*****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:** | February 21, 2024 |
| **Subject:** | Charter Schools – Amendments to Grade Span (Boston Green Academy Horace Mann Charter School), Region (Community Charter School of Cambridge and Prospect Hill Academy Charter School), and Consolidation (Hampden Charter School of Science East and Hampden Charter School of Science West, and UP Academy Charter School of Boston and UP Academy Charter School of Dorchester) |

Pursuant to the Charter School Regulations, 603 CMR 1.10(1), the Board of Elementary and Secondary Education (Board) must approve certain changes to the material terms of a school’s charter, including grades served and the districts named within a charter school’s region. This year, the Department of Elementary and Secondary Education (Department) received requests from nine schools to change grade span, add districts to their charter region, or consolidate a charter school network.[[1]](#footnote-2) The requests of three schools and one network of charter schools were submitted in response to conditions placed on their charters. I provided you with [an overview of the amendment requests](https://www.doe.mass.edu/bese/docs/fy2024/2023-09/item10.2-cs-items-schedule.docx) in a memorandum dated [September 12, 2023](https://www.doe.mass.edu/bese/docs/fy2024/2023-09/item10.docx).

This month, I recommend that the Board approve amendment requests submitted by three charter schools and two networks of charter schools.[[2]](#footnote-3) One charter school, Boston Green Academy Horace Mann Charter School, requested an amendment to change its grade span to align with grade configuration changes within Boston Public Schools. Two charter schools, Community Charter School of Cambridge and Prospect Hill Academy Charter School, requested amendments to change their regions in accordance with G**.**L. c. 71, § 89(n).[[3]](#footnote-4) Section 89(n) in the charter school statute addresses charter schools that enroll more than 20 percent of their students from outside the district(s) named in their charters. In addition, two networks of charter schools have requested to consolidate charters. The board of trustees of Hampden Charter School of Science East and Hampden Charter School of Science West submitted a request to consolidate in response to a condition placed on the charter of Hampden Charter School of Science West at the time of its 2023 renewal. The board of trustees of UP Academy Charter School of Boston and UP Academy Charter School of Dorchester, both of which are Horace Mann charter schools, requested consolidation in response to changes in enrollment at the UP Academy Charter School of Boston.[[4]](#footnote-5)

**Figure 1: Summary of Recommendations**

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| **Name of Charter School** | **Location** | **Grade Span** | **Maximum Enrollment** | **Recommendation** |
| Boston Green Academy Horace Mann Charter School | Boston | 6-12 | 595 | Remove grade 6 |
| Community Charter School of Cambridge | Cambridge | 6-12 | 420 | Add Chelsea, Everett, and Revere to region |
| Prospect Hill Academy Charter School | Cambridge, Somerville | PK-12 | 1,200 | Add Revere, Waltham, Watertown, and Woburn to region |
| Hampden Charter School of Science East | Chicopee | 6-12 | 560 | Grant consolidation |
| Hampden Charter School of Science West | West Springfield | 6-12 | 588 |
| UP Academy Charter School of Boston | Boston | 6-8 | 540 | Grant consolidation |
| UP Academy Charter School of Dorchester | Boston | PK-8 | 750 |

The Department’s assessment of each request is described below in preparation for a discussion and vote at the Board’s meeting on February 27. This memorandum details the Department’s review; each school’s request; public comment, if received; and my recommendation. This memorandum first presents the amendment request related to a grade span change, followed by the two amendment requests pertaining to changes to the districts named in charter regions, and then the two amendment requests related to charter consolidation.

**Department Review**

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 and the Charter School Performance Criteria;
* the eligibility of the board of trustees for proven provider status, if required, based upon the criteria described in 603 CMR 1.04(4); and
* public comment received regarding the request.

**Grade Span Amendment: Boston Green Academy Horace Mann Charter School**

| **Boston Green Academy Horace Mann Charter School** | | | |
| --- | --- | --- | --- |
| **Type of Charter** | Horace Mann III | **Location** | Boston |
| **Year Opened** | 2011 | **Years Renewed** | 2016, 2021 |
| **Maximum Enrollment** | 595 | **Current Enrollment** | 460 (October 2023) |
| **Chartered Grade Span** | 6-12 | **Current Grade Span** | 6-12 |
| **Students on Initial Waitlist** | 205 (March 2023) | **Current Age of School** | 12 years |
| **Mission Statement:**  Boston Green Academy welcomes diverse students of all abilities, educates and empowers them to succeed in college and career, and prepares them to lead in the sustainability of our community and world. | | | |

School’s Request

The board of trustees of Boston Green Academy Horace Mann Charter School (BGA) has submitted a request to remove sixth grade, effective for the 2024-25 school year.[[5]](#footnote-6) BGA seeks to align the grade span in its charter with the planned grade reconfiguration of Boston Public Schools (BPS) to PK-6 and 7-12. As required for Horace Mann charter schools, the Boston School Committee and the Boston Teachers Union approved the school’s request.

