



**TO:** P-12 Education Committee  
**FROM:** John L. D'Agati *John L. D'Agati*  
**SUBJECT:** Revisions to Charters Authorized by the Board of Regents  
**DATE:** March 26, 2020  
**AUTHORIZATION(S):** *Sharon L. Fajee*

### SUMMARY

#### **Issue for Decision**

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

1. **Evergreen Charter School**
2. **Riverhead Charter School**

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

Required by State statute.

#### **Proposed Handling**

This issue will come before the Board of Regents P-12 Education Committee and the Full Board for action at its April 2020 meeting.

#### **Procedural History**

The New York State Education Department (the Department) is making recommendations to the Board of Regents for approval and issuance of charter revisions as required by Article 56 of the Education Law.

#### **Background Information**

The Department recommends that the Board of Regents amend the charters of the **Evergreen Charter School** and **Riverhead Charter School**. Information about the revision requests is provided below.

## **Related Regents Items**

### **Evergreen Charter School**

#### **January 2009 Initial Charter**

(<http://www.regents.nysed.gov/meetings/2009Meetings/January2009/0109emsca8.htm>)

#### **December 2013 First Renewal**

(<http://www.regents.nysed.gov/common/regents/files/1213p12a1Revised%5B1%5D.pdf>)

#### **March 2014 Second Renewal**

([http://www.regents.nysed.gov/common/regents/files/413bra2\\_1.pdf](http://www.regents.nysed.gov/common/regents/files/413bra2_1.pdf))

#### **March 2016 Enrollment Revision**

<http://www.regents.nysed.gov/common/regents/files/316p12a2REVISED.pdf>

#### **March 2017 Third Renewal and Enrollment Revision**

(<http://www.regents.nysed.gov/common/regents/files/317p12a4.pdf>)

#### **April 2019 Enrollment Revision**

(<http://www.regents.nysed.gov/common/regents/files/419p12a3.pdf>)

### **Riverhead Charter School**

January 2001 Initial Charter

No electronic record on Board of Regents website

#### **July 2003 Grade Level Expansion**

(<http://www.regents.nysed.gov/meetings/2003Meetings/July2003/0703brca11.htm>)

#### **December 2005 First Renewal**

<http://www.regents.nysed.gov/common/regents/files/documents/meetings/2005Meetings/December2005/1205emscvesida3.htm>

#### **May 2008 Second Renewal**

(<http://www.regents.nysed.gov/meetings/2008Meetings/May2008/0508emsca5.htm>)

#### **April 2009 Third Renewal**

(<https://www.regents.nysed.gov/meetings/2009Meetings/April2009/0409emsca2.htm>)

#### **January 2010 Enrollment Decrease**

(<http://www.regents.nysed.gov/meetings/2010Meetings/January2010/0110emsca3.htm>)

#### **March 2013 Grade Level Expansion**

(<https://www.regents.nysed.gov/common/regents/files/313brca5.pdf>)

[March 2014 Fourth Renewal](https://www.regents.nysed.gov/common/regents/files/413bra2_1.pdf)

([https://www.regents.nysed.gov/common/regents/files/413bra2\\_1.pdf](https://www.regents.nysed.gov/common/regents/files/413bra2_1.pdf))

[March 2017 Fifth Renewal and Enrollment Expansion](https://www.regents.nysed.gov/common/regents/files/317p12a4.pdf)

(<https://www.regents.nysed.gov/common/regents/files/317p12a4.pdf>)

[March 2018 Grade Level Expansion, Enrollment Expansion, Organizational Structure Change](https://www.regents.nysed.gov/common/regents/files/318p12a4.pdf)

(<https://www.regents.nysed.gov/common/regents/files/318p12a4.pdf>)

**Recommendations**

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

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 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 **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 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 **Riverhead Charter School** and amends the provisional charter accordingly.

**Timetable for Implementation**

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

Evergreen Charter School

**Table 1: School Summary**

<b>Name of Charter School</b>	Evergreen Charter School
<b>Board Chair</b>	Gil Bernardino
<b>District of Location</b>	Hempstead Union Free School District
<b>Opening Month/Year</b>	Fall 2009
<b>Current Charter Term</b>	July 1, 2017 – June 30, 2022
<b>Current Maximum Approved Grade Levels/ Number of Students</b>	K – Grade 8/ 750 students
<b>Mission</b>	<i>The mission of Evergreen Charter School (ECS) is to nurture the intellectual, physical and social development of children, grades K-8, through a comprehensive program that promotes academic excellence and prepares its students for success in school and in life. Evergreen promotes respect for self, respect for others, and respect for the environment.</i>
<b>Proposed Revisions</b>	<ul style="list-style-type: none"> <li>• <b>To Increase the current grade span to include Grades 9 - 12 from the school’s current kindergarten through Grade 8 configuration; and</b></li> <li>• <b>To Increase authorized enrollment from 750 students to 1100 students beginning in the 2020-2021 school year and phased in gradually thereafter.</b></li> </ul>

