



**TO:** P-12 Education Committee

**FROM:** Charles A. Szuberla, Jr. *Charles A. Szuberla Jr.*

**SUBJECT:** Revision to a Charter Authorized by the Board of Regents:  
Democracy Prep Endurance Charter School

**DATE:** September 9, 2015

**AUTHORIZATION(S):** *Mary Ellen Eis*

**SUMMARY**

**Issue for Decision**

Should the Regents approve the proposed revision to the charter of Democracy Prep Endurance 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 September 2015 Regents meeting.

**Background Information**

The NYSED Board of Regents approved and issued a five-year initial charter to Democracy Prep Endurance (DPE) on December 14, 2010. The school opened for instruction in the fall of 2012, and its initial charter expires in the fall of 2017. DPE is part of Democracy Preparatory Public Schools (DPPS), a non-profit charter management organization servicing students in New York. DPE is located in P.S. 154, a co-located public facility at 250 West 127th Street in CSD 5. The school has a current enrollment of 347<sup>1</sup> students in grades 6 through 8. In the fall of 2015, DPE will add a high school facility, located at 240 East 123<sup>rd</sup> Street in CSD 6. The school will add one grade level

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<sup>1</sup> Enrollment data current as of June 27, 2015, and sourced through the Level 2 Student Information Repository System (SIRS).

per year, expanding to serve students in grades 6 through 10 and leading to a maximum enrollment of 540 students in 2016-2017 by the end of this charter term.

DPE has requested a revision to its charter so that DPE students can participate in a new special education program called Democracy Prep Pathways. Pathways will be in addition to Democracy Prep's current special education program, and will take place at the high school facility at 240 East 123rd Street in CSD 6.

Pathways is an intensive, transitional program that will serve eight to 10 DPE sixth grade students with disabilities (SWDs) in 2015-2016, potentially growing by one to two students per year. In addition to these DPE students, Pathways will serve students with disabilities from each of the Democracy Preparatory network schools. Pathways is a new program, and not a new school or grade. It will allow DPE to provide more targeted and specialized services than those currently available at DPE.

According to the school, 30% of Democracy Prep's sixth graders are SWDs, and Pathways will service only a small fraction of those students. Pathways students will be identified based on recommendations in their individualized education programs (IEPs) by the Committee on Special Education (CSE), and when the nature or severity of the disability of a student is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily in accordance with 20 U.S.C. 1412(a)(5)(A)-(B); 34 CFR §§300.114-300.120.

In the first year, Pathways students will receive intensive, research-based, small-group instruction, along with students with disabilities from other Democracy Prep middle schools in Harlem. Pathways will be built on five key components: targeted academic programming, more individualized attention, social and emotional support, identifying passions and goal setting.

Once students exit the Pathways program, they will be placed in the Pathways Bridge Program, which is designed to ensure the successful transition of Pathways students back to DPE's general education setting. In the Bridge Program, Pathways students will work with the middle school Academic Collaboration Team (ACT) teacher to receive a combination of specific academic and social/emotional supports, including support with organization and executive function, literacy, and math—as well as other academic subjects that follow and build on services they received at Pathways. Should a student be unsuccessful at Pathways, the parent, school leader, and the CSE will collectively determine the next best step for the student, whether it is another year at Pathways, different services at DPE, or an alternative option.

While Pathways will take place at an alternate facility, DPE school leadership will be closely involved in the day-to-day education of DPE students at Pathways. Opportunities will be provided to Pathways students to participate in after-school, extracurricular activities, enrichment programs, and weekly town halls with their DPE peers. All Pathways students will take state assessments as part of the DPE community, and will be under the ultimate supervision of the DPE Board of Trustees.

The charts below provide some basic information about the school.

Name of Charter School	Democracy Prep Endurance Charter School
Board President	Khary Barnes
District of Location	New York City CSD 5
Opening Date	August 2012
Current Operating Term	August 20, 2012 – June 30, 2017
Current Grade Levels/ Number of Students	Currently authorized to instruct 312 students in grades 6 through 8; growing to 540 students in grades 6 through 10 in current charter term
Mission	“The mission of Democracy Prep is to educate responsible citizen-scholars for success in the college of their choice and a life of active citizenship.”
<b>Proposed Revision</b>	Seeks to add a new educational program for special education students, called “Pathways.”

Student Demographics: DPE Compared to District of Location

	2012-2013			2013-2014			2014-2015		
	Grade 6			Grades 6-7			Grades 6-8		
	Democracy Prep Endurance	NYC #5	+/-	Democracy Prep Endurance	NYC #5	+/-	Democracy Prep Endurance	NYC #5	+/-
Enrollment in Specified Grades	112	899		223	1725		347		
Economically Disadvantaged	85%	88%	-3	64%	85%	-21	65%	N/A	N/A
Limited English Proficient (Former & Current)	5%	11%	-6	8%	11%	-3	7%	N/A	N/A
Students with Disabilities (Former & Current)	28%	21%	+7	25%	24%	+1	23%	N/A	N/A

In its first two years of operation, DPE has shown growth in student academic achievement on the NYS English language arts (ELA) and mathematics exams. From 2012-2013 to 2014-2015, DPE ELA scores rose from 9% to 28% proficiency; outperforming the NYC District #5 by the second year of testing, yet underperforming the state mean. In math, student proficiency scores rose from 32% to 42% during the same time span, outperforming district and state averages in all years. Democracy Prep Endurance tested only grade 6 students in 2012-2013; grade 7 students were added in 2013-2014, and grade 8 students were added in 2014-2015.

	ELA			Math		
	DPE	NYC #5	NYS	DPE	NYC #5	NYS
2012-13: 6 <sup>th</sup> Grade	9%	12%	30%	32%	14%	30%
2013-14: 6-7 <sup>th</sup> Grade	25%	15%	28%	48%	15%	35%
2014-15: 6-8 <sup>th</sup> Grade	28%	20%	32%	42%	14%	34%

DPE’s financial performance has met authorizing standards. Based on a review of the 2013-2014 audited financial statements, a corrective action plan has been requested for two management letter observations that will improve the schools internal controls over financial reporting. At the request of the State Education Department’s Charter School and Special Education Offices, DPE also submitted a revised budget and board resolution regarding the pathways program.

Democracy Prep Endurance is a school in “good standing” and has never been identified for improvement under the federal Elementary and Secondary Education Action (ESEA), also known as the No Child Left Behind (NCLB) Act.

The Board has submitted operational assurances for the Pathways program, as requested by the Department’s Charter School Office and the Office of Special Education.

**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 relocation on August 20, 2015. One comment in support was recorded. There were no comments in opposition.

**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 Democracy Prep Endurance Charter School and amends the provisional charter accordingly.

**Timetable for Implementation**

The Regents action for Democracy Prep Endurance Charter School will become effective immediately.