



# Massachusetts Department of Elementary and Secondary Education

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Mitchell D. Chester, Ed.D.  
Commissioner

## MEMORANDUM

**To:** Members of the Board of Elementary and Secondary Education  
**From:** Mitchell D. Chester, Ed.D., Commissioner  
**Date:** January 13, 2017  
**Subject:** Charter Schools – Amendments for Boston Schools

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Pursuant to the Charter School Regulations, 603 CMR 1.10(1), the Board of Elementary and Secondary Education (Board) must approve certain changes in the material terms of a school's charter. The Department of Elementary and Secondary Education (Department) has received requests from 14 existing schools or networks of schools to change their maximum enrollment, grades served, or charter regions, of which 7 requests are from Boston schools. I provided you with an [overview of the 14 amendment requests](#) in a memorandum dated [September 16, 2016](#).

This memorandum provides the following information for your review: (1) a discussion of seats available for award in Boston; (2) a brief description of the Department's review process; (3) a summary table describing amendment requests for growth in Boston; (4) the basis for my recommendation of amendment requests in Boston; and (5) my recommendation for amendments to charters of schools in Boston.

We have more high quality charter amendment requests for Boston from qualified applicants than we can accommodate under the statutory net school spending (NSS) cap. This year, existing schools requested over 800 new seats in Boston. Of the 7 requests, 3 schools propose substantial expansions of over 200 seats. The remaining 4 requests for Boston seek to add from 5 to 65 seats to their maximum enrollment. The amendment requests for Boston are summarized in the table on pages 3-4.

At the time of each school's submission to the Department, copies of all requests were provided to Boston Public Schools, pursuant to 603 CMR 1.10(5). The Department subsequently requested written comment from the district's superintendent. No comment was received.

I recommend that the Board grant expansion requests for Boston Collegiate Charter School and Boston Preparatory Charter Public School. My recommendation of these two requests is based upon the materials submitted by the schools in support of their requests, their track records of performance in the three areas of accountability for charter schools, and my designation of these two boards of trustees as proven providers. To accommodate each school's request, I have reduced the buffer for net school spending (NSS) determined administratively by the Department

from approximately 5 percent to 4 percent of the maximum seats estimated to be available for Commonwealth charter schools in Boston.

### **Seats Available in Boston**

Under the 18 percent net school spending (NSS) cap<sup>1</sup> for Boston, the Department estimates that approximately 850 seats remain. It is important to note that the calculation of the number of seats available is always based upon the projection of several variables and the best available information. Because of the complicated nature of these projections and their inherently changeable nature, the Department administratively imposed a buffer to protect against year-to-year variations<sup>2</sup> and the possibility that charter school tuition would be pro-rated should total charter tuition for Boston residents exceed 18 percent of NSS. In the past, the Department has generally held back 5 percent of seats, which, based on current projections, would leave approximately 225 seats to award. To accommodate the recommended requests and to maintain the integrity of the educational programs proposed, I am lowering the buffer from 5 percent to 4 percent; this increases the estimate of seats available in Boston to approximately 350 with an estimated buffer of 500 seats. This continues to allow for fluctuations in NSS and permits the expansion of existing high quality charter schools.

### **Review Process**

Section 1.10 of the Charter School Regulations contains several criteria to consider in determining whether to grant a school's request to amend its charter. The Department's comprehensive review was based upon these criteria.

The Department's review included the following considerations:

- the charter school's compliance with applicable state, federal, and local law;
- affirmative, credible evidence regarding the faithfulness of the school to the terms of its charter, including the extent to which the school has followed its recruitment and retention plan and has disseminated best practices;
- affirmative, credible evidence regarding the success of the school's academic program;
- affirmative, credible evidence regarding the viability of the school as an organization;
- the merits of the school's amendment request when judged against the criteria outlined in the Department's [Charter Amendment and Notification Guidelines](#) and the [Charter School Performance Criteria](#);
- the eligibility of the board of trustees for proven provider status based upon the criteria described in 603 CMR 1.04(4);<sup>3</sup> and
- the public comment received regarding the request.

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<sup>1</sup> Under charter school law, no more than 9 percent of a district's net school spending may be allocated to charter school tuition, except for the state's lowest performing districts, including Boston, in which the cap on charter tuitions is up to 18 percent.

<sup>2</sup> Over the past seven years, the total number of Commonwealth charter seats available in Boston under the 18 percent NSS cap has fluctuated from a low of 11,185 seats in FY2012, to a current high of 12,520 seats in FY2017. These fluctuations reflect the need for a seat buffer.

