



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: March 13, 2015
Subject: Charter Schools–Amendment Request for Mystic Valley Regional Charter School

Pursuant to the Charter School Regulations at 603 CMR 1.11(1), the Board of Elementary and Secondary Education (Board) must approve certain changes in the material terms of a school's charter. This year, the Department of Elementary and Secondary Education (Department) received requests from eight existing schools to change their maximum enrollment, districts served, or grades served. The Board approved my recommendations for four amendment requests in February 2015.¹

This month, I am recommending that the Board vote to approve an amendment request from Mystic Valley Regional Charter School (MVRCS), with conditions.

Charter School	District or Region	Current Grade Span	Current Max. Enrollment	Amendment Request	Commissioner's Recommendation
Mystic Valley Regional Charter School	Everett, Malden, Medford, Melrose, Stoneham, Wakefield	K-12	1500	Enrollment increase of 400	Recommended with Conditions

MVRCS has requested a maximum enrollment increase of 400 students in response to continued demand for its educational program. I recommend that the Board approve this request provided that the school meets three conditions. I recommend that the Board extend two current conditions, one related to governance practices and the other related to finalizing the school's

¹ The amendment requests recommended and approved were requests from UP Academy Charter School of Boston (Horace Mann), Salem Academy Charter School, Hampden Charter School of Science and KIPP Academy Lynn Charter School. I did not recommend approval for two other requests, Helen Y. Davis Leadership Academy Charter Public School and Pioneer Valley Chinese Immersion Charter School. I have encouraged these schools to address concerns identified by the Department before further consideration of these requests. In addition, the Pioneer Charter School of Science has withdrawn its amendment request for consideration in the future.

enrollment policy. I also recommend that the Board impose an additional condition on the school's charter pertaining to the education of students who are English language learners (ELL).

The school's request is attached and described below. This memorandum provides context for this amendment request, an overview of MVRCS's performance, information regarding related net school spending (NSS) caps, and my recommendation.

The Department solicited comment from the superintendents of Everett, Malden, Medford, Melrose, Stoneham, and Wakefield Public Schools. No comment was received.

Background

In February 2013, I renewed the charter of MVRCS and placed the school on conditions pertaining to governance, directing the school to meet five conditions by September 2013. As of December 2013, MVRCS had not met all of the conditions. On December 17, 2013, the Board extended five conditions related to governance on MVRCS's charter and added a condition related to the school's enrollment policy and one related to its enrollment growth plan.

The Department conducted a site visit to MVRCS on December 18, 2014. Based on evidence gathered prior to the visit, as well as on site, MVRCS has met, fully or partially, three conditions related to governance and two conditions related to enrollment. Two conditions related to governance were not met: one concerned expanding the board's membership from 5 to 7 members and the other required the board to engage in governance training.

In terms of the condition pertaining to board membership, I believe that the combination of new board member recruitment and new provisions in the board's bylaws requiring term limits will meet the spirit of this condition. I recommend extending the condition pertaining to board training. I also recommend a continuing condition to further clarify the school's enrollment policy and growth plan.

A copy of the Year 17 site visit report, detailing the school's progress toward meeting the conditions and the Charter School Performance Criteria, along with the school's response, is attached.

Mystic Valley Regional Charter School			
Type of Charter	Commonwealth	Location	Malden
Regional or Non-Regional?	Regional	Districts in Region (if applicable)	Everett, Malden, Medford, Melrose, Stoneham, and Wakefield
Year Opened	1998	Year(s) Renewed	2003, 2008, 2013
Maximum Enrollment	1,500	Current Enrollment	1,509
Students on Waitlist	2,922	Grade Span	K-12
Amendment Request:		Current Age of	17 years

Increase enrollment from 1,500 to 1,900 (400) Requested Implementation: 2015-2016	School	
	Proven Provider Status Required: No	
Mission Statement The mission of the Mystic Valley Regional Charter School is to provide the opportunity of a world class education characterized by a well-mannered, disciplined and structured academic climate. Central to Mystic Valley’s academic environment is the incorporation of selected core virtues and the fundamental ideals of our American Culture, which are embodied in the Declaration of Independence and the United States Constitution.		

