*****Massachusetts Department of***

***Elementary and Secondary Education***

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| Mitchell D. Chester, Ed.D.*Commissioner* |  |

# MEMORANDUM

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| **To:** | Members of the Board of Elementary and Secondary Education |
| **From:**  | Mitchell D. Chester, Ed.D., Commissioner |
| **Date:**  | November 18, 2016 |
| **Subject:** | Charter Schools – Amendment Requests of Foxborough Regional Charter School (Enrollment) and Francis W. Parker Charter Essential School (Charter Region) |

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](http://www.doe.mass.edu/bese/docs/FY2017/2016-09/item9-attachments.pdf) in a memorandum dated [September 16, 2016](http://www.doe.mass.edu/bese/docs/FY2017/2016-09/item9.html). I anticipate presenting most of the charter amendment requests at your meetings in December and January.

This month, I recommend that the Board approve amendments requested by two Commonwealth charter schools: Foxborough Regional Charter School (FRCS) and Francis W. Parker Charter Essential School (Parker). The two individual school requests and the basis for my recommendation are described in detail below.

This memorandum provides the following information for your review: (1) a description of the basis for my recommendation of amendment requests; (2) an overview of the request from FRCS and evidence regarding the school’s performance; (3) an overview of the request from Parker and evidence regarding the school’s performance; (4) public comment; and (5) my recommendations regarding these requests.

1. **Basis for Recommendations**

Pursuant to 603 CMR 1.10, a school’s record of performance is considered when reaching a determination on a school’s request to amend its charter. The Department considers the following factors when reviewing amendment requests:

* the school’s compliance with applicable state, federal, and local law;
* affirmative, credible evidence of the school's academic program success;
* affirmative, credible evidence of the school's organizational viability;
* affirmative, credible evidence of the school's faithfulness to the terms of its charter;
* the merits of the school’s amendment request when judged against the criteria outlined in the Department’s [Charter Amendment and Notification Guidelines](http://www.doe.mass.edu/charter/governance/AmendmentGuidelines.docx) and the [Charter School Performance Criteria](http://www.doe.mass.edu/charter/acct.html?section=criteria); and
* the submission of public comment regarding the request.

In cases where an existing school seeks to increase enrollment and access seats above the 9 percent net school spending cap, only qualified proven providers as defined in 603 CMR 1.04(4) are eligible for my recommendation. This requirement applies to Commonwealth charter schools serving districts performing in the lowest 10 percent of the Commonwealth’s school districts. The proven provider requirement does not apply to the amendment requests of FRCS or Parker.

The schools that I recommend for charter amendments must meet the Department’s criteria for approval and also demonstrate the potential to help close the achievement gap and to improve public education in Massachusetts.

1. **Foxborough Regional Charter School**

The board of trustees of FRCS requests approval to increase its maximum enrollment by
400 students to reach a maximum enrollment of 1,700 students. The school reports that approval of its request for increased enrollment would allow FRCS to acquire an adjacent property. The school plans to use the additional physical space and revenue to support programmatic improvements for FRCS’s middle school students, students with disabilities, and students identified as English language learners. An overview of the school’s request and evidence regarding the school’s performance are described below.

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| **Foxborough Regional Charter School** |
| **Type of Charter**(Commonwealth or Horace Mann) | Commonwealth | **Location** | Foxborough |
| **Regional or Non-Regional?** | Regional | **Districts in Region**  | Attleboro, Avon, Brockton, Canton, Easton, Foxborough, Mansfield, Medfield, Medway, Millis, Norfolk, North Attleboro, Norton, Norwood, Plainville, Sharon, Stoughton, Walpole, West Bridgewater, and Wrentham |
| **Year Opened** | 1998 | **Year(s) Renewed** | 2003, 2008, 2013 |
| **Maximum Enrollment** | 1,300 | **Current Enrollment** | 1,290 |
| **Chartered Grade Span** | K-12 | **Current Grade Span** | K-12 |
| **# of Instructional Days** | 180 | **Students on Waitlist** | 2,575 |
| **School Hours** | 7:30 a.m.-.3:05 p.m. | **Current Age of School** | 18 years |
| **Prior Amendments** | Increase from 1,200 to 1,300 students awarded by Board in 2013 |
| **Mission Statement**Foxborough Regional Charter School will provide students a challenging academic program to prepare them for college by stressing achievement, discipline, hard work, and accountability. We will continually challenge all of our students, regardless of ability, so that we will lead the Commonwealth of Massachusetts in all statewide standards and assessments.Foxborough Regional Charter School will promote positive ethical, moral, and civic values and will prepare students to serve their community as leaders and good citizens. We will present students with projects and issues requiring critical thinking, problem solving, decision making, and real-life applications of their academic studies through our Student Life and Community Service Learning programs which are integral components of the overall educational experience at Foxborough Regional Charter School.Foxborough Regional Charter School will commit itself to providing a supportive, professional, and challenging environment for its teachers and staff which recognizes the value of professional development, creativity, and initiative. We will constantly seek new ways to allow our teachers and staff to perform to the best of their potential in a collegial atmosphere which recognizes unique talents and the commitment to excel. |