<sup>3</sup> Proven providers must meet the performance criteria described in 603 CMR 1.04(4) ("evidence, satisfactory to the Commissioner, to demonstrate a significant management or leadership role at a school or similar program that is an academic success, a viable organization, and relevant to the proposed charter school").

In general, the Department considers requests for increases in maximum enrollment only after the school undergoes a comprehensive evaluation by the Department following the school’s first charter renewal. If the Commissioner declines to bring an expansion request to the Board for consideration, the school’s board of trustees may seek review of that decision by the Board as provided in 603 CMR 1.10(8).

**Amendment Requests for Boston**

Charter School	Current Grade Span	Current Max. Enrollment	Original Amendment Request	Factors Contributing to Recommendation	Recommendation
Boston Collegiate Charter School	5-12	665	Increase enrollment by 35 students to a total of 700	Performance trends are consistent and high quality; evidence of capacity provided	35 Boston
Boston Preparatory Charter Public School	6-12	400	Increase enrollment by 225-350 students to a total of 625-750	Performance trends are consistent and high quality; evidence of capacity provided	300 Boston
Bridge Boston Charter School	PK-8	335	Increase enrollment by 65 to a total of 400	Age of school limits proven provider eligibility	NA
City on a Hill Charter Public School Circuit Street <sup>4</sup>	9-12	280	Increase enrollment by 5 students to a total of 285	Program improvements related to student discipline are ongoing	NA
City on a Hill Charter Public School Dudley Square <sup>4</sup>	9-12	280	Increase enrollment by 5 students to a total of 285	Program improvements related to student discipline are ongoing	NA

<sup>4</sup>The two Boston schools within the City on a Hill Charter Public School network requested an increase to their maximum enrollment.

Charter School	Current Grade Span	Current Max. Enrollment	Original Amendment Request	Factors Contributing to Recommendation	Recommendation
Helen Y. Davis Leadership Academy Charter School	6-8	216	Increase enrollment by 275 students to a total of 491; Add grades 5 and 9-12	Program improvements related to academic program success are ongoing	NA
KIPP Academy Boston Charter School (affiliated with KIPP in Lynn)	K-8	588	Increase enrollment by 225+ students to a total of 813	Age of school; Program improvements related to academic program success are ongoing	NA

### **Basis for Recommendations**

During the Department’s review of expansion requests in Boston, a number of applications came from schools with track records of performance that, if more seats were available in Boston, have the potential to be strong candidates for my recommendation in the future. Of the seven requests to expand, I recommend granting the requests of two schools whose requests to increase maximum enrollment during last year’s cycle were unsuccessful, Boston Collegiate Charter School and Boston Preparatory Charter Public School. Both schools were strong candidates during last year’s cycle and continue to demonstrate the capacity to serve the families of Boston. In my review, I found both boards of trustees eligible for status as proven providers based upon the criteria described in 603 CMR 1.04(4). I am confident that expansion of these schools will result in excellent educational opportunities for students enrolling in these schools.

Of the remaining five requests, the Department has identified the following areas of school performance for each school under consideration.

- Bridge Boston Charter School. The school worked closely with the Department to identify additional assessment data, in addition to the state assessment test, to provide the three years of assessment data necessary for a proven provider determination. The school’s second year of state assessment data from 2016 did not maintain the trajectory of the school’s first year of data from 2015. It would be premature to make a proven provider determination at this time for the six-year-old school based on the assessment data available for consideration.
- City on a Hill Charter Public School Circuit Street and City on a Hill Charter Public School Dudley Square. The two schools are part of a charter school network serving students in Boston and New Bedford. The board of trustees requested to increase enrollment at the two schools located in Boston. Both schools have worked closely with the Department to make improvements to discipline practices within their school

communities. Each school continues to make progress in lowering its discipline rates. Additional progress in this area of school performance is warranted prior to any recommendation for growth.

- Helen Y. Davis Leadership Academy Charter School. The school has not yet made the gains in performance necessary to achieve proven provider status as described in the state’s charter school regulations. Additional progress in the school’s academic performance is warranted prior to any recommendation for growth.
- KIPP Academy Boston Charter School (KIPP Academy Boston). The school is part of a charter school network serving students in Boston and Lynn. The board of trustees requested to increase enrollment at the school located in Boston. KIPP Academy Boston has not made the gains in performance necessary to achieve proven provider status as described in the state’s charter school regulations in contrast to KIPP Academy Lynn Charter School that has a stronger academic track record. Additional progress in KIPP Academy Boston’s academic performance would bolster the case for expansion. It would be premature to make a proven provider determination at this time for the six-year-old school.

