*****Massachusetts Department of***

***Elementary and Secondary Education***

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| Jeffrey C. Riley  *Commissioner* |  |

# MEMORANDUM

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| **To:** | Board of Elementary and Secondary Education |
| **From:** | Jeffrey C. Riley, Commissioner of Elementary and Secondary Education |
| **Date:** | June 10, 2021 |
| **Subject:** | Charter Schools – Notification of Intended Actions and Report on Conditions for Conservatory Lab Charter School and Hill View Montessori Charter Public 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-1)

I intend to remove the conditions currently imposed on the charters of Conservatory Lab Charter School (CLCS) and Hill View Montessori Charter Public School (HVMCPS). The rationale for each of these intended actions can be found starting on page two of this memorandum.

Please let me know by **Thursday, June 17, 2021,** if you wish to have either of these proposed actions brought to the full Board for review and vote at the June Board meeting.

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| Conservatory Lab 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** | 444 | **Current Enrollment** | 457[[2]](#footnote-2)[[3]](#footnote-3) |
| **Chartered Grade Span** | PK-8 | **Current Grade Span** | PK-8 |
| **Students on Waitlist** | 2,096[[4]](#footnote-4) | **Current Age of School** | 22 |
| **Mission Statement:**  Conservatory Lab Charter School empowers a diverse range of children as scholars, artists, and leaders through a unique and rigorous academic and music education. We enrich the larger community through performance, service, and collaboration. As a laboratory school, we develop and disseminate innovative educational approaches that will positively impact children in other schools and programs. | | | |

**School History**

Conservatory Lab Charter School received its charter in 1999 to serve 115 students in grades K through 5. The Board has since granted the school a number of amendments to expand its grade configuration and maximum enrollment, most recently in 2013.

In 2009, CLCS was renewed with conditions pertaining to faithfulness to charter. That year, the school added Expeditionary Learning as a framework for the continued development and implementation of the learning through music curriculum. In the following year, the school adopted the El Sistema model, an ensemble-focused music education program, to serve as the guiding program for all music learning at the school. As a result of these programmatic changes, the conditions were removed in 2011.

During the 2016-17 school year, the school partnered and created a service agreement with the not-for-profit Center for Artistry and Scholarship (CAS). According to the service agreement, CAS supported the CLCS board with the evaluation of the principal and chief operating officer, provided technical assistance to the board, and disseminated best practices of the school.

Decisions made by the school’s board of trustees in 2018 led the Department to seek further clarity about the relationship among the school, its related not-for-profit foundation (CLCS Foundation), and CAS. In 2018, the school’s board of trustees did not report the CLCS Foundation as a component unit in the school’s annual financial audit. This decision and other information in the school’s FY18 audit, which contained no findings, pointed to a lack of clarity among the school, the CLCS Foundation, and CAS with regard to services provided, funding, payments, and facilities.

In 2019, I renewed the charter for CLCS with three conditions to address concerns regarding the relationship among the school, the CLCS Foundation, and CAS.

**Progress Toward Meeting Conditions**

I intend to remove the three conditions on the school’s charter. As summarized below, the school has substantially met all three conditions.

**Condition 1:** By February 28, 2019, CLCS 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**

By February 27, 2019, the school submitted evidence that a letter of notice of conditions had been distributed to school stakeholder groups as specified in the condition.

**Condition 2:** By June 30, 2019 CLCS’s board of trustees must clarify the relationship among the school, the Conservatory Lab Charter School Foundation, and the Center for Artistry and Scholarship pertaining to issues including, but not limited to, services provided, funding, agreements, facilities, and staffing.

**Status: Met**

In July 2019, the school submitted a draft document that clarified the relationship among the school, the CLCS Foundation, and CAS pertaining to issues including, but not limited to, services provided, funding, agreements, facilities, and staffing. After receiving multiple rounds of feedback from the Department, in June 2020, the school resubmitted the document, which reported that the CLCS Foundation and the school no longer worked with CAS in any capacity.

During an interview conducted by Department staff in January 2021, members of the school’s board of trustees and members of the board of the CLCS Foundation clarified the relationship between the CLCS Foundation and the school. They reported that the CLCS Foundation provides fundraising services to the school. Board members of the CLCS Foundation also reported that foundation staff were assisting with developing the school’s website. Board members of the CLCS Foundation reported that they attend school board and committee meetings but do not serve as voting members of the school’s board.

Members of the school’s board of trustees and of the board of the CLCS Foundation also reported that the relationship among the school, the CLCS foundation, and CAS as originally documented in the 2016 service agreement was dissolved in 2020, and there is no overlap of membership among the entities. Documents examined by the Department, including the 2019 and 2020 financial audits, websites of named entities, and annual reports confirm that the relationships outlined in the 2016 service agreement no longer exist.