Growth Plan, Parental Demand, and Access

FRCS is seeking to expand from 1,300 students to 1,700 students over a four-year period. The school’s growth plan proposes a substantial increase in 2017-2018 by adding a section per grade in kindergarten through eighth grade, approximately 252 students. If the expansion is granted, the school will admit new students in kindergarten through eighth grade from the school’s waitlist. Additional growth will occur in subsequent years as the larger grade cohorts enter the high school. The school will continue to admit new students and backfill vacancies through eighth grade, exceeding current regulatory requirements.

The school has consistently demonstrated significant demand in its charter region. In March 2016, the school reported that it had approximately 142 students on the waitlist for kindergarten entry and approximately 192 students on the waitlist for eighth grade entry. Of the 2,575 students reported on the school’s waitlist in March of this year, 551 of them were new applicants.[[1]](#footnote-1) The school reports contacting families on the preexisting waitlist each year to verify their interest in remaining on the list.

The school has developed and implemented a regional transportation system to support access for all families within its charter region. The school currently transports over 450 students across its region and intends to expand transportation services to support the increased enrollment.

Plan for Implementation

As noted above, the school seeks to expand access to its educational programming in response to the consistent demand from families in its charter region. In addition, the school has reported that the proposed expansion will create opportunities to effectively address student needs through access to additional physical space and increased staffing. The school reports that an increase in enrollment will permit the school to acquire an adjacent property and to hire additional educators and administrators. The school seeks to accelerate and support student learning for middle school students, students with disabilities, and English language learners with a number of proposed changes in the organization of students and faculty made possible by the increase in student enrollment.

The proposed addition of a second facility will permit the creation of a distinct middle school and high school space as well as additional classrooms for small group and 1:1 interventions to accommodate the growing high needs population (27.6 percent in the 2015-2016 school year). In both the school’s request and during the Department’s interview with board and school leadership, the school reported the potential benefits for students and faculty to create three distinct but connected communities (elementary, middle, and high schools) within the larger
K-12 school community.

The proposed increase to student enrollment will be supported by additional grade-level leadership and faculty. The school has proposed a new leadership model with a principal at each of the elementary, middle, and high school grades. This shift to three principals will be supported by the deputy director and three district-wide administrators (in student services, student activities, and world languages[[2]](#footnote-2)), with the goal of more effectively fostering and supporting school culture and student achievement. The expansion will also permit the establishment of separate and distinct middle school and high school faculty in addition to the hiring of additional special educators, English as a Second Language teachers, and content area specialists. The proposed additional faculty will increase the number of classrooms implementing co-teaching in grades 1-8 and allow for additional academic supports.

Department’s Review

Overall, FRCS is faithful to the terms of its charter, academically successful, and a viable organization.

