*****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:**  | January 15, 2021 |
| **Subject:** | Renewal of Charters – Notification of Intended Actions for Alma del Mar Charter School; Learning First Charter Public School; and Pioneer Valley Performing Arts 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.” Under this authority, I intend to renew the charters of three schools, without conditions: Alma del Mar Charter School; Learning First Charter Public School[[1]](#footnote-1); and Pioneer Valley Performing Arts Charter School.

The superintendents of the districts sending students to these schools were invited to submit written comment regarding the charter renewals. No comment from superintendents was received for any of the schools.

Please let me know by **Wednesday, January 20**, if you wish to have any of these proposed actions brought to the full Board for review and vote at the January meeting.

**Charter School Performance Criteria and Considerations for Renewing Charters**

The Department of Elementary and Secondary Education (Department) uses the Charter School [Performance Criteria](http://www.doe.mass.edu/charter/acct.html?section=criteria) (Criteria) to report evidence in the three areas of charter school accountability. These areas are faithfulness to the terms of a school’s charter, academic program success, and organizational viability. Renewal decisions for these charter schools are made in accordance with the charter school statute and the process outlined in the memorandum dated October 7, 2013, regarding [Considerations for Charter School Renewal.](http://www.doe.mass.edu/news/news.aspx?id=7802)

The Criteria and the Considerations for Charter School Renewal outline performance expectations for charter schools but do not dictate accountability decisions formulaically, including renewal decisions. A charter school must demonstrate affirmative evidence of success in all three areas of charter school accountability, and renewal decisions are made based upon the totality of evidence as indicated in Summaries of Review. Student academic achievement and improvement in student achievement for all student groups are of paramount importance. A rating system is used to communicate how well each school is meeting expectations of the Criteria. Failure to meet individual performance criteria will not necessarily result in a non-renewal; the Criteria set a high standard for performance. Performance relative to the Criteria is considered within the context of the school's performance trends and stage of development. The Commissioner and the Board consider all qualitative and quantitative factors when making these decisions.

**Presentation of Evidence for Charter Renewal**

This memorandum summarizes the evidence related to each school’s performance on a subset of the Criteria that are directly related to the statutory and regulatory requirements for renewal.[1](#_bookmark0) This subset includes evidence related to Criterion 1: Mission and Key Design Elements; Criterion 2: Access and Equity; Criterion 3: Compliance; Criterion 4: Dissemination; Criterion 5: Student Performance; and Criterion 9: Governance. The Department continues to gather evidence regarding all of the Criteria through ongoing monitoring.

The chart on page 7 of this memorandum provides a dashboard with a summary of ratings for the three schools whose charters I intend to renew. Beginning on page 8 of the memorandum, I provide a brief summary of the evidence on which I based my decisions. Below, I provide further information regarding each Criterion contained in the Summaries of Review that may be of particular interest and provide context for the ratings of each school.

1 The charter school regulations, at 603 CMR 1.11(2), provide as follows.

The decision by the Board to renew a charter shall be based upon the presentation of affirmative evidence regarding the faithfulness of the school to the terms of its charter, including the extent to which the school has followed its recruitment and retention plan and has disseminated best practices in accordance with M.G.L. c. 71, § 89(dd); the success of the school's academic program; and the viability of the school as an organization. The Department will gather evidence regarding these issues from the renewal application and from other information, including but not limited to, a school's annual reports, financial audits, test results, site visit reports, and the renewal inspection report.

All charter schools will be evaluated on the same performance criteria as provided in the guidelines, provided, however, that the criteria will take into account each school's charter and accountability plan. Evidence of academic success for all students is essential for charter renewal.