In January 2009, the Board of Regents approved and chartered the Evergreen Charter School (Evergreen) in the Hempstead Union Free School District. Evergreen’s educational program focuses on the intellectual, physical, and social emotional development of each student through an integrated dual language model (Spanish and English) that promotes academic excellence and prepares its students for success in school and life.

Evergreen’s trustees request that the Board of Regents approve a material revision to the school’s charter to allow it to increase the current grade span to include Grades 9 – 12, and to increase authorized enrollment from 750 students to 1100 students beginning in the 2020-2021 school year and phased in gradually thereafter. This revision would allow the school to best serve current students by providing them the opportunity to remain with their peers in a dual-language, college preparatory academic program that integrates Hispanic culture and environmental sustainability. Evergreen currently has a wait list for enrollment at every grade-level, and for the past two years, the school has had over 500 families on its wait list.

Evergreen is a high performing charter school that exceeds NYSED Charter School Performance Framework standards and that equitably serves all students, including students with disabilities (SWDs), English language learners (ELLs)/Multilingual learners (MLLs), and economically disadvantaged (ED) students. The academic outcomes for Evergreen on the Grade 3-8 ELA State assessments are 23 percentage points above the district and 4 percentage points above the State. In Grade 3-8 math, they are 20 percentage points above the district and 1 percentage point below the State. Evergreen serves approximately the same number of SWDs (-1 percentage point) and ELLs/MLLs (+1 percentage point) as the district; but serves significantly more ED students (+19 percentage points). In its application to NYSED, Evergreen states that the impetus for

applying for this revision derives from parent demand to keep their children enrolled in Evergreen through high school rather than be forced to attend district high schools, which have poor outcomes and a poor track record of serving the Hispanic community.

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

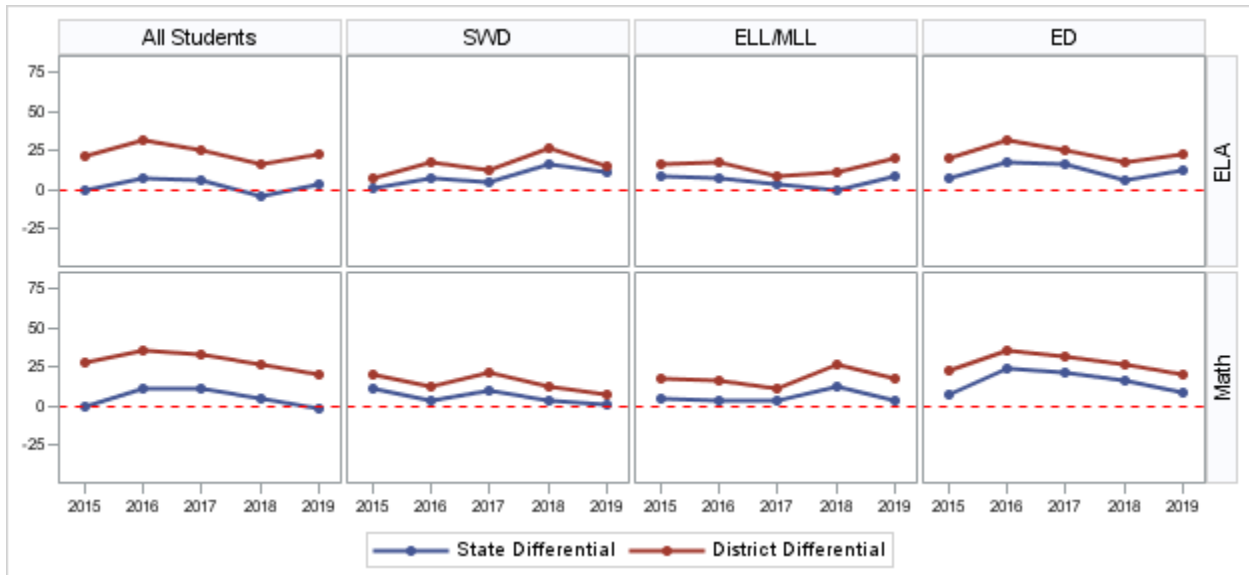
	<b>Year 1 2017-2018</b>	<b>Year 2 2018-2019</b>	<b>Year 3 2019-2020</b>	<b>Year 4 2020-2021</b>	<b>Year 5 2021-2022</b>
<b>Grade Configuration</b>	K - Grade 7	K – Grade 8	K – Grade 8	K – Grade 8	K - Grade 8
<b>Total Approved Enrollment</b>	450	525	600	675	750