Faithful to the Terms of the Charter:

* FRCS has implemented a varied and diverse educational program in support of the school’s mission. The educational programming at FRCS emphasizes the development of academic and non-academic knowledge and skills with opportunities for students to excel at a variety of pursuits.
* FRCS has made progress in the recruitment and enrollment of a high needs student population. FRCS enrolls a student population of English language learners (ELLs) comparable with its sending districts. New students enrolled at the school’s primary entry point in kindergarten reflect the school’s increased enrollment of a high needs student population. During the 2015-2016 school year, 25 percent of kindergarten students were identified as high needs with 17 percent of those students identified as economically disadvantaged.
* FRCS has experienced student attrition in the transition of students from middle school to high school, with the average attrition rate of 34 percent between eighth and ninth grades over the past seven years. The school has identified a number of motivating factors for families, including interest in competitive high school athletics programs. In the 2015-2016 school year, the attrition rate between eighth and ninth grades for its primary sending districts ranged from 11 to 39 percent. The statewide average for attrition between eighth and ninth grades was 5.4 percent in 2015-2016. The school’s efforts to increase retention include ongoing efforts to strengthen the middle school experience for students.

Academic Program Success:

* FRCS has been identified as Level 2 since 2012.
	+ - The school consistently met targets in the aggregate with a cumulative Performance and Progress Index (PPI) of 78 in 2014, 81 in 2013, and 82 in 2012.
		- The school has not demonstrated the same level of success with the high needs subgroup, falling short of targets since the system was implemented by the Department in 2012. In response to student needs, the school has increased staffing to support the success of students with disabilities and developed a substantially-separate program in 2015 for students in elementary grades who require a small group learning environment and intensive emotional/behavioral support. FRCS has also implemented resource room programs at the middle and high school grades.
		- FRCS has seen gains in overall performance by students with disabilities since 2012 in response to the school’s strategies. The PPI of students with disabilities has increased from 39 in 2012 to 63 in 2016.
		- Similarly, the school has increased the number of dedicated staff to support English language education programming and reports an increase in the average ACCESS score over the past four years.
* FRCS administered the PARCC test in 2015 and 2016. The school’s performance on PARCC has been consistent for both years, with the exception of a decrease in performance for ELL students, and students met or exceeded expectations (known as Level 4 or 5) in levels comparable to the state in 2015. The school has not met its targets within the Department’s accountability system in the aggregate and the high needs subgroup in 2015 and 2016.
* During the current charter term, FRCS’ tenth grade students have outperformed the state on the English language arts (ELA), Mathematics, and Science MCAS tests every year.

Viable Organization:

FRCS 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, FRCS has received unqualified audits for the last five fiscal years. All audits have been free of findings. The majority of indicators on the school’s financial dashboard are low risk. FRCS is well positioned to acquire the additional property and has demonstrated strong fiscal management in the past.

1. **Francis W. Parker Charter Essential School**

The board of trustees of Parker requests approval to add West Boylston to the school’s charter region. The school identified the absence of West Boylston from its charter region during its most recent charter renewal in 2015. At that time, the school consulted with Department staff regarding this anomaly to its otherwise contiguous region. Based on application and enrollment trends, the proposed change to the school’s charter region will provide an opportunity for families in West Boylston that is already available to all neighboring districts. While evidence of demand from West Boylston residents is limited, one student was waitlisted for each of the last two school years. Only one other Commonwealth charter school includes West Boylston in its charter region, the Abby Kelley Foster Charter Public School serving grades K-12.