Request

The board of trustees of MVRCS requests an amendment to increase its maximum enrollment by 400, from 1,500 to 1,900 students. The school serves a region consisting of Everett, Malden, Medford, Melrose, Stoneham, and Wakefield. MVRCS proposes to increase student enrollment in kindergarten from 120 to 175 students in order to reach the proposed 1,900 student enrollment in the thirteenth year. The school submitted similar requests for expansion in 2011, 2012, and 2013, which were denied pending disposition of conditions that were applied to MVRCS.

At the Department’s request, the school submitted additional information regarding implementation of the proposed expansion, including the percentage of siblings admitted at the kindergarten entry point over the past charter term; clarification of grade cohort enrollment and class sizes; an updated growth plan to reach 1,900 enrollment; and a hiring plan. The school has also submitted corrections regarding its reporting of the number of students identified as First Language Not English for the 2013-2014 and 2014-2015 school years.

A copy of the school’s request is attached.

School’s Performance

1. Academic Program

MVRCS was identified as Level 2 in 2014 with a school percentile of 74, and a cumulative PPI of 75 in the aggregate and 65 for the school’s high needs subgroup. The Level 2 status is attributed to student performance that did not meet gap narrowing goals in the high needs, low-income, African-American/Black, and Hispanic/Latino subgroups. MVRCS had previously achieved Level 1 status in 2012 and 2013 with a school percentile of 64 and 70 respectively. The school met proficiency gap narrowing targets in the aggregate and for the majority of subgroups in 2012 and 2013, with the exception of low income subgroups in 2012 and African-American/Black subgroups in 2012 and 2013. The school’s 4-year and 5-year graduation rates have exceeded current state accountability targets for cohort graduation rates since its first graduating class in 2006.

The school has leveraged expertise within the organization in response to the Level 2 designation

to improve teaching and learning through targeted use of student data, additional opportunities for student support through remediation, and modifications to curriculum. The school recently hired a data analyst to provide additional support in this area to teachers and administrators.

In 2012, the Department identified and reported to the school that the process used by the school to identify English language learners required adjustment. At the time, the school did not assess students' English language proficiency until first grade. The school reported amending its process to assess incoming kindergarten students at the beginning of the school year. In February 2015, the Department conducted a site visit to examine the school's English language learner program. Based on the Department's review of school records, including home language surveys performed by the school in 2013-2014 and 2014-2015, the school has not yet established appropriate systems, consistent with Department guidance, to identify and assess students who have limited proficiency in English. In order to serve English language learners effectively, as required by state and federal law, the school must update its identification practices and then ensure that English language learners are provided appropriate services.

2. Organizational Viability

As noted in its 2013 renewal and evidenced by the fiscal dashboard, the school has maintained a sound and stable financial condition and demonstrated a consistent history of strong performance on key financial metrics. The school received unqualified audit opinions in fiscal years (FY) 2010-2014, though audit reports in FY2011, FY2012, and FY2013 included findings and non-compliance issues related to procurement policies, accounting for federal ARRA funds, and timely Massachusetts Teacher Retirement System (MTRS) payments. The recent audits show that the prior findings and issues of non-compliance have all been resolved.

3. Faithfulness to Charter

As stated above, the school's charter was renewed in 2013 with conditions related to governance practices. While the school remains on conditions, the school and board of trustees have made significant progress in addressing the majority of conditions.

MVRCS has operated in a manner consistent with its mission throughout the course of its charter. Faithfulness to the school's charter and mission are of paramount importance to the school's board members and administrators. There is ample evidence that the school is meeting its mission to provide a structured academic climate and is implementing its chosen curricular models with fidelity. The school provides character education and civics classes and an accountability-based behavior management system as the primary methods of fostering a well-mannered student body.