**Criterion 1: Mission and Key Design Elements**

The charter school statute states that the Board shall consider whether the school has met its obligations and commitments under the charter. G.L. c. 71, § 89(dd). Further, the charter school regulations state that the decision by the Board to renew a charter shall be based upon the affirmative evidence regarding the faithfulness of the school to the terms of its charter. 603 CMR 1.11(2). The degree to which a charter school is implementing its mission, vision, and key design elements is assessed through charter school accountability site visits and a renewal inspection visit. Additionally, each charter term, schools create Accountability Plans to articulate their own mission-driven goals and measures. Charter schools report on the Accountability Plan annually and aim to meet the goals by the end of each charter term. Each Summary of Review reflects the school’s performance on its Accountability Plan and includes the Accountability Plan in Appendix A to each Summary of Review.

**Criterion 2: Access and Equity**

All charter schools are required to ensure program access and equity for all students eligible to attend the school. New statutory provisions related to Criterion 2 were added in 2010.

The Summaries of Review contain multiple data sources for Criterion 2 such as comparative enrollment data; comparative attrition data; comparative stability rates; the status of each school’s recruitment and retention plan; and, if relevant, any enhancements made to each school’s strategies to recruit and retain certain populations of students more effectively. Criterion 2 also provides evidence about the accessibility of the school’s programming and contains data pertaining to suspension rates, both for all students and for subgroups.

Appendix B to each Summary of Review provides enrollment data for subgroups and attrition and stability data for all students and the high needs subgroup at the charter school. Each Summary of Review then compares this data to that of other public schools in the municipality or region from which the charter school draws students. The information presented is derived from the Department’s School and District Profiles and the [Charter Analysis and Review Tool](http://www.doe.mass.edu/charter/finance/chart/) (“CHART”). Appendix B to the Summaries of Review is intended to provide context for a charter school’s recruitment and retention effort, is presented for reference only, and primarily examines trends within the charter school itself.

The subgroup composition of a charter school is not required to be a mirror image of the schools in its sending districts and region. The Department urges caution in drawing any conclusions regarding comparability of subgroup populations between schools and districts based upon aggregate statistics alone. The enrollment process in traditional public schools differs significantly from enrollment of students in charter schools. In particular, charter schools are required by law to use a lottery process when admitting students; traditional public schools must accept all students who live within the municipality or region that they serve. It is important to note that student demographics for a charter school, particularly in the aggregate, will not reflect recruitment and retention efforts immediately; charter schools must give preference in enrollment to siblings of currently attending students and are permitted to limit the grades in which students may enter the school.

The charter school statute requires charter schools to develop and implement Recruitment and Retention Plans. Charter schools must receive Department approval for Recruitment and Retention Plans and must report on and update these plans annually. When deciding on charter renewal, the Commissioner and the Board consider the extent to which the school has followed its Recruitment and Retention plan by using deliberate, specific strategies to recruit and retain students from targeted subgroups; whether the school has enhanced its plan as necessary; and the annual attrition rate of students.

**Criterion 3: Compliance**

In order to assess whether the school has met its obligations and commitments under its charter, the Department monitors whether each school is operating in accordance with the provisions of the charter school statute and regulations and all other applicable federal, state, and local laws, regulations, required trainings and deadlines, and such additional guidance as the Department may from time to time establish. In each Summary of Review, the Department reflects where schools may have, from time to time, been out of compliance with these requirements.

The Summaries of Review do not provide a rating for Compliance. Due to the number of items required for a public school and charter school to be in compliance with state and federal regulations and guidance, the Department does not rate this category as a composite. The Department, however, does highlight areas of compliance that a school must address and provides oversight if and when schools’ charters are renewed. If a school’s failure to comply is significant or sustained, additional actions may be warranted including, but not limited to, imposing conditions on a school’s charter.

**Criterion 4: Dissemination**

Dissemination is required for renewal of charters of Commonwealth charter schools. The charter school statute requires charter schools to provide “models for replication and best practices . . . to other public schools in the district where the charter school is located.” G.L. c. 71, § 89(dd) (“a commonwealth charter shall not be renewed unless the board of trustees of the charter school has documented in a manner approved by the board that said commonwealth charter school has provided models for replication and best practices to the Commissioner and to other public schools in the district where the charter school is located”). The Department takes into consideration the age of the school for this requirement; schools in their first charter term are still in the process of developing best practices.