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| **Francis W. Parker Charter Essential School**  |
| **Type of Charter**(Commonwealth or Horace Mann) | Commonwealth | **Location** | Devens |
| **Regional or Non-Regional?** | Regional | **Districts in Region**  | Acton-Boxborough, Ashburnham-Westminster, Athol-Royalston, Ayer-Shirley, Bedford, Berlin-Boylston, Carlisle, Chelmsford, Clinton, Concord, Concord-Carlisle, Fitchburg, Gardner, Grafton, Groton-Dunstable, Harvard, Hudson, Leominster, Lincoln, Lincoln-Sudbury, Littleton, Lowell, Lunenburg, Marlborough, Maynard, Narragansett, Nashoba, Newton, Northboro - Southboro, North Middlesex, Orange, Oxford, Quabbin, Ralph C. Mahar, Shrewsbury, Sudbury, Tyngsborough, Wachusett, Wayland, Westborough, Westford, Weston, Winchendon, and Worcester |
| **Year Opened** | 1995 | **Year(s) Renewed** | 2000, 2005, 2010, 2015 |
| **Maximum Enrollment** | 400 | **Current Enrollment** | 400 |
| **Chartered Grade Span** | 7-12 | **Current Grade Span** | 7-12 |
| **# of Instructional Days**  | 180 | **Students on Waitlist** | 204 |
| **School Hours** | 8:30 a.m. – 3:30 p.m.; Wednesday 1:30 p.m. dismissal | **Current Age of School** | 21 years |
| **Prior Amendments** | Board approved a modified charter region in 2000.  |
| **Mission Statement**The Parker School's mission is “to move the child to the center of the education process and to interrelate the several subjects of the curriculum in such a way as to enhance their meaning for the child” (Charter, October 1994). As a member of the Coalition of Essential Schools, the Parker School will realize this mission through educational practice guided by the Ten Common Principles of Essential Schools:1. The school should focus on helping adolescents learn to use their minds well. Schools should not attempt to be “comprehensive” if such a claim is made at the expense of the school’s central intellectual purpose.
2. The school’s goals should be simple: that each student master a limited number of essential skills and areas of knowledge. While these skills and areas will, to varying degrees, reflect the traditional academic disciplines, the program’s design should be shaped by the intellectual and imaginative powers and competencies that students need, rather than necessarily by “subjects” as conventionally defined. The aphorism “Less Is More” should dominate: curricular decisions should be guided by the aim of thorough student mastery and achievement rather than by an effort merely to cover content.
3. The school’s goals should apply to all students, while the means to these goals will vary as those students themselves vary. School practice should be tailor-made to meet the needs of every group or class of adolescents.
4. Teaching and learning should be personalized to the maximum feasible extent. Efforts should be directed toward a goal that no teacher have direct responsibility for more than 80 students. To capitalize on this personalization, decisions about the details of the course of study, the use of students’ and teachers’ time and the choice of teaching materials and specific pedagogies must be unreservedly placed in the hands of the principal and staff.
5. The governing practical metaphor of the school should be student-as-worker rather than the more familiar metaphor of teacher-as-deliverer-of-instructional-services. Accordingly, a prominent pedagogy will be coaching, to provoke students to learn how to learn and thus to teach themselves.
6. Students entering secondary school studies are those who can show competence in language and elementary mathematics. Students of traditional high school age but not yet at appropriate levels of competence to enter secondary school studies will be provided intensive remedial work to assist them quickly to meet these standards. The diploma should be awarded upon a successful final demonstration of mastery for graduation: an “exhibition.” This exhibition by the student of his or her grasp of the central skills and knowledge of the school’s program may be jointly administered by the faculty and by higher authorities. As the diploma is awarded when earned, the school’s program proceeds with no strict age grading and with no system of “credits earned” by “time spent” in class. The emphasis is on the students’ demonstration that they can do important things.
7. The tone of the school should explicitly and self-consciously stress values of unanxious expectation (“I won’t threaten you but I expect much of you”), of trust (until abused) and of decency (the values of fairness, generosity and tolerance). Incentives appropriate to the school’s particular students and teachers should be emphasized, and parents should be treated as essential collaborators.
8. The principal and teachers should perceive themselves as generalists first (teachers and scholars in general education) and specialists second (experts in but one particular discipline). Staff should expect multiple obligations (teacher-counselor-manager) and a sense of commitment to the entire school.
9. Ultimate administrative and budget targets should include, in addition to total student loads per teacher of eighty or fewer pupils, substantial time for collective planning by teachers, competitive salaries for staff and an ultimate per pupil cost not to exceed that at traditional schools by more than 10 percent. To accomplish this, administrative plans may have to show the phased reduction or elimination of some services now provided students in many traditional comprehensive secondary schools.
10. The school should demonstrate non-discriminatory and inclusive policies, practices, and pedagogies. It should model democratic practices that involve all who are directly affected by the school. The school should honor diversity and build on the strengths of its communities, deliberately and explicitly challenging all forms of inequity and discrimination.
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**Map of Current Region**

(member towns in green)



Overall, the Department’s records indicate that Parker’s academic program is a success, that the school is a viable organization, and that it is faithful to the terms of its charter.

* In 2015, Parker achieved Level 1 status, a school percentile of 76 and a PPI of 79 in the aggregate and 78 for the school’s high needs subgroup. Subsequently, in 2016, the school was assigned Level 2 status for not meeting gap narrowing goals for all students with a school percentile of 70, and a PPI of 74 in the aggregate and 79 for the school’s high needs subgroup. The school administered MCAS in 2015 and 2016.

