*****Massachusetts Department of***

***Elementary and Secondary Education***

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| Jeffrey C. Riley  *Commissioner* |  |

# MEMORANDUM

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| **To:** | Members of the Board of Elementary and Secondary Education |
| **From:** | Jeffrey C. Riley, Commissioner |
| **Date:** | February 16, 2023 |
| **Subject:** | Charter Schools – Notification of Intended Actions and Report on Conditions for Phoenix Academy Public Charter High School, Springfield and Roxbury Preparatory Charter School |

At its meeting in February 2013, the Board of Elementary and Secondary Education (Board) authorized the Commissioner to act on its behalf in “(a) granting charter renewals that do not involve probation; (b) approving charter amendments that do not involve changes in grade span, maximum enrollment, or districts served; and (c) removing or continuing conditions imposed on charters of charter schools; provided that the Commissioner shall report to the Board on all charter renewals, charter amendments, and conditions that have been so approved; and provided further, that the Commissioner shall notify the Board in advance of all such intended actions, and a Board member may request that the Commissioner place the charter matter(s) on the agenda of the Board for discussion and action.” The Charter School Regulations also allow the Commissioner to impose conditions on a school’s charter.[[1]](#footnote-2)

I intend to remove the conditions currently imposed on the charter of Phoenix Academy Public Charter High School, Springfield. I also intend to remove three of four conditions imposed on the charter of Roxbury Preparatory Charter School and maintain one condition regarding improving the school climate. The rationale for each of these intended actions can be found starting on page two of this memorandum.

Please let me know by **Thursday, February 23, 2023,** if you wish to have either of these proposed actions brought to the full Board for review and vote at the February Board meeting.

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| Phoenix Academy Public Charter High School, Springfield | | | |
| **Type of Charter** | Commonwealth | **Location** | Springfield |
| **Regional or Non-Regional** | Regional | **Districts in Region** | Chicopee, Holyoke, and Springfield |
| **Year Opened** | 2014 | **Year(s) Renewed** | 2019 |
| **Maximum Enrollment** | 250 | **Current Enrollment** | 166[[2]](#footnote-3) (October 2022) |
| **Chartered Grade Span** | 9-12 | **Current Grade Span** | 9-12 |
| **Students on Waitlist** | 0 (March 2022) | **Current Age of School** | 9 |
| **Mission Statement:**  Phoenix Academy Public Charter High School, Springfield challenges resilient, disconnected students with rigorous academics and relentless supports, so they take ownership of their futures and succeed in high school, college and as self-sufficient adults. | | | |

Phoenix Academy Public Charter High School, Springfield (Phoenix Springfield) received its charter in 2013 to serve 250 students in grades 9 through 12. The school opened in 2014. The school serves an at-risk population and is one of three schools in the Phoenix Charter Academy network of charter schools, all of which are governed by a single board of trustees.

In January 2019, I renewed the school’s charter with three conditions based on concerns identified in the school’s Summary of Review. Areas of concern included implementation of the school’s mission and key design elements, student attrition and stability, student discipline, and compliance. The school has substantially met all three of the conditions imposed. It met the condition requiring the school to inform stakeholders of the school’s renewal with conditions. It also met the condition requiring the school’s board of trustees to conduct a comprehensive review of the school’s program and to submit an action plan to the Department. Lastly, it met the condition requiring the school to provide physical education instruction. I intend to remove the three conditions. A summary of the school’s progress toward meeting the three conditions follows.

**Condition 1**: By February 28, 2019, Phoenix Springfield must submit evidence to the Department that it has provided the school community with notice of the school’s renewal with conditions that the school must meet. The school must inform parents/guardians, teachers, staff, board members and students of the school’s current status.

**Status: Met**

On February 26, 2019, the school submitted evidence that it informed parents/guardians, teachers, staff, students, and members of the school’s board of trustees that the school’s charter had been renewed with conditions.

**Condition 2:** By April 30, 2019, the board of trustees must conduct a comprehensive review of Phoenix Springfield’s program and submit an action plan to the Department that addresses areas in need of improvement as outlined in the Summary of Review.