Because dissemination requires two willing partners, the Department also considers efforts made by the charter school to disseminate innovative models for replication and best practices to other schools, districts, and organizations beyond the district where the charter school is located. There are multiple forums and activities through which a charter school may disseminate effective practices. These include, but are not limited to:

* partnerships with other schools implementing key successful aspects of the charter school’s program,
* assisting with district turnaround efforts,
* sharing resources or programs developed at the charter school,
* hosting other educators at the charter school, and
* presenting at professional conferences about its innovative school practices.

**Criterion 5: Student Academic Performance**

Charter schools, like all public schools, must administer state assessments. Schools currently seeking renewal of their charters have administered a number of different statewide assessments during the past charter term. The Department has reviewed each charter school’s academic performance on the Legacy MCAS, PARCC, and Next-Generation assessments in order to illustrate “progress made in student academic achievement” as required by the charter school statute at G.L. c. 71, § 89(dd). Likewise, during the past five years, as required by the federal Every Student Succeeds Act, Massachusetts created a new statewide accountability system which went into effect in September 2018.

In November 2015, the Board voted to approve the development of Massachusetts's next-generation MCAS assessment. Starting in the spring of 2017, Massachusetts public schools administered the next-generation MCAS assessment to grades 3 through 8. Starting in the spring of 2019, Massachusetts public schools also administered the next-generation English language arts (ELA) and mathematics MCAS assessments to students in grade 10. In spring 2019, grade 10 students continued to take the Legacy MCAS science assessment.

In September 2018, the Department introduced the results of its new statewide system of accountability aligned to requirements of the federal Every Student Succeeds Act. The Summaries of Review present the data and determinations made by the new statewide system of accountability. The data presented for charter school academic performance include each school’s historical data from statewide assessments administered in 2017, 2018, and 2019. Statewide assessments were not administered in spring 2020 due to the COVID-19 pandemic.

While cited as evidence of academic achievement in the memorandum below, charter schools are not required to meet or exceed statewide averages on statewide assessment in order to receive renewal of their charters. Rather, charter schools must demonstrate “progress made in student academic achievement” during the charter term. The Department also considers relative performance of districts from which charter schools draw students.

**Criterion 9: Governance**

The boards of trustees of charter schools are public agents authorized by the Commonwealth to supervise and control the charter school. G.L. c. 71, § 89(c). The regulations require renewal of a charter to be based upon “the viability of the school as an organization.” 603 CMR 1.11(2). The membership of boards of charter schools is tracked through the Department’s Board Member Management System, and the Department reviews and rates governance during accountability and renewal inspection visits. The Summary of Review reflects whether the board of a charter school has been active and engaged, fulfilled its legal responsibilities and fiduciary duties of care and loyalty, followed the board’s approved bylaws, and acted in the best interests of the school. A board’s established decision-making and communication processes must demonstrate appropriate oversight and that the board engaged in strategic and continuous improvement planning to ensure the sustainability of the school.

The dashboard summarizing the performance of the three schools that I intend to renew follows.

**Summary of Performance[[2]](#footnote-2) and Intended Commissioner Action**

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| **Area of Charter School Accountability** | **Criterion** | **Alma del Mar Charter School** | **Learning First Charter Public School** | **Pioneer Valley Performing Arts Charter School** |
| **Faithfulness to Charter** | Mission and Key Design Elements |  Meets |  Meets |  Meets |
| Access and Equity |  Partially Meets |  Meets |  Meets |
| Dissemination |  Meets |  Meets |  Meets |
| **Academic Program Success** | Student Performance[[3]](#footnote-3) | Not requiring assistance or intervention33rdpercentile | Not requiring assistance or intervention18th percentile | Not requiring assistance or intervention61st percentile |
| **Organizational Viability** | Governance |  Meets |  Meets |  Partially Meets |
|  |  |  |  |
| **Intended Commissioner Action** | Unconditional Renewal | Unconditional Renewal | Unconditional Renewal |

