*****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:** | December 3, 2021 |
| **Subject:** | Charter Schools – Notification of Intended Actions for Argosy Collegiate Charter School, Boston Green Academy Horace Mann Charter School, Boston Renaissance Charter Public School, Codman Academy Charter Public School, Springfield International Charter School, and UP Academy Boston Horace Mann Charter School |

This memorandum provides notice to the Board of Elementary and Secondary Education (Board) that I intend to amend conditions on the charters of six charter schools to grant them an additional year to demonstrate “significant and sustained academic improvement” as measured by our statewide assessment. As Board members are aware, due to the cancellation of the 2020 MCAS and resulting changes to district and school accountability in 2021, charter schools may require additional time to demonstrate academic improvement.

At its meeting in February 2013, the 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)

Under this authority, and due to the fact that MCAS testing was cancelled in 2020 and modified in 2021, I intend to extend charter conditions for Argosy Collegiate Charter School (ACCS), Boston Green Academy Horace Mann Charter School (BGA), Boston Renaissance Charter Public School (BRCPS), Codman Academy Charter Public School (CACPS), Springfield International Charter School (SICS, formerly SABIS International Charter School), and UP Academy Charter School of Boston (UAB). Each of these schools has a deadline for providing evidence of significant and sustained academic improvement.

In April 2020, after passage of special state legislation waiving the requirement for MCAS administration due to COVID-19, I cancelled the spring 2020 regular administration of MCAS tests for students in grades 3-10. Because of this cancellation, in June 2020, I modified the conditions for many charters to grant them an additional year to demonstrate significant and sustained academic improvement.

Due to the ongoing impact of COVID-19, in April 2021, the Department of Elementary and Secondary Education (Department) received a [waiver of certain federal accountability requirements](https://oese.ed.gov/files/2021/04/ma-acct-waiver-response.pdf) for the 2020-2021 school year from the United States Department of Education (USED). In June 2021, the Board voted to amend state accountability regulations to allow the Department to refrain from issuing district and school accountability results following the 2020-2021 school year. Because of those actions, the most recent accountability results from 2019 remain in place, and the Department plans to publish updated accountability results in fall 2022.

Due to the relief provided by USED’s waiver, I determined that I would not name or recommend any new underperforming or chronically underperforming districts or schools during the 2021-2022 school year. To provide consistency across accountability processes, the Department will not include results from the 2021 MCAS administration in charter school accountability determinations. No charter school will receive conditions, be placed on probation, or be recommended for closure based solely on 2021 MCAS results.

Because the MCAS was not administered in the spring of 2020 and was modified in 2021, I intend to extend the deadline for each of these schools to demonstrate academic improvement. More information regarding these schools and decisions follows.

Two additional charter schools, Baystate Academy Charter Public School (BACPS) and Helen Y. Davis Leadership Academy Charter Public School (HYD), are also operating with conditions requiring academic improvement. Because the school’s current charters will expire on June 30, 2023, the condition on these charters cannot be extended a year. BACPS and HYD will each file an application for charter renewal by July 31, 2022, and I will evaluate the performance of each school based upon all the evidence available, remaining mindful that students were unable to take the MCAS in 2020 and took a modified MCAS in 2021. I will inform the Board about renewal determinations for these charters in the winter of 2022-2023.

Please let me know by **Friday, December 10, 2021,** if you wish to have any of these proposed actions brought to the full Board for review and vote at its meeting scheduled for December 17, 2021.

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| **Argosy Collegiate Charter School** | | | |
| **Type of Charter** | Commonwealth | **Location** | Fall River |
| **Regional or Non-Regional** | Non-Regional | **Districts in Region** | N/A |
| **Maximum Enrollment** | 644 | **Chartered Grade Span** | 6-12 |
| **Year Opened** | 2014 | **Year(s) Renewed** | 2019 |

ACCS was expected to demonstrate academic improvement by December 2021. I intend to extend the condition on the charter of ACCS as follows.

1. By **December 31, 2024**, the school must demonstrate that it is an academic success by providing evidence that the school has exhibited significant and sustained academic improvement in mathematics, English language arts, and science. **Should the school demonstrate significant and sustained academic improvement before 2024, the Commissioner may consider removing this condition, rather than wait until December 31, 2024.**

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| **Boston Green Academy Horace Mann Charter School** | | | |
| **Type of Charter** | Horace Mann | **Location** | Boston |
| **Regional or Non-Regional** | Non-regional | **Districts in Region** | N/A |
| **Maximum Enrollment** | 595 | **Chartered Grade Span** | 6-12 |
| **Year Opened** | 2011 | **Year(s) Renewed** | 2016, 2021 |

BGA was expected to demonstrate academic improvement by December 2023. I intend to extend the condition on the charter of BGA as follows.