* Parker operates in a financially sound and publicly accountable manner. The school has maintained a sound and stable financial condition over the charter term.As noted in its 2015 renewal and evidenced by the fiscal dashboard, Parker has received unqualified audits for the last five fiscal years. All audits have been free of findings. The majority of indicators on the school’s financial dashboard are low risk.
* The school has undergone four successful charter renewals, and at the time of its most recent renewal in January 2015, the Department recognized the school for its exemplary work in dissemination and professional climate with a rating of Exceeds in these two areas of the Charter School Performance Criteria.
1. **Public Comment**

Pursuant to 603 CMR 1.10(5), FRCS and Parker submitted copies of their amendment requests to all districts within their respective charter regions. Parker also provided a copy of its request to Superintendent Elizabeth Schaper of West Boylston Public Schools. The Department subsequently solicited written comments from the superintendents of the affected school districts.

The Department received comment in opposition to the FRCS expansion from Superintendent Andrew Keough of Easton Public Schools, Superintendent Suzan Cullen of North Attleborough Public Schools, Superintendent James Hayden and School Committee Chair James Gormley of Norwood Public Schools, and Superintendent Lincoln Lynch of Walpole Public Schools. Based on the school’s pre-enrollment report to the Department in March 2016, 14 percent of its anticipated students were residents of these four school districts, a total of 179 students with the majority, 120 students, from North Attleborough. The superintendents’ comments are attached for your review. The Department also received 31 letters of support from the school community. No other comment was received.

The Department received inquiries from the Superintendents of West Boylston Public Schools and Boylston Public Schools regarding the request of Parker. No comment was received.

1. **Recommendations for Approval**

I have reviewed each school’s request and each appears reasonable and consistent with the charter school statute and regulations. Overall, the submitted amendment requests, each school’s most recent renewal, and the Department’s accountability records indicate that both FRCS and Parker have successful academic programs, are viable organizations, and have been faithful to the terms of their charters. I recommend that the Board approve the requests by these two schools.

The following information is attached to this memorandum for your review under Tab A for Foxborough Regional Charter School and under Tab B for Francis W. Parker Charter Essential School:

* the original amendment request and additional materials submitted as applicable;
* a summary of each school’s academic performance, student demographics, attrition rates, and a five-year financial summary;
* public comment received by the Department as applicable; and
* a motion for approval.

If you have any questions regarding these amendments or require additional information, please contact Alison Bagg, Director (781-338-3218); Cliff Chuang, Senior Associate Commissioner (781-338-3222); or me.

Attachments:

(All attachments are available upon request. Please email charterschools@doe.mass.edu )

1. Motion for Board Action on Foxborough Regional Charter School
2. Motion for Board Action on Francis W. Parker Charter Essential School
3. [September 2016 Memorandum regarding Scheduled Authorizing Activities](http://www.doe.mass.edu/bese/docs/FY2017/2016-11/item6-3AuthorizingActivities.docx) 

Tab A

1. Correspondence from Foxborough Regional Charter School
2. Foxborough Regional Charter School Performance Summary
3. Correspondence from Superintendent of Easton Public Schools
4. Correspondence from Superintendent of Norwood Public Schools
5. Correspondence from Superintendent of North Attleborough Public Schools
6. Correspondence from Superintendent of Walpole Public Schools
7. Correspondence from Foxborough Regional Charter School Community

Tab B

1. Correspondence from Francis W. Parker Charter Essential School
2. Francis W. Parker Charter Essential School Performance Summary
1. In 2014, the Board adopted regulations requiring charter schools to refresh their waitlists every year, but also allowed schools to “grandfather” preexisting waitlists for students who applied before March 31, 2014. FRCS is one of 12 schools that have chosen to exhaust their historical waitlists. [↑](#footnote-ref-1)
2. The school currently employs three administrators responsible for overseeing the areas of special education and English language education programming (Student Services); art, music, physical education/health, computer science, academic competitions, and athletics programming (Student Activities); and foreign language and cultural exchange programming (World Language). [↑](#footnote-ref-2)