**\*Table 3: Evergreen Charter School Proposed Enrollment**

	<b>Year 4 2020-2021</b>	<b>Year 5 2021-2022</b>	<b>Year 6 2022-2023</b>	<b>Year 7 2023-2024</b>
<b>Grade Configuration</b>	K – Grade 9	K – Grade 10	K – Grade 11	K – Grade 12
<b>Total Proposed Enrollment</b>	715	850	975	1100

\*The proposed chart was submitted by the Evergreen Charter School. It is subject to change pending the final revision recommendation and approval by the Board of Regents. The Year 6 and Year 7 revisions are subject to renewal of the school at the end of the current charter term ending June 30, 2022.

**Figure 1: Evergreen CS Academic Achievement Elementary/Middle School Assessment Proficiency State and District Differentials Over Time**



**Table 4: Evergreen Charter School Academic Achievement  
Elementary/Middle School Assessment Proficiency Outcomes: Charter School, District, and NYS**

		ELA					Math				
		Evergreen CS	Hempstead UFSD	Differential to District	NYS	Differential to NYS	Evergreen CS	Hempstead UFSD	Differential to District	NYS	Differential to NYS
All Students	2014-2015	31%	9%	+22	31%	0	43%	15%	+28	43%	0
	2015-2016	46%	14%	+32	39%	+7	54%	19%	+35	43%	+11
	2016-2017	44%	19%	+25	38%	+6	55%	22%	+33	44%	+11
	2017-2018	41%	25%	+16	45%	-4	51%	24%	+27	46%	+5
	2018-2019	49%	26%	+23	45%	+4	46%	26%	+20	47%	-1
SWD	2014-2015	9%	2%	+7	8%	+1	27%	7%	+20	16%	+11
	2015-2016	19%	2%	+17	11%	+8	19%	6%	+13	16%	+3
	2016-2017	16%	3%	+13	11%	+5	26%	5%	+21	16%	+10
	2017-2018	32%	6%	+26	16%	+16	22%	10%	+12	18%	+4
	2018-2019	26%	11%	+15	15%	+11	19%	12%	+7	18%	+1
ELL/MLL	2014-2015	22%	6%	+16	13%	+9	29%	11%	+18	24%	+5
	2015-2016	24%	6%	+18	16%	+8	27%	11%	+16	24%	+3
	2016-2017	16%	7%	+9	13%	+3	25%	14%	+11	21%	+4
	2017-2018	25%	14%	+11	25%	0	42%	15%	+27	30%	+12
	2018-2019	34%	14%	+20	25%	+9	34%	16%	+18	31%	+3
ED	2014-2015	29%	9%	+20	21%	+8	39%	16%	+23	31%	+8
	2015-2016	46%	14%	+32	28%	+18	55%	20%	+35	31%	+24
	2016-2017	44%	19%	+25	28%	+16	54%	23%	+31	32%	+22
	2017-2018	41%	24%	+17	35%	+6	51%	24%	+27	35%	+16
	2018-2019	49%	26%	+23	36%	+13	46%	26%	+20	37%	+9

**Table 5: Evergreen Charter School Demographics  
Compared to Hempstead UFSD**

	SWD			ELL/MLL			ED		
	Evergreen CS	Hempstead UFSD	Differential to District	Evergreen CS	Hempstead UFSD	Differential to District	Evergreen CS	Hempstead UFSD	Differential to District
2015-2016	8%	8%	0	40%	43%	-3	86%	85%	+1
2016-2017	6%	9%	-3	37%	42%	-5	84%	77%	+7
2017-2018	7%	9%	-2	41%	44%	-3	99%	91%	+8
2018-2019	9%	10%	-1	43%	42%	+1	100%	81%	+19

**Summary of Public Comment**

The required public hearing was held by the Hempstead Union Free School District on February 24, 2020. Six hundred people attended, and twenty-seven spoke. Fourteen were in favor of the revision and thirteen were opposed.