**Condition 3:** By November 1, 2019, the school must include in its annual financial audits all entities that should be reported as component units according to the standards of the Governmental Accounting Standards Board (GASB) or an alternative plan, approved by the Department, to provide full financial transparency for all transactions and organizational relationships that impact the fiscal viability and health of the school.

**Status: Met**

In November 2019 and November 2020, the school submitted financial audits that included the CLCS Foundation as a component unit of the school.

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| Hill View Montessori Charter Public School | | | |
| **Type of Charter** | Commonwealth | **Location** | Haverhill |
| **Regional or Non-Regional** | Non-Regional | **Districts in Region** | N/A |
| **Year Opened** | 2004 | **Year(s) Renewed** | 2009, 2014, 2019 |
| **Maximum Enrollment** | 306 | **Current Enrollment** | 303[[5]](#footnote-5) |
| **Chartered Grade Span** | K-8 | **Current Grade Span** | K-8 |
| **Students on Waitlist** | 246[[6]](#footnote-6) | **Current Age of School** | 17 |
| **Mission Statement:**  The mission of Hill View Montessori Charter Public School is to provide a grade K-8 public education that promotes academic excellence using the Montessori philosophy. In partnership with teachers and parents, children will attain high levels of academic, personal and social achievement and so prepared, become constructive contributors to our community. | | | |

**School History**

Hill View Montessori Charter Public School received its charter in 2003 to serve 296 students in grades K through 8. The school opened in 2004 and reached its full grade span and maximum enrollment during the 2010-11 school year. In November 2011, the Board approved an amendment to increase enrollment from 296 students to 306 students.

In January 2019, I renewed the school’s charter with two conditions. Prior to renewal, the Department identified concerns about the school’s implementation of its mission and key design elements and concerns about its academic program. Specifically, there were concerns about a lack of consistent processes for identifying students potentially in need of additional academic support, limited processes for self-evaluation of the school’s programs for special education and English learners, and the degree to which the school’s programing for students in grades 7 and 8 aligned with the school’s mission and provided academic excellence for those students.

**Progress Toward Meeting Conditions**

I intend to remove the two conditions on the school’s charter. As summarized below, the school has substantially met both conditions.

**Condition 1:** By February 28, 2019, HVMCPS 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**

By February 28, 2019, the school submitted evidence that a letter of notice of conditions had been distributed to school stakeholder groups as specified in the condition.

**Condition 2:** By April 30, 2019, the board of trustees must review the school’s program and submit an action plan to the Department that addresses areas in need of improvement. The review and action plan must address at least the following areas: the degree to which the school’s program aligns with the school’s mission and key design elements; the degree to which the program for 7th and 8th grade aligns to the mission and provides academic excellence; the school’s processes to identify students who need supports; and the school’s self-evaluation of its special education and English learner programs.

**Status: Met**

In April 2019, the school submitted a draft action plan that addressed each of the four areas in need of improvement outlined in the condition. Department staff approved a final version of the plan in May 2019.

In March 2021, Department staff conducted a virtual visit and gathered evidence of the school’s implementation of the action plan. To better align the school’s program with the school’s mission, the school has revised the curriculum and provided teachers with professional development focused on Montessori pedagogy. The school also hired a pedagogical director who works with teachers to ensure the Montessori philosophy and pedagogy are being implemented. To better align the program for grades 7 and 8 with the school’s mission and key design elements, the school has emphasized project-based learning and social-emotional learning for students in those grades. To strengthen the school’s process for identifying students who need support, the school now conducts benchmark testing for all students in reading and mathematics. Finally, the school has conducted more robust self-evaluations of its special education and English learner education programs. The most recent self-evaluations include analysis of program effectiveness and recommendations for changes to the programs based on the analysis.

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If you have any questions regarding removal of these conditions 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-1)
2. This is the number as of October 1, 2020. Source: [Profiles](https://profiles.doe.mass.edu/profiles/student.aspx?orgcode=04390000&orgtypecode=5&) [↑](#footnote-ref-2)
3. As of October 1, 2020, the school was overenrolled by 13 students and as a result is out of compliance with the terms of its charter. Charter schools do not receive tuition for students enrolled above the school’s maximum enrollment. [↑](#footnote-ref-3)
4. This is the number as of October 1, 2020. Source: [Massachusetts Charter School Waitlist Updated Report for 2020-21](http://www.doe.mass.edu/charter/enrollment/). [↑](#footnote-ref-4)
5. This is the number as of October 1, 2020. Source: [Profiles](https://profiles.doe.mass.edu/profiles/student.aspx?orgcode=04550050&orgtypecode=6&leftNavId=300&) [↑](#footnote-ref-5)
6. This is the number as of October 1, 2020. Source: [Massachusetts Charter School Waitlist Updated Report for 2020-21](http://www.doe.mass.edu/charter/enrollment/). [↑](#footnote-ref-6)