The Department intends to continue to monitor actions by these schools and believes all five schools merit consideration in the future based on the availability of seats in Boston. The Department will provide all schools not recommended for expansion with feedback regarding the areas of school performance that were identified as areas of concern, and the areas of school performance that will impact future determinations of proven provider status.

**Recommendations**

<b>Boston Collegiate Charter School</b>			
Type of Charter (Commonwealth or Horace Mann)	Commonwealth	Location	Boston
Regional or Non-Regional?	Non-Regional	Districts in Region	N/A
Year Opened	1998	Year(s) Renewed	2003, 2008, 2013
Maximum Enrollment	665	Current Maximum Enrollment	680 <sup>5</sup>
Grade span	5-12	Current Grade Span	5-12

<sup>5</sup> According to the October 1, 2016 SIMS preliminary data, BCCS was over-enrolled by 15 students. This is a violation of the school’s charter. Charter schools do not receive tuition for over-enrolled students. The proposed increase to enrollment will address over-enrollment starting in 2017.

<b>Boston Collegiate Charter School</b>			
Students on Waitlists	1,918 <sup>6</sup>	Current Age of School	18 years
Mission Statement			
The mission of Boston Collegiate Charter School is to prepare each student for college.			

### Request

The board of trustees of the Boston Collegiate Charter School (BCCS) requests to increase the school's enrollment by 35 seats starting in the 2017-2018 school year. The school's request has been prompted by continued demand for its educational program, a pattern of lower attrition rates in recent years, and a commitment to increase access to entry points in the high school grades, specifically ninth and tenth grades.

### School's Performance

Overall, the Department's records indicate that the school's academic program is successful, that the school is a viable organization, and that the school is faithful to the terms of its charter.

- BCCS has achieved Level 2 status since 2012 with one exception; it achieved Level 1 status in 2012-2013. In 2016, the school received a school percentile of 76 and a Progress and Performance Index (PPI) of 63 in the aggregate and 47 for the high needs subgroup. In 2015, the school received a school percentile of 71 and a PPI of 67 in the aggregate and 63 for the high needs subgroup.
- The school administered PARCC in 2015 and 2016 in grades 5 through 8. PARCC scores are designated by Levels, with Levels 4 and 5 meeting and exceeding expectations respectively. In 2016, 61 percent of students received a Level 4 or 5 in English language arts (ELA), and 51 percent received a Level 4 or 5 in mathematics. In 2015, 69 percent of students received a Level 4 or 5 in ELA, and 53 percent received a Level 4 or 5 in mathematics.
- BCCS has consistently increased its four-year graduation rate since 2012. The school experiences higher rates of graduation at five years, including a 100% five-year graduation rate in 2014. BCCS's dropout rate is below the statewide average for the past four years, including a rate of 0.3 percent in 2015.
- BCCS has developed and implemented programming and staffing targeted to support students in preparation for and persistence in college. The school implements programming at all grade levels to support the development of skills needed to support

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<sup>6</sup> As reported in the Massachusetts Charter School Waitlist Updated Report for 2016-2017 from October 1, 2016 (<http://www.doe.mass.edu/charter/enrollment/fy2017UpdatedWaitlist.html>). BCCS is one of eleven schools which maintain waitlists established prior to March 2014 totaling approximately 1,152 students.

student success in post-secondary education. The school's Director of College Programming and Director of Alumni Programming supports the school's mission of college preparation for all students. The school reports strong college completion and persistence rates for graduates; 46 percent of the Class of 2011 graduated from a two- or four-year college, and 38 percent are still enrolled (84 percent combined). Sixty-seven percent of the Class of 2010 graduated from a two- or four-year college with an additional 7 percent still enrolled and 3.5 percent in military service. College enrollments within 16 months of graduation have exceeded statewide rates and ranged over the school's charter term with a high of 96.9 percent of graduates in 2013.

- BCCS has implemented social and emotional learning and intervention programming in its Lower School (grades 5-8) through participation in the Partnerships in Education and Resilience (PEAR). The school has seen improvements to school culture and climate as well as student behavior and reduced discipline rates in the targeted grades.
- BCCS has demonstrated attrition rates for all students and students identified as high needs below the median of other charter and district public schools in Boston for the past five years. In addition, the school's attrition rate was comparable to or below the statewide average for attrition for all students and students identified as high needs during the same period.
- BCCS operates in a financially sound and publicly accountable manner. The school has maintained a sound and stable financial condition over the charter term. As evidenced by the fiscal dashboard, BCCS has received unqualified audits for the last five fiscal years.
- BCCS has undergone three successful charter renewals. The school will submit its next renewal application this summer in anticipation of a 2018 renewal decision.
- BCCS has prioritized dissemination and continues to allocate resources and expertise to ensure a broader impact outside of the immediate school community. BCCS has partnered with district public schools and charter public schools to improve student outcomes and has assumed leadership roles through the Boston Compact, the Boston Coalition for Boys, and the Boston Charter Alliance of the Massachusetts Charter Public School Association.