**Riverhead Charter School**

**Table 1: School Summary**

<b>Name of Charter School</b>	Riverhead Charter School
<b>Board Chair</b>	Aimee LoMonaco
<b>District of Location</b>	Riverhead Central School District
<b>Opening Month/Year</b>	Fall 2001
<b>Current Charter Term</b>	July 1, 2017 – June 30, 2022
<b>Comprehensive Management Service Provider</b>	None
<b>Current Maximum Approved Grade Levels/ Number of Students</b>	K – Grade 10 / 787 students
<b>Mission</b>	<i>The mission of RCS is to create a school environment that fosters the development of academic skills, intellectual habits, and character traits necessary for students to maximize their potential in high school, college, and the world beyond.</i>
<b>Proposed Revision</b>	<b>To increase authorized enrollment by 63 students from 787 students to 850 students to be phased in over the next two school years.</b>

In January 2001, the Board of Regents approved and chartered the Riverhead Charter School (RCS) in the Riverhead Central School District. RCS’ educational program focuses on providing a robust academic curriculum that prepares students to be successful in high school and beyond.

RCS’ trustees request that the Board of Regents approve a material revision to its charter to allow the school to increase enrollment by 63 students to be phased in over the next two school years. This revision would allow RCS to offer its successful academic program to additional students currently on the waiting list.

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

	<b>Year 1 2017-2018</b>	<b>Year 2 2018-2019</b>	<b>Year 3 2019-2020</b>	<b>Year 4 2020-2021</b>	<b>Year 5 2021-2022</b>
<b>Grade Configuration</b>	K- Grade 8	K- Grade 8	K- Grade 8	K- Grade 9	K- Grade 10
<b>Total Approved Enrollment</b>	500	550	600	692	787

**Table 3: Riverhead Charter School Proposed Enrollment\***

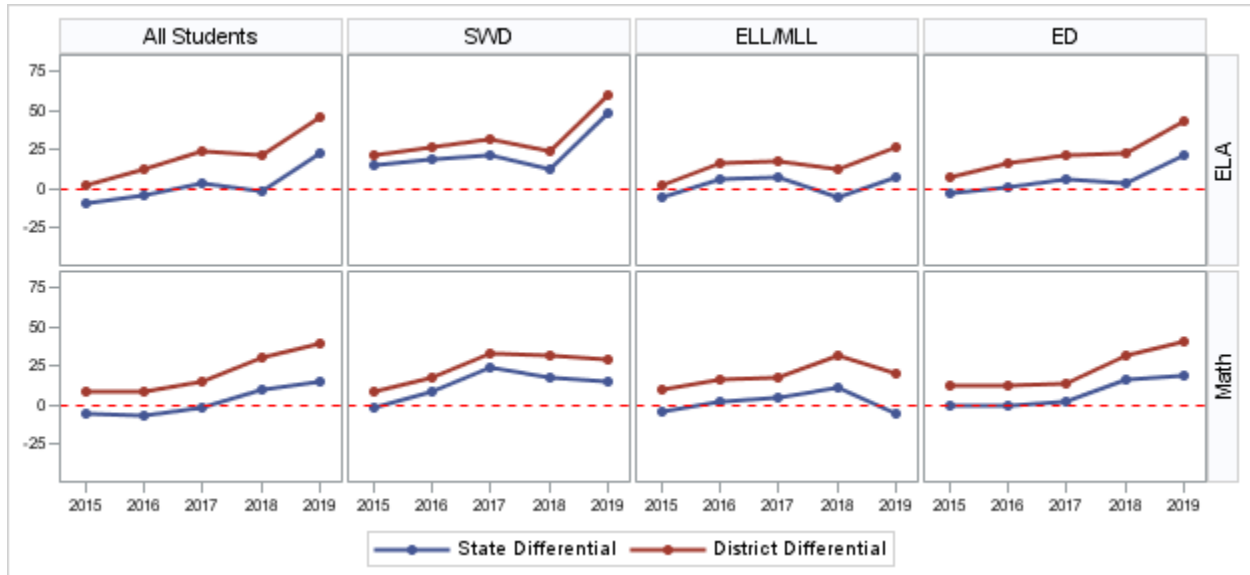
	<b>Year 4 2020-2021</b>	<b>Year 5 2021-2022</b>
<b>Grade Configuration</b>	K- Grade 9	K- Grade 10
<b>Total Proposed Enrollment</b>	750	850

\*The proposed chart was submitted by the Riverhead Charter School. It is subject to change pending the final revision recommendation and approval by the Board of Regents.