**Status: Met**

On April 2, 2019, the school submitted a draft of its action plan, reporting that the board of trustees created a working group to conduct a comprehensive review of the school’s program and to create an action plan. The Department provided feedback, and the school submitted a revised action plan on April 18, 2019. The Department approved it.

In March 2022, Department staff conducted a site visit at the school and gathered evidence of the school’s implementation of the action plan. Department staff will continue to monitor the school’s progress in addressing ongoing areas of concern and will conduct a review of the school’s program during the charter renewal process in fall 2023.

The school has taken steps to deliver more rigorous instruction, which is part of the school’s mission and one of the school’s key design elements. School administrators and teachers consistently review student data and provide professional development that supports teachers in delivering rigorous instruction. As of March 2022, the school fully implements a competency-based program. During classroom observations, the Department consistently observed instruction that reflected high expectations for all students.

The school has taken steps to implement programming to prepare students for college, which is another part of the school’s mission and one of the school’s key design elements. The school’s low graduation rates and high dropout rates, however, suggest that the school prepares a limited number of students for college or postsecondary success. The school provides multiple supports and opportunities to prepare students for college or a career, including offering dual enrollment opportunities and supporting each student in creating a postsecondary plan. The school’s 4-year and 5-year graduation rates have remained below the average 4-year and 5-year graduation rates for comparison alternative schools[[3]](#footnote-4) since 2018. The school’s dropout rates have improved somewhat; while they were above the average dropout rate for comparison alternative schools in 2018 through 2020, they fell below the average rate in 2021.

The school has taken steps to address high rates of student attrition and low rates of stability. The school began implementing an early warning system to proactively identify students who are at risk of dropping out or disengaging from school. Attrition rates have varied considerably from year to year. They were below the third quartile for comparison alternative schools in 2019 through 2021 and above the third quartile in 2022 for all students and for students in the high needs group. Stability rates have steadily increased; while they remained below the first quartile in 2019 and 2020, they rose above the first quartile in 2021 for all students and for students in the high needs group.

The school has taken steps to address high rates of out-of-school suspension, and those rates decreased somewhat since 2018. In March 2022, the Department gathered mixed evidence regarding implementation of the school’s behavioral management system. The degree to which the school is implementing restorative justice practices is unclear.

**Condition 3:** By August 1, 2019, Phoenix Springfield must demonstrate that it will provide physical education instruction as required by Massachusetts state law, G. L. c 71, § 3.

**Status: Met**

On April 2, 2019, the school notified the Department that the school was taking steps to create a physical education program and had started the process of hiring a physical education teacher. On August 1, 2019, the school updated its handbook to require all students to take a physical education course each year to graduate, and the school reports that it has implemented the physical education requirement each year since then. During the site visit conducted at the school in March 2022, board members, network administrators, teachers, adult supporters, and students reported that all students are required to take physical education courses every year.

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| Roxbury Preparatory Charter School | | | |
| **Type of Charter** | Commonwealth | **Location** | Boston |
| **Regional or Non-Regional** | Non-Regional | **Districts in Region** | N/A |
| **Year Opened** | 1999 | **Year(s) Renewed** | 2004, 2009, 2014, 2019 |
| **Maximum Enrollment** | 1,800 | **Current Enrollment** | 1,295[[4]](#footnote-5) (October 2022) |
| **Chartered Grade Span** | 5-12 | **Current Grade Span** | 5-12  Mission Hill: 5-8  Lucy Stone: 5-8  Dorchester: 5-8  Hyde Park: 9-10  Nubian Square: 11-12 |
| **Students on Waitlist** | 14 (March 2022) | **Current Age of School** | 24 |
| **Mission Statement:**  The mission of Roxbury Preparatory Charter School (Roxbury Prep) is to prepare students to enter, succeed in, and graduate from college. Roxbury Prep is founded on the philosophy that all students are entitled to and can succeed in college preparatory programs when: 1) the curriculum is rigorous, engaging, and well-planned; 2) the school emphasizes student character, community responsibility, and exposure to life’s possibilities; and 3) a community network supports student academic, social, and physical well-being. | | | |