Given the school's academic success, organizational viability, and general faithfulness to the terms of its charter, including compliance with applicable state, federal, and local laws, I recommend that the Board grant the requested amendment to increase enrollment by 35 students. If the Board votes to grant BCCS's request, the school will serve students in grades 5-12 with a maximum enrollment of 700 students.

Enclosed under Tab 1 for your consideration are BCCS's amendment request; a summary of credentials as a proven provider, including academic performance, student demographics, and attrition rates; a five-year financial summary; and a motion for approval.

<b>Boston Preparatory Charter Public School</b>			
Type of Charter (Commonwealth or Horace Mann)	Commonwealth	Location	Boston
Regional or Non-Regional?	Non-Regional	Districts in Region	N/A
Year Opened	2004	Year(s) Renewed	2009, 2014
Maximum Enrollment	400	Current Maximum Enrollment	415 <sup>7</sup>
Chartered Grade Span	6-12	Current Grade Span	6-12
Students on Waitlist	762 <sup>8</sup>	Current Age of School	12 years
<p><b>Mission Statement</b></p> <p>Boston Preparatory Charter Public School utilizes rigorous curriculum, extended academic time, and a range of supports for children and families to prepare 6th-12th grade students to succeed in college. An environment structured around scholarship and personal growth cultivates students' virtues of courage, compassion, integrity, perseverance, and respect.</p>			

### Request

The board of trustees of Boston Preparatory Charter Public School (BPCPS) requests to increase its enrollment by 250-350 seats over a five-year implementation period. The request for an increase of 250-350 students will permit the school to increase the variety of high school programming for students, support a robust professional learning community for faculty, and improve financial sustainability. BPCPS provided three plans for its proposed expansion to permit flexibility in my recommendation; the three requests were for 225, 300, and 350 additional seats.

BPCPS currently admits new students in grade 6 and backfills vacancies through grade 9.<sup>9</sup> Under the proposed expansion, the school will increase cohort sizes at grade 6 and 9 in 2017-2018 and backfill vacancies through grade 10 beginning with the 2018-2019 school year. The school's waitlist reports have demonstrated increasing demand for the school's program at both grade 6 and 9. In its waitlist report in March 2016 the school reported 213 and 423 students on the waitlists for grades 6 and 9, respectively.

I am recommending an additional 300 seats for BPCPS rather than 250 or 350 seats in order to ensure a sufficient buffer is in place to permit fluctuations in Boston's NSS and to safeguard the growth of existing charter schools that have been previously awarded seats but have not yet reached full enrollment. With an additional 300 seats, BPCPS will be able to address demand for

<sup>7</sup> According to the SIMS preliminary data from October 1, 2016, BPCS was over-enrolled by 15 students. This is a violation of the school's charter. Charter schools do not receive tuition for over-enrolled students. The proposed increase to enrollment will address over-enrollment starting in 2017.

<sup>8</sup> As reported in the Massachusetts Charter School Waitlist Updated Report for 2016-2017 from October 1, 2016 (<http://www.doe.mass.edu/charter/enrollment/fy2017UpdatedWaitlist.html>).

<sup>9</sup> BPCPS began backfilling grade 9 in the 2013-2014 school year.

the program in both the middle school and high school grades while also addressing the goals of their proposed expansion. BPCPS would like to expand further in Boston if additional seats become available in the future. The school has a long-term goal to serve a total of 920 students in grades 5-12. The Department would review and consider any future request from BPCPS in the context of its effectiveness implementing the proposed growth to 700 students and the seats that may be available in Boston in the future.

### School's Performance

Overall, the Department's records indicate that the school's academic program is successful, that the school is a viable organization, and that the school is generally faithful to the terms of its charter.