**Alma del Mar Charter School**

| **Alma del Mar Charter School**  |
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| **Type of Charter** | Commonwealth | **Location** | New Bedford |
| **Regional or Non-Regional** | Non-Regional | **Districts in Region** | N/A |
| **Year Opened** | 2011 | **Year(s) Renewed** | 2016 |
| **Maximum Enrollment** | 1,044 | **Current Enrollment** | 797 (October 2020) |
| **Chartered Grade Span** | K-8 | **Current Grade Span** | K-8 |
| **Students on Waitlist** | 512 (March 2020) | **Current Age of School** | 10 |
| **Mission Statement:** Alma del Mar is an inclusive, K-8 Expeditionary Learning school that puts New Bedford students on a college trajectory and challenges them to be service-oriented leaders. By engaging in a rigorous academic program with an emphasis on meaningful work, our students will master essential skills and content, take ownership of their learning and think boldly while addressing complex academic and community issues. |

During its second charter term, Alma del Mar Charter School (Alma) has demonstrated progress in student achievement.[[4]](#footnote-4) In 2019, Alma was classified as not requiring assistance or intervention.[[5]](#footnote-5) According to the statewide accountability system, the school made moderate progress toward targets and is in the 33rd percentile when compared to other schools administering similar assessments. The table below summarizes academic performance data for the school for 2019 and includes district and statewide data for comparison purposes. Student performance was higher for the school than for the state as a whole in mathematics and was lower for the school than for the state as a whole in ELA and science. In relation to the performance of students in the district of New Bedford, where the school is located, student performance at the school was higher on all assessments.

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| **Summary of Academic Performance for Alma (2019)** |
| **Grade and Subject** | **School** | **New Bedford** | **State** |
| **Percent of Students Meeting or Exceeding Expectations (Next Generation MCAS)** |
| **Grades 3-8 English Language Arts** | 49 | 34 | 52 |
| **Grades 3-8 Mathematics** | 54 | 32 | 49 |
| **Grades 5 & 8 Science** | 28 | 26 | 48 |

During the charter term, the school has generally been faithful to the terms of its charter. The school is mostly faithful to its mission and implements its key design elements. In 2018-19, the school met a majority of the goals in its Accountability Plan. The school did not meet a majority of the goals in its Accountability Plan in 2019-20 due to the COVID-19 pandemic. The school implemented an approved Recruitment and Retention Plan and has disseminated its best practices to other public schools within its district and across the state.

The school’s disciplinary practices, however, are of concern. During the charter term, the school consistently suspended students at rates higher than the statewide average. The school has taken steps during the 2019-20 and 2020-21 school years to reduce discipline rates. The school reported that a consultant was hired in 2019-20 to work with staff members to revise the discipline system to include more restorative practices. The school also hired additional staff and reassigned some staff to better address students’ behavioral and social-emotional needs. The school provided professional development to help teachers to better address students’ needs in the classroom. Finally, the school has improved its systems for tracking, monitoring, and responding to discipline data.

Throughout the charter term, members of the Alma board of trustees have been active and engaged in their roles as public agents, providing competent and appropriate governance and oversight of the school.

Given all of the evidence, I intend to renew the charter of Alma.

**Learning First Charter Public School**

| **Learning First Charter Public School**  |
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| **Type of Charter** | Commonwealth | **Location** | Worcester |
| **Regional or Non-Regional** | Non-Regional | **Districts in Region** | N/A |
| **Year Opened** | 1996 | **Year(s) Renewed** | 2001, 2006, 2011, 2016 |
| **Maximum Enrollment** | 666 | **Current Enrollment** | 665 (October 2020) |
| **Chartered Grade Span** | K-8 | **Current Grade Span** | K-8 |
| **Students on Waitlist** | 280 (March 2020) | **Current Age of School** | 25 |
| **Mission Statement:** Learning First Charter Public School is committed to preparing a diverse cross section of Worcester children for success as students, workers, and citizens by providing them a high quality education at prevailing public school costs. |

