*****Massachusetts Department of***

***Elementary and Secondary Education***

### 75 Pleasant Street, Malden, Massachusetts 02148-4906 Telephone: (781) 338-3000 TTY: N.E.T. Relay 1-800-439-2370

|  |  |
| --- | --- |
| Jeffrey C. Riley*Commissioner* |  |

# MEMORANDUM

|  |  |
| --- | --- |
| **To:** | Members of the Board of Elementary and Secondary Education |
| **From:**  | Jeffrey C. Riley, Commissioner |
| **Date:**  | February 22, 2023 |
| **Subject:** | Charter Schools – Amendment Request of Map Academy Charter 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. This year, the Department of Elementary and Secondary Education (Department) received three requests from charter schools seeking to amend the terms of their charters. I provided you with an [overview of the three amendment requests](https://www.doe.mass.edu/bese/docs/fy2023/2022-09/item7.docx) in a memorandum dated September 15, 2022. This memorandum addresses one of these amendment requests, which I am recommending for your approval at the meeting on February 28, 2023.

I recommend that the Board approve the request of Map Academy Charter School (Map Academy) in Plymouth to amend its charter region. I also evaluated the charter amendment requests submitted by the boards of trustees of Mystic Valley Regional Charter School (MVRCS) and Old Sturbridge Academy Charter Public School (OSACPS). I am not recommending approval of these requests at this time.

**Amendment Criteria**

Section 1.10 of the charter school regulations contains several criteria to consider in determining whether to grant a school’s request to amend its charter. The Department considers the following factors when reviewing amendment requests:

* the charter school’s compliance with applicable state, federal, and local law;
* affirmative, credible 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;
* affirmative, credible evidence regarding the success of the school’s academic program;
* affirmative, credible evidence regarding the viability of the school as an organization;
* the merits of the school’s amendment request when judged against the criteria outlined in the Department’s [Charter Amendment and Notification Guidelines](https://www.doe.mass.edu/charter/governance/board-amendment-guidelines.docx), criteria within the technical advisory on consolidation, and the [Charter School Performance Criteria](https://www.doe.mass.edu/charter/performance-criteria.docx);
* the eligibility of the board of trustees for proven provider status, if required, based upon the criteria described in 603 CMR 1.04(4);[[1]](#footnote-2) and
* public comment received regarding the request.

**Amendment to a Charter Region**

The request of Map Academy to expand the region in its charter is prompted by enrollment trends at the school. In accordance with G.L. c. 71 § 89(n), if more than 20 percent of a school's total enrollment for two consecutive years comes from school districts not included in the school’s original charter, the board of trustees must file an amendment request to reflect actual enrollment patterns. Map Academy’s request addresses the statutory requirement. The school’s board of trustees is requesting this amendment because more than 20 percent of the school’s enrollment comes from districts not included in its original charter.

Map Academy is a regional charter school, with Carver, Plymouth, and Wareham in its current region. The school’s board of trustees is requesting to add Bourne, Marshfield, Middleborough, Pembroke, and Silver Lake Regional[[2]](#footnote-3) to its charter region. When reviewing requests to change a school’s charter region, the Department must consider whether the districts are approaching their net school spending (NSS) caps.[[3]](#footnote-4) If a district is identified as at or near their NSS cap, additional charter school enrollment may be subject to tuition proration. The proposed five districts are not approaching their NSS caps and can accommodate additional student enrollment. Based upon the Department’s most recent NSS projections, there are approximately 717 seats available for new student enrollment across the five districts in Map Academy’s request.

Managing NSS caps requires the Department to estimate and to project how many students from a particular district will attend charter schools in future years and to consider enrollment trends generally. As a result, the Department relies heavily on estimates, projections, and administrative safeguards when making recommendations for changes in charter regions or for increasing the maximum enrollment for individual Commonwealth charter schools. My recommendation takes current enrollment estimates and projections into account.