Roxbury Preparatory Charter School (RCPS) received its charter in 1998 to serve 432 students in grades K through 12. The school opened in 1999. In 2001, the Board approved an amendment to decrease the grades served from grades K through 12 to grades 6 through 8. In June 2008, the Board approved an amendment to reduce the school’s maximum enrollment from 432 to 300. In February 2011, the Board approved an amendment to increase the school’s maximum enrollment from 300 to 600 and to increase the grades served from grades 6 through 8 to grades 5 through 12. In addition, the Board awarded two additional charters to the school’s board of trustees. Each school was chartered to serve 600 students in Boston in grades 5 through 12. In August 2011, the Commissioner approved an amendment for the school’s board of trustees to contract with Uncommon Schools (Uncommon), an educational management organization, for the provision of substantially all educational services. In November 2011, the Board approved an amendment to consolidate the two additional charters under the charter of RCPS, with a combined enrollment of 1,800 students in grades 5 through 12.

In February 2019, I renewed the school’s charter with four conditions based on concerns related to the school’s climate and rates of student discipline. The school has met three of the four conditions imposed, and I intend to remove those three conditions. Due to continuing concerns, I intend to extend the condition requiring the school to provide regular updates on its efforts to strengthen the school climate. A summary of the school’s progress toward meeting the conditions imposed on its charter follows.

**Condition 1:** By February 28, 2019, RPCS must submit evidence to the Department that it has provided the school community with notice of the school’s renewal with conditions that the school must meet. The school must inform parents/guardians, teachers, staff, board members, and students of the school’s current status.

**Status: Met**

On February 26, 2019, the school submitted evidence that it sent letters and emails regarding renewal of the school’s charter with conditions to families, teachers, staff, board members, and the school’s educational management organization.

**Condition 2:** By April 30, 2019, RPCS must submit to the Department a comprehensive evaluation of the school’s climate, discipline policies, and school culture practices including, but not limited to, whether and how the school’s programs, policies, and procedures effectively create a safe and supportive environment and allow students equitable access the educational program. Such comprehensive evaluation must be conducted by an external consultant(s) acceptable to and approved in advance by the Department.

**Status: Met**

On March 20, 2019, the Department approved Bellwether Education as the external consultant to evaluate the school. On April 29, 2019, the school submitted the comprehensive evaluation produced by Bellwether Education, and the Department approved the evaluation on May 5, 2019.

**Condition 3:** By May 30, 2019, RPCS must submit to the Department for approval an action plan to improve discipline rates. Such action plan must specify the strategies to improve school climate, discipline policies, and school culture practices for all student groups. The action plan must set clear and specific implementation benchmarks, with a clear timetable and deadlines for completion of key tasks, to allow the school’s board of trustees and the Department to monitor implementation. RPCS must submit monthly progress reports on the action plan to the Department.

**Status: Partially Met**

On May 29, 2019, the school sent a draft of an initial action plan to the Department to review. The draft did not meet the requirements of the condition and the Department provided feedback to the school for revisions. The school and the Department established an updated timeline for the school to resubmit the action plan and for the Department to provide feedback. The Department approved a final draft of the action plan on August 12, 2019.

The school submitted updated action plans in September 2020 for the 2020-21 school year and in August 2021 for the 2021-22 school year. These updated action plans included updated goals, noted whether previous goals had been achieved, and were aligned with the school’s priorities each school year.

Since 2019, the school has generally submitted monthly progress reports to the Department as expected. Due to the COVID-19 pandemic, the school did not submit monthly progress reports from mid-March until June 2020 because it transitioned from in-person to virtual learning. The Department received the most recent monthly update in June 2022.

In March and April 2022, Department staff conducted a site visit at the school and gathered evidence of the school’s implementation of the action plan. The Department found that the school has taken steps to decrease suspension rates for all students and student groups. According to school leaders and board members, suspensions are now reserved for serious misbehaviors. The school updated its discipline systems, focused on restorative justice practices, partnered with parents, and provided professional development on culturally responsive instructional practices to teachers to decrease suspension rates.