During its fifth charter term, Learning First Charter Public School (LFCPS) has demonstrated progress in student achievement.[[6]](#footnote-6) In 2019, LFCPS was classified as not requiring assistance or intervention.[[7]](#footnote-7) According to the statewide accountability system, the school made substantial progress toward targets and is in the 18th percentile when compared to other schools administering similar assessments. The table below summarizes the academic performance data for the school for 2019 and includes statewide data for comparison purposes. Student performance was lower for the school than for the state as a whole on all assessments. Student performance was also lower for the school than for the district of Worcester, where the school is located. Importantly, however, the percentage of students meeting or exceeding expectations on the MCAS increased from 2017 to 2019 in both ELA and mathematics, and student growth percentiles in 2017 through 2019 were consistently in the range associated with typical growth. The school’s board has been actively monitoring the school’s academic performance; the school has taken steps to improve academic performance, including adopting new curricula that are aligned with state standards and adopting a co-teaching model that provides more instructional supports for students.

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| **Summary of Academic Performance for LFCPS (2019)** |
| **Grade and Subject** | **School** | **Worcester** | **State** |
| **Percent of Students Meeting or Exceeding Expectations (Next Generation MCAS)** |
| **Grades 3-8 English Language Arts** | 24 | 37 | 52 |
| **Grades 3-8 Mathematics** | 19 | 31 | 49 |
| **Grades 5 & 8 Science** | 18 | 27 | 48 |

During the charter term, the school has been generally faithful to the terms of its charter. The school is mostly faithful to its mission and implements its key design elements. The school met a majority of the goals in its Accountability Plan, implemented an approved Recruitment and Retention Plan, and disseminated its best practices to other public schools within its district and across the state.

Throughout the charter term, members of the LFCPS board of trustees have been active and involved in their roles as public agents. During the past two years, board members have significantly strengthened the systems and structures that enable the board to provide competent and appropriate governance and oversight of the school.

Given all of the evidence, I intend to renew the charter of LFCPS.

**Pioneer Valley Performing Arts Charter School**

| **Pioneer Valley Performing Arts Charter School**  |
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| **Type of Charter** | Commonwealth | **Location** | South Hadley |
| **Regional or Non-Regional** | Regional | **Districts in Region** | Agawam, Amherst-Pelham, Belchertown, Chicopee, East Longmeadow, Easthampton, Erving, Frontier, Gateway, Gill-Montague, Granby, Greenfield, Hadley, Hampden-Wilbraham, Hampshire, Hatfield, Holyoke, Longmeadow, Ludlow, Mohawk Trail, Monroe, Monson, Northampton, Palmer, Pioneer Valley, Ralph C. Mahar, Rowe, South Hadley, Southwick-Tolland-Granville Regional, Springfield, Tantasqua, Ware, West Springfield, and Westfield. |
| **Year Opened** | 1996 | **Year(s) Renewed** | 2001, 2006, 2011, 2016 |
| **Maximum Enrollment** | 400 | **Current Enrollment** | 391 (October 2020) |
| **Chartered Grade Span** | 7-12 | **Current Grade Span** | 7-12 |
| **Students on Waitlist** | 270 (March 2020) | **Current Age of School** | 25 |
| **Mission Statement:** PVPA offers its students intensive exposure to the performing arts within the context of an excellent college preparatory curriculum. |

During its fifth charter term, Pioneer Valley Performing Arts Charter School (PVPA) has demonstrated progress in student achievement.[[8]](#footnote-8) In 2019, PVPA was classified as not requiring assistance or intervention.[[9]](#footnote-9) According to the statewide accountability system, the school made moderate progress toward targets and is in the 61st percentile when compared to other schools administering similar assessments. The table below summarizes academic performance data for the school for 2019 and includes statewide data for comparison purposes. Student performance was higher for the school than for the state as a whole on most assessments. The school has implemented a number of changes to address lower performance in mathematics, including strengthening the mathematics curriculum and hiring an instructional coach to support teachers in delivering mathematics instruction. The four-year graduation rate for the school is slightly lower than for the state as a whole, and the dropout rate is lower for the school than for the state as a whole.

