



# 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:** February 15, 2013  
**Subject:** Proven Provider Explanations and Definitions

The 2010 amendments to the charter school statute (G.L. c.71, § 89) require that the award of additional charter seats in certain communities can only be made for applicant groups that qualify as proven providers. This requirement applies to districts whose academic performance is in the lowest 10% of all districts statewide, and where the award of new seats would exceed the 9% net school spending (NSS) cap.

The Board's charter school regulations (603 CMR 1.00) contain the following provisions relating to proven provider qualifications:

1.02 Definitions: Proven Provider. A proven provider is:

- (a) two or more persons who had primary or significant responsibility serving, for at least five years, in a leadership role in a school or similar program that has a record of academic success and organizational viability;
- (b) a non-profit education management organization or non-profit charter management organization, in operation for at least five years, that has a record of academic success and organizational viability;
- (c) the board of trustees of an existing charter school that has a record of academic success and organizational viability; or
- (d) an education management organization, charter management organization, or school support organization that has a record of academic success and organizational viability in operating or starting public schools with which an applicant proposes to contract.

\* \* \*

1:05 (2) Qualifications to Achieve Proven Provider Status. In districts performing in the lowest 10 % statewide, under M.G.L. c. 71, § 89, and in which the 9 % net school spending cap is, or would be exceeded, applications will be considered only from proven providers. Proven provider status shall be granted by the Commissioner.

Applicants for proven provider status shall meet the requirements in 603 CMR 1.02. The applicant must submit 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.

(a) The applicant shall submit a detailed description of role(s) and responsibilities at the successful school(s) or program(s).

(b) The applicant shall submit data demonstrating success in student academic performance and evidence of academic program success, including but not limited to:

1. Proficiency levels on the Massachusetts comprehensive assessment system or equivalent assessments for all students and for one or more targeted subgroups as defined in M.G.L. c. 71, § 89(i)(3), which are similar to statewide averages in English Language Arts and mathematics for all students in Massachusetts in comparable grades, over no less than a three-year period for cohorts of students;
2. Student performance on other standardized tests over no less than a three-year period for cohorts of students, if available, which demonstrates student achievement levels that are similar to statewide averages in English Language Arts and mathematics for all students in Massachusetts in comparable grades;
3. attendance, retention, and attrition data;
4. graduation and dropout data.

(c) The applicant shall submit evidence of organizational viability, which shall include but not be limited to effective governance, effective financial management, and compliance with applicable laws and regulations.

(d) The applicant shall provide evidence to demonstrate that the successful school serves a student population similar to the population to be served by the proposed charter, and that the program to be offered at the proposed charter is similar to, or represents a reasonable modification of, the successful school.

(e) Applicants shall provide any other information as required by the Commissioner.

For applicants with a current or previous relationship to a Massachusetts charter school, the Commissioner may consider all information related to such school's performance, including his evaluation in connection with each renewal of its charter.

### **Proven Provider Data Analysis and Synthesis**

The data used to evaluate proven provider applicants, and the presentation format, were discussed at the Board's charter committee in October. The analysis was completed by the Department's Data Analysis and Reporting unit to ensure consistency in the reporting. The analysis includes academic performance; other indicators such as graduation rates, suspension rates, and student mobility; and demographic comparisons. MCAS test data included the combined proficient and advanced student data and median student growth percentile for English Language Arts and Mathematics over a three year period.

After the analysis was completed by the Department's Data Analysis and Reporting unit, key data elements were merged into individual tables for each proven provider applicant. The tables contain student performance data that is compared to statewide averages. It includes both the proficiency levels on the Massachusetts Comprehensive Assessment System (MCAS) and the Student Growth Percentile (SGP) for the aggregate and for multiple targeted subgroups. The data was acquired from the tables 1 and 2 as described below. We have also included a review of approximately four years of key demographic data (2007-2008 through 2011-2012) and compared it to the district to be served as well as to the state. Demographic data included percentages of students identified as receiving special education services, low income, English Language Learners, and first language other than English. This data was accessed from the Department of Elementary and Secondary Education's website.

### **Combined Proficient and Advanced - Table 1**

In order to determine the combined proficient and advanced data for each proposed proven provider under review, we added the number of students who completed the English Language Arts (ELA) test in 2010, 2011, or 2012 (unless otherwise noted). We then added the number of students who scored proficient or advanced on the ELA test for those years and then divided the total number of students who scored proficient or advanced by the total number of students who completed the ELA test. This is the percentage in the Provider column in the ELA section of Table 1. We repeated the same process for Mathematics. For the district (the district where the provider is located) and the state, we determined the same achievement data but only for students in the same grades that the provider serves.

### **Medium Student Growth Percentile (SGP) – Table 2**

We included the median SGP for the MCAS ELA and Mathematics tests for the 2011-2012 school year. For the provider, this is the same number included on the Statewide MCAS Report, for all grades, in the School and District Profiles. For the district and state, we included the median SGP for students in the same grades that the provider serves.

### **Attendance – Table 3**

We used the attendance data available on the Statewide Indicators Report in the School and District Profiles for the 2001-2012 school year. For the district and state, we included the attendance data for students in the same grades that the provider serves.

### **Additional Indicators**

We used the data available from the respective reports in the School and District Profiles. For the district and state, this includes all grades, not just the grades that the provider serves.

## **Definitions**

**Highly Qualified Teachers (HQT):** NCLB requires all public school teachers of core academic subjects to be highly qualified. Core academic teachers in Commonwealth charter schools must meet the NCLB highly qualified requirements, with the exception of teacher licensure. The licensure requirement is waived for Massachusetts Commonwealth charter school teachers because it is not a requirement of the state charter school statute. An exception to this rule is that teachers of English language learners (ELL) in Commonwealth charter schools must be licensed.

**Retention Rate:** The percentage of enrolled students who were repeating the grade in which they were enrolled the previous year.

**In-School Suspension Rate:** The percentage of enrolled students who received one or more in-school suspensions.

**Out-of-School Suspension Rate:** The percentage of enrolled students who received one or more out-of-school suspensions.

**Graduation Rate:** The percentage of students who graduate with a regular high school diploma within 4 years.

**Dropout Rate:** The percentage of students in grades 9-12 who dropped out of school between July 1 and June 30 prior to the listed year and who did not return to school by the following October 1. Dropouts are defined as students who leave school prior to graduation for reasons other than the transfer to another school.

**Churn Rate:** The number of students transferring into or out of a public school or district throughout the course of a school year.

**Stability Rate:** The number of students who remain in a district or school throughout the school year.