- BPCPS has achieved Level 2 status since 2012 with one exception; it achieved Level 1 status in 2012-2013. In 2016, the school received a school percentile of 64 and a PPI of 75 in the aggregate and 70 for the school's high needs subgroup. In 2015, the school received a school percentile of 57 and a PPI of 66 in the aggregate and 63 for the school's high needs subgroup.
- The school administered PARCC in 2015 and 2016 in grades 6 through 8. PARCC scores are designated by Levels, with Levels 4 and 5 meeting and exceeding expectations respectively. In 2016, 52 percent of students received a Level 4 or 5 in ELA, and 54 percent received a Level 4 or 5 in mathematics. In 2015, 34 percent of students received a Level 4 or 5 in ELA, and 49 percent received a Level 4 or 5 in mathematics.
- BPCPS has experienced variation in its four-year graduation rate, ranging from 92.3 percent in 2013 to 66.7 percent in 2014. BPCPS demonstrates higher rates of graduation at five years with some student cohorts. For example, the 2012 graduation rate increases from 74.1 percent to 85.2 percent when including students who graduate at the end of a five-year high school program. Similarly, the graduation rate increases from 66.7 percent for four years to 89.7 percent for five years for students in the 2014 cohort of graduates. BPCPS's dropout rate is below the statewide average for three of the past five years, including 0 percent in 2015.
- BPCPS has established programming called the Persistence Project, which provides graduate support to alumni, including individual coaching, tutoring support, and financial support. The school reports strong college enrollment and persistence rates for graduates, reporting of its current 181 graduates, 83 percent of graduates are enrolled in or have graduated from college. College enrollments within 16 months of graduation have substantially exceeded statewide rates with rates no lower than 90 percent and a high of 100 percent of graduates in 2012.
- As noted in the summary of credentials as a proven provider and reported in the amendment request, the school has made progress over time in its discipline practices. Out-of-school suspension rates have lowered from 35.1 percent in 2012 to 14.6 in 2016. The Department performs an annual review of discipline and attrition data for all schools and will monitor BPCPS for continued progress in this area.

- The school has established a number of different strategies to support and improve school culture and student outcomes including advisories for all grades, an ethics curriculum for all grades, targeted intervention blocks to support students, a student culture committee to foster student engagement, a 9<sup>th</sup> grade academy to support student transitions from middle school to high school, and a partnership with PEAR to support the social-emotional needs of students. BPCPS reported an immediate impact by the 9<sup>th</sup> grade academy in particular, with the promotion rate in 2015-2016 increasing to 95 percent from the previous year's promotion rate of 81 percent.
- BPCPS has demonstrated attrition rates for all students and students identified as high needs below the median of other charter and district public schools in Boston for the past five years. In addition, the school's attrition rate for all students and students identified as high needs has continued to decrease since 2013. In 2015 and 2016, the attrition rate at the school for students identified as high needs was below the respective statewide average for attrition. In 2016, the attrition rate at the school for all students was below the statewide average for attrition.
- BPCPS operates in a financially sound and publicly accountable manner. The school has maintained a sound and stable financial condition over the charter term. Audit findings from fiscal year (FY) 2015 were resolved in the school's FY2016 audit. The Department provides ongoing oversight of financial management through an annual review of financial audits and end-of-year financial reports for all schools.
- The school has undergone two successful charter renewals; at the time of its most recent renewal in 2014, the Department recognized the school for its exemplary work in dissemination including sharing its expanded learning time practices and ethics curriculum. BPCPS also participates in the Boston Coalition for Boys.

Given the school's academic success, organizational viability, and general faithfulness to the terms of its charter, including compliance with applicable state, federal, and local laws, I recommend that the Board grant the requested amendment to increase student enrollment by 300 students. If the Board votes to grant BPCPS's request, the school will serve students in grades 6-12 with a maximum enrollment of 700 students.

Enclosed under Tab 2 for your consideration are the school's amendment request; a summary of credentials as a proven provider, including academic performance, student demographics, and attrition rates; a five-year financial summary; and a motion for approval.

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Cliff Chuang, Senior Associate Commissioner; Alison Bagg, Director; and Alyssa Hopkins, School Development Manager, will be at your meeting on January 24<sup>th</sup> to assist with the discussion. In the meantime, if you need any additional information, please contact Cliff (781-338-3222), Alison (781-338-3218), or me.

Enclosures:

Tab 1 (BCCS) contains:

School's amendment request

Summary of credentials as a proven provider, including academic performance, student demographics, and attrition rates, and five-year financial summary

Motion for Board Action on BCCS's amendment request

Tab 2 (BPCPS) contains:

School's amendment request

Summary of credentials as a proven provider, including academic performance, student demographics, and attrition rates, and five-year financial summary

Motion for Board Action on BPCPS's amendment request