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| **Summary of Academic Performance for Pioneer Valley Performing Arts (2019)** |
| **Grade and Subject** | **School** | **State** |
| **Percent of Students Meeting or Exceeding Expectations (Next Generation MCAS)** |
| **Grades 3-8 English Language Arts** | 66 | 52 |
| **Grades 3-8 Mathematics** | 38 | 49 |
| **Grade 8 Science** | 49 | 46 |
| **Grade 10 English Language Arts** | 82 | 61 |
| **Grade 10 Mathematics** | 57 | 59 |
|  | **Percent of Students Proficient or Higher (MCAS)** |
| **Grade 10 Science and Technology/Engineering** | 88 | 74 |
| **4-year Graduation Rate** | 86.4 (2019) | 88.0 (2019) |
| **Dropout Rate** | 1.1 (2019) | 1.8 (2019) |

During the charter term, the school has been faithful to the terms of its charter. The school is faithful to its mission and implements its key design elements. The school met a majority of the goals contained in its Accountability Plan; implemented an approved Recruitment and Retention Plan; and disseminated its best practices to other public schools in its region, across the state, and outside the state.

Throughout the charter term, members of the PVPA board of trustees have been engaged in fulfilling most of their legal responsibilities and obligations to the school. While board members have provided mostly competent and appropriate governance of the school’s administration and financial health, they have provided somewhat limited oversight of the school leader and progress toward meeting academic goals. The board has also devoted limited attention to succession planning for board and school leadership. During the renewal inspection, the board president reported that the board spent significant time over the past year negotiating its first collective bargaining agreement, indicating that the board’s attention was diverted from other areas. A contract was signed following the renewal inspection, and the board provided evidence of renewed attention to succession planning for school leadership.

Given all of the evidence, I intend to renew the charter of PVPA.

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If you have any questions regarding my intended actions, require additional information, or would like a copy of any Summaries of Review, please contact Alison Bagg, Director (781-338-3218); Cliff Chuang, Senior Associate Commissioner (781-338-3222); or me.

1. Until July 2020, Learning First Charter Public School was named Seven Hills Charter Public School. [↑](#footnote-ref-1)
2. Rating Key follows.

**Exceeds:** The school fully and consistently meets the criterion and is a potential exemplar in this area.

**Meets:** The school generally meets the criterion and/or minor concern(s) are noted.

**Partially Meets:** The school meets some aspects of the criterion but not others and/or moderate concern(s) are noted.

**Falls Far Below:** The school falls far below the criterion and/or significant concerns are noted. [↑](#footnote-ref-2)
3. The school’s most recent student performance data in the statewide accountability system is for 2019. Statewide assessments were not administered in 2020. [↑](#footnote-ref-3)
4. The Department has reviewed each charter school’s academic performance on the Legacy MCAS and Next- Generation assessments in order to illustrate “progress made in student academic achievement” as required by the charter school statute at G.L. c. 71, § 89(dd). [↑](#footnote-ref-4)
5. The Department did not issue school, district, or state accountability determinations for 2020 due to the cancellation of state assessments and school closures related to COVID-19. [↑](#footnote-ref-5)
6. The Department has reviewed each charter school’s academic performance on the Legacy MCAS, PARCC, and Next-Generation assessments in order to illustrate “progress made in student academic achievement” as required by the charter school statute at G.L. c. 71, § 89(dd). [↑](#footnote-ref-6)
7. The Department did not issue school, district, or state accountability determinations for 2020 due to the cancellation of state assessments and school closures related to COVID-19. [↑](#footnote-ref-7)
8. The Department has reviewed each charter school’s academic performance on the Legacy MCAS, PARCC, and Next-Generation assessments in order to illustrate “progress made in student academic achievement” as required by the charter school statute at G.L. c. 71, § 89(dd). [↑](#footnote-ref-8)
9. The Department did not issue school, district, or state accountability determinations for 2020 due to the cancellation of state assessments and school closures related to COVID-19. [↑](#footnote-ref-9)