Despite the steps the school has taken to reduce suspension rates and improve the school’s climate, students and families reported that the school does not provide a safe and supportive environment. Further, the Department found the school’s program includes few elements to help students develop social emotional skills, and students and families reported these elements are not consistently implemented and are ultimately ineffective. The Department also found that while the school has some programmatic elements intended to foster an environment that is inclusive and reflective of the community and students’ cultures and identities, the extent to which these are effective is unclear. Finally, the Department found that the school’s behavioral management system is not supportive and responsive for all students.

Due to the concerns that remain, I intend to extend the condition requiring the school to provide regular updates on its efforts to strengthen the school climate. This is discussed in more detail at the end of the memorandum.

**Condition 4:** By December 31, 2021, the school must demonstrate continued significant and sustained improvement in lowering discipline rates.

**Status: Met**

The school’s rates of out-of-school suspension declined from 21.1 percent in 2018, when the condition was imposed, to 8.6 percent in 2020. Rates of out-of-school suspension remained above the third quartile for all comparison schools[[5]](#footnote-6) throughout this period; the school’s suspension rates are no longer among the highest in the state, however, as they were when the condition was imposed. In 2021, no students were assigned to out-of-school suspension, which mirrors a statewide trend that year. In 2022, 7.5 percent of students were assigned to out-of-school suspension, but comparison data is not yet available.

Disparities in suspension rates among different student groups have also declined since 2018. In 2018, for example, the student group with the highest rate of out-of-school suspension was students with disabilities, of whom 37.8 percent were assigned to out-of-school suspension as compared to 21.1 percent of all students. In 2022, students with disabilities were still the student group with the highest rate of out-of-school suspensions, but the rate was 10.9 percent as compared to 7.5 percent of all students.

Due to the concerns noted regarding the third condition and the school’s climate, discipline, and culture, I intend to extend the requirement that the school provide regular updates on its efforts to strengthen the school’s climate.

**Condition:** Until further notice, Roxbury Preparatory Charter School must submit to the Department of Elementary and Secondary Education (Department) at [charterschools@mass.gov](mailto:charterschools@mass.gov) or 75 Pleasant St., Malden, MA 02148, monthly updates on efforts to improve school climate, discipline policies, and school culture practices for all student groups.

The school will seek to renew its charter during the 2023-24 school year and will undergo a renewal inspection visit during fall 2023. With further evidence gathered during the renewal inspection, I will assess the school’s progress in addressing concerns related to school climate and make a decision regarding renewal.

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If you have any questions regarding my intended actions or require additional information, please contact Alison Bagg, Director of the Office of Charter Schools and School Redesign (781-338-3218); Cliff Chuang, Senior Associate Commissioner (781-338-3222); or me.

1. Pursuant to 603 CMR 1.12(1), the Commissioner may “impose conditions on a school's charter for violations of law or failure to make progress with student achievement, failure to adhere to and enhance its recruitment and retention plan, failure to comply with the terms of its charter, or failure to remain viable.” [↑](#footnote-ref-2)
2. Student enrollment has declined since the 2020-21 school year, when the school enrolled 208 students. The school enrolled 175 students in 2021-22 and 166 students during the current school year. The school reported that declines in enrollment are likely because of the COVID-19 pandemic. [↑](#footnote-ref-3)
3. The comparison group of alternative schools across Massachusetts includes alternative schools that serve at-risk students whose needs are not being met in the traditional school setting and does not include residential programs, private schools, home schooling, General Education Development (GED) services, or gifted and talented programs. [↑](#footnote-ref-4)
4. Student enrollment has declined since the 2020-21 school year, when the school enrolled 1,596 students. The school enrolled 1,521 students in 2021-22 and 1,295 students during the current school year. The school reported that declines in enrollment may be attributed to facilities challenges and the challenge of recruiting students for grade 5 because of changes in grade configurations within Boston Public Schools. [↑](#footnote-ref-5)
5. Comparison schools include all the public schools in the charter school’s district or region, if the school is a regional school, that serve at least one grade level of students that overlaps with the grade levels served by the charter school. [↑](#footnote-ref-6)