



Massachusetts Department of Elementary and Secondary Education

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Commissioner

Review Process for Charter School Expansions and Criteria for Review

The Department of Elementary and Secondary Education (Department) conducts a thorough review of charter school amendments, consistent with statutory and regulatory requirements. Schools must submit any expansion requests, for an increase in maximum enrollment or for a change in grade span, no later than August 1st. The August 1st deadline permits adequate time for consideration prior to the student enrollment for the subsequent school year.

Objective of the Process

The objective for these types of amendment requests is to award amendments to applicants who adequately address the required criteria and demonstrate the capacity to operate and expand high quality options for students in public education. The Department conducts a process that includes a review of the school's request and accountability record, opportunities for public comment, and potential interviews with applicant groups. Pursuant to 603 CMR 1.10 (3), the amendment requests are reviewed against the Charter School Performance Criteria and the criteria specified in the Charter Amendment and Notification Guidelines.

Proven Provider Determination

Proven provider status is required when requesting an increase in the maximum enrollment of an existing Commonwealth charter school **if** the sending region includes district(s) that have performed in the lowest 10 percent statewide **and** where the 9 percent net school spending cap has been, or would be exceeded by the request or the combination of pending amendment requests and applications submitted for new charters. The Commissioner evaluates whether a board of trustees qualifies as a proven provider based on the performance of the existing school compared to the state and to the district in which the school is located.

In order to determine whether a current board of trustees qualifies for proven provider status, the Commissioner will consider affirmative, credible evidence of the existing school's success in each of the three accountability areas: academic program success, organizational viability, and faithfulness to the terms of its charter. Pursuant to 603 CMR 1.04 (4), determination of proven provider status includes consideration of:

- student proficiency levels and growth measures levels on the state assessment tests in English Language Arts and mathematics, for over no less than a three-year period, for all students and one or more subgroups; and

- attendance, retention, attrition, in-school suspension rates, out-of-school suspension rates, and if applicable, graduation and dropout data.

Proven provider status is determined at the time of the request. Previous determinations of proven provider status made for other amendment requests or the school's application for a charter are not dispositive and are not considered.

Final Application Criteria

The Department's Charter Amendment and Notification Guidelines outline the required and optional criteria for all types of amendment requests, including expansions. The amendment criteria related to increases in enrollment and changes in grades served require schools to explain the reasons behind the request and to describe the plans and preparation for the proposed expansion. All optional criteria serve to augment current accountability documentation and allow schools to present the most complete picture of their record of performance for all interested stakeholders. Schools are strongly encouraged to respond to the optional criteria to adequately demonstrate capacity to implement the proposed request and to maintain or to improve upon current performance of the school if the proposed expansion is granted.

Attached are the criteria for requests to increase maximum enrollment and to change grade spans.