Assessment Proficiency Outcomes: Charter School, District & NYS**

		ELA					Math				
		American Dream CS	NYC CSD 7	Differential to District	NYS	Differential to NYS	American Dream CS	NYC CSD 7	Differential to District	NYS	Differential to NYS
All Students	2014-2015	17%	11%	+6	31%	-14	13%	13%	0	39%	-26
	2015-2016	23%	15%	+8	35%	-12	30%	11%	+19	38%	-8
	2016-2017	34%	20%	+14	40%	-6	31%	11%	+20	34%	-3
	2017-2018	37%	26%	+11	46%	-9	32%	15%	+17	40%	-8
	2018-2019	34%	27%	+7	45%	-11	31%	21%	+10	42%	-11
SWD	2014-2015	12%	3%	+9	6%	+6	6%	4%	+2	10%	-4
	2015-2016	15%	3%	+12	7%	+8	24%	4%	+20	9%	+15
	2016-2017	23%	6%	+17	10%	13	15%	4%	+11	9%	+6
	2017-2018	17%	9%	+8	14%	+3	23%	5%	+18	12%	+11
	2018-2019	10%	9%	+1	13%	-3	18%	6%	+12	13%	+5
ELL	2014-2015	17%	2%	+15	7%	+10	0%	8%	-8	16%	-16
	2015-2016	4%	5%	-1	8%	-4	20%	4%	+16	15%	+5
	2016-2017	12%	5%	+7	8%	4	16%	4%	+12	12%	+4
	2017-2018	24%	12%	+12	20%	+4	28%	10%	+18	21%	+7
	2018-2019	17%	14%	+3	19%	-2	18%	14%	+4	23%	-5
ED	2014-2015	14%	10%	+4	20%	-6	13%	13%	0	27%	-14
	2015-2016	23%	15%	+8	25%	-2	30%	12%	+18	27%	+3
	2016-2017	35%	20%	+15	30%	5	32%	11%	+21	24%	+8
	2017-2018	37%	25%	+12	36%	+1	32%	15%	+17	30%	+2
	2018-2019	33%	26%	+7	35%	-2	30%	21%	+9	33%	-3

**Table 5: Student Demographics Comparison with District of Location**

	SWD			ELL			ED		
	American Dream CS	NYC CSD 7	Differential to District	American Dream CS	NYC CSD 7	Differential to District	American Dream CS	NYC CSD 7	Differential to District
2015-2016	22%	30%	-8	34%	24%	+10	92%	93%	-1
2016-2017	22%	30%	-8	25%	19%	+6	97%	92%	+5
2017-2018	19%	30%	-11	32%	24%	+8	96%	94%	+2
2018-2019	17%	28%	-11	30%	24%	+6	97%	92%	+5
2019-2020	17%	27%	-10	31%	22%	+9	97%	92%	+5

**Table 6: Retention Comparison with District of Location**

	All Students			SWD			ELL			ED		
	American Dream CS	NYC CSD 7	Differential to District	American Dream CS	NYC CSD 7	Differential to District	American Dream CS	NYC CSD 7	Differential to District	American Dream CS	NYC CSD 7	Differential to District
2015-2016	93%	91%	+2	84%	90%	-6	97%	92%	+5	92%	91%	+1
2016-2017	90%	89%	+1	92%	85%	+7	93%	89%	+4	90%	89%	+1
2017-2018	85%	72%	+13	82%	71%	+11	87%	69%	+18	87%	72%	+15
2018-2019	87%	75%	+12	83%	72%	+11	85%	76%	+9	88%	75%	+13
2019-2020	87%	77%	+10	80%	75%	+5	87%	75%	+12	88%	77%	+11

**Summary of Public Comment**

The required public hearing was held by the New York City Department of Education on February 22, 2021. Seventy-five people attended, and 13 spoke. All 13 were in favor of the revision and none were opposed

The school has received much community support for this proposed revision and has collected over 20 letters of support from community stakeholders, such as community-based organizations with which the school collaborates; academic institutions; supporting foundations; the Mexican Consulate, with which the school partners regularly; and elected officials, including its US Congressperson, community board members, assembly and council members, and a New York State senator.



**Laws, Regulations, and Regents-endorsed internal policies Applicable to  
Board of Regents-authorized Charter School Renewals**

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

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

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

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

Performance Framework

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

The Department considers evidence related to all ten performance benchmark areas of the Charter School Performance Framework when making recommendations to the Regents concerning

charter revisions. However, student academic performance is of paramount importance when evaluating each school (See [§ 8 NYCRR 119.7](http://www.p12.nysed.gov/psc/aboutcharterschools/Financing/Regulations/csreg119.7.html) (<http://www.p12.nysed.gov/psc/aboutcharterschools/Financing/Regulations/csreg119.7.html>)). The recommendations in this document were made after a full due-diligence process over the charter term as set forth in the [NYSED Charter School Monitoring Plan](http://www.p12.nysed.gov/psc/regentsoversightplan/SectionIIMonitoringPlan.html) (<http://www.p12.nysed.gov/psc/regentsoversightplan/SectionIIMonitoringPlan.html>), including review of the information presented by the schools in their application for each revision; specific fiscal reviews; desk audits; comprehensive analysis of achievement data; and consideration of public comment.