Net School Spending Caps

The Department analyzed enrollment trends and applicable net school spending (NSS) caps per statute to determine the availability of seats to support the proposed increased enrollment of 400 students from the sending districts that comprise the charter region of MVRCS. There are

sufficient seats remaining under the relevant NSS caps for Everett, Malden, Medford, Melrose, Stoneham, and Wakefield to accommodate the proposed increase at MVRCS based on a projection of enrollment trends. However, in order to provide MVRCS, parents, and the districts in the school's region with clear parameters regarding availability of seats and to facilitate the school's management of the maximum enrollment of students from Malden and Everett within current NSS cap restrictions, I am recommending that the number of seats available to the school from Malden and Everett under the proposed expansion be limited to 835 and 300 students respectively, out of the total 1900 maximum enrollment.

Recommendation for Approval with Conditions

I recommend that the Board grant the requested amendment to increase maximum enrollment for MVRCS, limiting students from Malden and Everett to 835 and 300 students respectively, with the enrollment increase taking effect upon the Commissioner's certification that the conditions outlined below have been met, but no earlier than FY2017. With respect to the conditions, I recommend that the Board remove all but two of the current conditions on the school's charter and that the Board extend the conditions regarding governance training and clarifying the school's enrollment policy. I further recommend that the Board impose an additional condition addressing concerns regarding the identification and education of English language learners. I recommend the following specific conditions:

1. By May 1, 2015, MVRCS will submit for Department approval a revised enrollment policy that clearly articulates the school's process for accepting students in each grade with an enrollment preference for siblings, clearly outlines an enrollment growth plan indicating the number of seats available at each grade level as the school expands to 1900 seats, conforms to Department criteria, and caps enrollment from Malden and Everett at 835 and 300 students respectively.
2. By July 31, 2015, the Board of Trustees of MVRCS will engage in training, conducted by an external consultant acceptable to and approved in advance by the Department, on the roles and responsibilities of a board of trustees of a charter school.
3. By December 31, 2015, MVRCS must establish and operate a program of English language learner education in a manner consistent with the requirements of G.L. c. 71A and all other applicable federal and state laws and regulations. Specifically:
 - a. By May 1, 2015, the school will submit to the Department revised policies and procedures regarding English language learners that comply with current guidance on identification, assessment, placement, and reclassification for review and approval.
 - b. By June 30, 2015, and in accordance with the school's revised and approved policies and procedures, the school will reassess all current kindergarten and 1st grade students to determine their eligibility for designation as English language learners.
 - c. By December 31, 2015, the school will implement a sheltered English immersion program for students identified as English language learners that corresponds to the needs identified for such students.

In making my recommendation to grant additional seats to MVRCS, I have considered the advantages of expansion, both for the school and for families and students in its region. I have evaluated the school's request against the criteria for amendment requests, and I have taken into consideration the school's performance in terms of its prior conditions. I have also considered how granting these seats conditionally will help to leverage positive change and provide confidence that the school will serve all students effectively, including English language learners. The board of trustees of MVRCS must address the substantive issues that are the focus of these conditions irrespective of whether the amendment is granted.

The Department reviewed the amendment request, considered additional clarifying information and documents provided by the school, and interviewed the school's board of trustees and leadership team. MVRCS has made progress in meeting the conditions to improve governance practices. The request for a maximum enrollment increase coupled with expectations that the outlined conditions are addressed in advance of increasing the school's enrollment is reasonable and consistent with the charter school statute and regulations.

Given the school's 17-year history of academic success, the school's leadership and capacity to successfully expand, and consistent demand, I recommend that the Board grant the requested amendment with the conditions indicated. A motion is attached for your consideration.

Enclosures: Motion
 MVRCS Amendment Request
 MVRCS Academic Performance Data, Student Enrollment Demographics,
 Student Attrition Rates, and Five Year Financial Summary
 Year 17 Site Visit Report and School's Response