RCS students outperform both the Riverhead Central School District as well as the State average on grade 3-8 math and ELA exam outcomes. This is also true for all sub-groups – SWDs, ELLs/MLLs, and economically disadvantaged students, with the exception of ELL/MLL students at RCS performing slightly below the State average but above the district average in math.

**Figure 1: Riverhead CS Academic Achievement Elementary/Middle School Assessment Proficiency State and District Differentials Over Time**



**Table 4: Riverhead Charter School Academic Achievement  
Elementary/Middle School Assessment Proficiency Outcomes: Charter School, District, and NYS**

		ELA					Math				
		Riverhead CS	Riverhead CSD	Differential to District	NYS	Differential to NYS	Riverhead CS	Riverhead CSD	Differential to District	NYS	Differential to NYS
All Students	2014-2015	22%	20%	+2	31%	-9	33%	24%	+9	38%	-5
	2015-2016	34%	21%	+13	38%	-4	33%	24%	+9	39%	-6
	2016-2017	43%	19%	+24	40%	+3	38%	23%	+15	40%	-2
	2017-2018	44%	22%	+22	45%	-1	55%	25%	+30	45%	+10
	2018-2019	68%	22%	+46	45%	+23	62%	23%	+39	47%	+15
SWD	2014-2015	22%	1%	+21	7%	+15	12%	3%	+9	13%	-1
	2015-2016	28%	1%	+27	9%	+19	21%	3%	+18	12%	+9
	2016-2017	33%	2%	+31	11%	+22	40%	7%	+33	16%	+24
	2017-2018	28%	4%	+24	16%	+12	35%	4%	+31	17%	+18
	2018-2019	64%	5%	+59	16%	+48	33%	4%	+29	18%	+15
ELL/MLL	2014-2015	5%	3%	+2	10%	-5	15%	5%	+10	19%	-4
	2015-2016	19%	3%	+16	13%	+6	22%	6%	+16	20%	+2
	2016-2017	21%	3%	+18	13%	+8	25%	7%	+18	20%	+5
	2017-2018	20%	8%	+12	25%	-5	40%	9%	+31	29%	+11
	2018-2019	32%	5%	+27	25%	+7	26%	6%	+20	31%	-5
ED	2014-2015	18%	10%	+8	21%	-3	27%	14%	+13	27%	0
	2015-2016	28%	12%	+16	27%	+1	28%	15%	+13	28%	0
	2016-2017	35%	13%	+22	29%	+6	31%	17%	+14	29%	+2
	2017-2018	39%	16%	+23	36%	+3	50%	18%	+32	34%	+16
	2018-2019	58%	15%	+43	36%	+22	56%	16%	+40	37%	+19

**Table 5: Riverhead Charter School Demographics  
Compared to Riverhead CSD**

	SWD			ELL/MLL			ED		
	Riverhead CS	Riverhead CSD	Differential to District	Riverhead CS	Riverhead CSD	Differential to District	Riverhead CS	Riverhead CSD	Differential to District
2015-2016	8%	16%	<b>-8</b>	23%	26%	<b>-3</b>	74%	59%	<b>+15</b>
2016-2017	7%	16%	<b>-9</b>	25%	28%	<b>-3</b>	79%	52%	<b>+27</b>
2017-2018	9%	15%	<b>-6</b>	26%	32%	<b>-6</b>	76%	66%	<b>+10</b>
2018-2019	10%	17%	<b>-7</b>	26%	32%	<b>-6</b>	56%	64%	<b>-8</b>

**Table 6: Retention – Aggregate and Subgroups**

	All Students			SWD			ELL/MLL			ED		
	Riverhead Charter School	Riverhead CSD	Differential to District	Riverhead Charter School	Riverhead CSD	Differential to District	Riverhead Charter School	Riverhead CSD	Differential to District	Riverhead Charter School	Riverhead CSD	Differential to District
2016-2017	87%	92%	<b>-5</b>	87%	91%	<b>-4</b>	95%	95%	<b>0</b>	89%	91%	<b>-2</b>
2017-2018	84%	92%	<b>-8</b>	89%	90%	<b>-1</b>	92%	93%	<b>-1</b>	84%	92%	<b>-8</b>
2018-2019	89%	93%	<b>-4</b>	95%	94%	<b>+1</b>	95%	94%	<b>+1</b>	89%	92%	<b>-3</b>

**Summary of Public Comment**

The required public hearing was held by the Riverhead Central School District on February 11, 2020. Sixty people attended, and 22 spoke. Nine were in favor of the revision and 17 were opposed.