1. By **December 31, 2024**, the school must demonstrate that it is an academic success by providing evidence that the school has exhibited significant and sustained academic improvement in mathematics, English language arts, and science. **Should the school demonstrate significant and sustained academic improvement before 2024, the Commissioner may consider removing this condition, rather than wait until December 31, 2024.**

| **Boston Renaissance Charter Public School** | | | |
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| **Type of Charter** | Commonwealth | **Location** | Boston |
| **Regional or Non-Regional** | Non-Regional | **Districts in Region** | N/A |
| **Maximum Enrollment** | 944 | **Chartered Grade Span** | PK-6 |
| **Year Opened** | 1995 | **Year(s) Renewed** | 2000, 2005, 2010, 2015, 2020 |

BRCPS was expected to demonstrate academic improvement by December 2023. I intend to extend this condition on the charter of BRCPS as follows. The second condition remains unchanged.

1. By **December 31, 2024**, the school must demonstrate that it is an academic success by providing evidence that the school has exhibited significant and sustained academic improvement in mathematics, English language arts, and science. **Should the school demonstrate significant and sustained academic improvement before 2024, the Commissioner may consider removing this condition, rather than wait until December 31, 2024.**
2. Until further notice, Boston Renaissance Charter Public School must submit on a quarterly basis to the Department of Elementary and Secondary Education (Department), at [charterschools@doe.mass.edu](mailto:charterschools@doe.mass.edu) or 75 Pleasant St., Malden, MA, 02148, board and committee meeting materials and minutes documenting the board’s efforts to ensure that the school is an academic success.

| **Codman Academy Charter Public School** | | | |
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| **Type of Charter** | Commonwealth | **Location** | Boston |
| **Regional or Non-Regional** | Non-Regional | **Districts in Region** | N/A |
| **Maximum Enrollment** | 345 | **Chartered Grade Span** | PK-12 |
| **Year Opened** | 2001 | **Year(s) Renewed** | 2006, 2011, 2016, 2021 |

CACPS was expected to demonstrate academic improvement by December 2023. I intend to extend the condition on the charter of CACPS as follows.

1. By **December 31, 2024**, the school must demonstrate that it is an academic success by providing evidence that the school has exhibited significant and sustained academic improvement in mathematics, English language arts, and science. **Should the school demonstrate significant and sustained academic improvement before 2024, the Commissioner may consider removing this condition, rather than wait until December 31, 2024.**

| **Springfield International Charter School** | | | |
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| **Type of Charter** | Commonwealth | **Location** | Springfield |
| **Regional or Non-Regional** | Non-Regional | **Districts in Region** | N/A |
| **Maximum Enrollment** | 1,574 | **Chartered Grade Span** | K-12 |
| **Year Opened** | 1995 | **Year(s) Renewed** | 2000, 2005, 2010, 2015, 2020 |

SICS was expected to demonstrate academic improvement by December 2023. I intend to extend the first condition imposed on the charter of SICS as follows.

1. By **December 31, 2024**, the school must demonstrate that it is an academic success by providing evidence that the school has exhibited significant and sustained academic improvement in mathematics, English language arts, and science. **Should the school demonstrate significant and sustained academic improvement before 2024, the Commissioner may consider removing this condition, rather than wait until December 31, 2024.**

The school was operating with a second condition, requiring the school’s board of trustees to update its bylaws and the contract with its education management organization. As of February 2021, the board updated its bylaws. Additionally, on June 30, 2021, SICS severed its relationship with Springfield Education Management, LLC (SEM), the education management organization that had provided substantially all educational services to the school. After the school submitted a plan for transitioning to self-management, I approved the school’s termination of its management relationship with SEM. In accordance with 603 CMR 1.10, this approval amended the charter as granted to the SICS. Given these events, I have removed the second condition on the school’s charter. As noted above, the condition to demonstrate academic success remains.

| **UP Academy Charter School of Boston** | | | |
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| **Type of Charter** | Horace Mann | **Location** | Boston |
| **Regional or Non-Regional** | Non-Regional | **Districts in Region** | N/A |
| **Maximum Enrollment** | 540 | **Chartered Grade Span** | 6-8 |
| **Year Opened** | 2011 | **Year(s) Renewed** | 2016, 2021 |

UAB was expected to demonstrate academic improvement by December 2023. I intend to extend the first condition imposed on the charter of UAB as follows. The second condition remains unchanged.

1. By **December 31, 2024**, the school must demonstrate that it is an academic success by providing evidence that the school has exhibited significant and sustained academic improvement in mathematics, English language arts, and science. **Should the school demonstrate significant and sustained academic improvement before 2024, the Commissioner may consider removing this condition, rather than wait until December 31, 2024.**
2. By July 31, 2021, UP Academy Charter School of Boston must conduct a comprehensive review of the school’s program and submit an action plan to the Department that addresses areas in need of improvement as outlined in the Summary of Review.

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If you have any questions regarding these 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)