**Map Academy Charter School**

|  |
| --- |
| **Map Academy Charter School**  |
| **Type of Charter** (Commonwealth or Horace Mann)  | Commonwealth  | **Location**  | Plymouth  |
| **Regional or Non-Regional?**  | Regional  | **Districts in Region**  | Carver, Plymouth, and Wareham |
| **Year Opened** (Fall) | 2018 | **Year(s) Renewed**  | *Anticipated* 2023[[4]](#footnote-5) |
| **Maximum Enrollment**  | 300 | **Grade Span**  | 9-12  |
| **Students on Waitlist**  | 10[[5]](#footnote-6) | **Current Age of School**  | 5 years  |
| **Mission Statement** Map Academy helps youth find their way with individualized roadmaps designed to promote success in students for whom traditional school has not worked. Student-centered academics, a highly supportive culture, and career development opportunities equip students with the knowledge, mindsets, and skills to meet the high standards necessary for postsecondary education and meaningful employment.  |

School’s Request

Map Academy received its charter in 2017 and opened in 2018. It currently enrolls 251 students. The school has three key design elements. These are a student-centered educational model, a highly supportive culture, and opportunities to (re)engage and prepare off-track youth for college and career. While the school enrolls students in grades 9 through 12, students are not grouped according to traditional grade levels. Rather, the school assesses each student’s content knowledge and personalizes their academic program when students enroll. The school is successful in recruiting students that it is designed to serve, implements an academic program that provides intensive academic and social-emotional support for every student, and assists students with post-secondary planning.

The board of trustees of Map Academy submitted a request to add Bourne, Marshfield, Middleborough, Pembroke, and Silver Lake Regional to its chartered region. Map Academy has enrolled more than 24 percent of its student body from the proposed five districts since 2020-21. On average, approximately 63 percent of the school’s enrollment was from its charter region over its five years of operation. A copy of the school’s request is attached.

The superintendents of districts named in the school’s current and proposed charter region were invited to submit comment on the school’s request. No comment was received.

Granting Map Academy’s request provides students who live in Bourne, Marshfield, Middleborough, Pembroke, and Silver Lake Regional with the same enrollment preference as students who live in the school’s current region. Map Academy has committed to providing transportation services to the residents of the proposed five districts. The school will expand bus routes within the proposed charter region through its existing transportation services contract with Greater Attleboro and Taunton Regional Transit Authority.

**Recommendation**

I have reviewed the school’s request, and it is reasonable and consistent with the charter school statute and regulations. Overall, the submitted amendment request and the Department’s accountability records indicate that the school’s academic program is a success, that the school is a viable organization, and that it has been faithful to the terms of its charter. As noted in my February 16, 2023 memorandum to the Board, I also intend to renew the school’s charter. I recommend that the Board approve the addition of Bourne, Marshfield, Middleborough, Pembroke, and Silver Lake Regional to the school’s region. A motion for approval is attached for your consideration.

If you have any questions regarding these amendments 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.

Attachments:

Correspondence from Map Academy Charter School

Motion for Board Action on Map Academy Charter School

1. The request of Map Academy to amend its charter region does not require a proven provider determination. [↑](#footnote-ref-2)
2. Silver Lake Regional School District is a regional 7-12 district that serves the residents of Halifax, Kingston, and Plympton. Pursuant to G.L. c. 71, § 89, and 603 CMR 1.00, Commonwealth charter schools provide enrollment preference and receive tuition funding based upon the school district serving the municipality where a student resides. The school district, rather than municipality, defines the charter region of a Commonwealth charter school. [↑](#footnote-ref-3)
3. The charter school statute establishes limits on the amount of charter school tuition that districts can transfer to Commonwealth charter schools in any given year. The limits are expressed as a percentage of the district's NSS for that year. Chapter 70 of the General Laws defines NSS, which represents the district's spending on school operations from state and local funds. Most school districts in the Commonwealth have a 9 percent NSS cap. [↑](#footnote-ref-4)
4. I have informed the Board of my intention to renew Map Academy’s charter in February 2023. [↑](#footnote-ref-5)
5. As reported in the Massachusetts Charter School Waitlist Updated Report for 2022-23 from October 3, 2022. [↑](#footnote-ref-6)