In its rationale for the amendment, BGA reports decreased demand for admission to sixth grade. BGA has demonstrated consistent demand for admission to seventh and ninth grade, the other entry points. For example, the school placed 205 students on its waitlist in March 2023 for the current school year, 66 seventh grade students and 125 ninth grade students. The school placed five students on the waitlist for sixth grade, with a total of 45 students admitted to sixth grade. With the elimination of sixth grade, the school will increase student enrollment across grades 7 through 12.

Granting BGA’s request responds to enrollment demand from families for grades 7-12 and aligns the school’s grade span with the planned grade configurations of BPS.

Recommendation

I have reviewed the school’s request, and it is reasonable and consistent with the charter school statute and regulations. I recommend that the Board approve the removal of sixth grade as requested by the school. If the Board votes to grant BGA’s request, the school will serve students in grades 7-12 with a maximum enrollment of 595 students effective July 1, 2024. A motion for approval is attached for your consideration.

**Charter Region Amendments**

The requests of Community Charter School of Cambridge (CCSC) and Prospect Hill Academy Charter School (PHA) to amend their charter regions were submitted in response to conditions imposed on their charters pursuant to G.L. c. 71, § 89(n), and 603 CMR 1.10(7) (“if more than 20% of the school's total enrollment for two consecutive years comes from school districts not included in its original charter, the school's board of trustees must file an amendment request to reflect its actual enrollment patterns”). These conditions were required by statute and regulation, due to longstanding enrollment trends at these schools and statutory limits on student enrollment from Cambridge and Somerville due to net school spending (NSS) caps.[[6]](#footnote-7) The two schools currently enroll residents of the districts they propose to add to their charter. Based on enrollment trend data, residents from the proposed districts will continue to enroll at these charter schools regardless of the decisions made on the schools’ amendment requests.

Students who live in the district or districts specified in a school’s charter are given preference in enrollment, but students who live outside those districts[[7]](#footnote-8) may also apply for admission and attend the Commonwealth charter school. Enrollment preferences based upon residence enhance a student's likelihood of admission, but they do not deprive other students of seeking admission. If enrollment from the new districts were to increase due to enrollment preferences, there are sufficient unused seats under current NSS caps in those districts based upon Department estimates and projections. If charter enrollment for a particular district exceeds statutory limits, the Department prorates per pupil tuition across all of the charter schools enrolling students who reside in that district to prevent charter school tuition from exceeding NSS caps. My recommendations for CCSC and PHA consider these various factors when determining whether proposed amendments, even those that do not change a school’s maximum enrollment, are reasonable.

**Community Charter School of Cambridge**

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| **Community Charter School of Cambridge** | | | |
| **Type of Charter** | Commonwealth | **Location** | Cambridge |
| **Regional or Non-Regional** | Non-Regional | **Districts in Region** | N/A |
| **Year Opened** | 2005 | **Years Renewed** | 2010, 2015, 2020 |
| **Maximum Enrollment** | 420 | **Current Enrollment** | 261 (October 2023) |
| **Chartered Grade Span** | 6-12 | **Current Grade Span** | 6-12 |
| **Students on Initial Waitlist** | 24 (March 2023) | **Current Age of School** | 18 years |
| **Mission Statement:** Community Charter School of Cambridge combines challenging academics with creative use of technology and real-world experience to prepare a diverse student body, grades 6-12, for post-secondary success and productive citizenship. CCSC students are excellent problem solvers and communicators who contribute to their community through internships and other field experiences. | | | |

School’s Request

The board of trustees of CCSC submitted a request to become a regional charter school and to include Chelsea, Everett, Revere, and Somerville in the school’s region. Somerville, however, is closed to substantial new enrollment due to current Department enrollment projections showing the district near its NSS cap.[[8]](#footnote-9)

Since 2015, CCSC has operated with a condition pertaining to its enrollment patterns and worked to reduce enrollment from outside Cambridge, the only district currently in its charter, to under 20 percent. Due to the requirements in statute, pursuant to my delegated authority, I renewed CCSC’s charter for another five-year term in February 2020 with the condition that follows.[[9]](#footnote-10)

By December 31, 2022, CCSC must enroll no more than 20 percent of its total student population from outside Cambridge. To meet this goal, CCSC must limit the admission of students who live outside of Cambridge. If CCSC does not meet the required enrollment target, the school shall submit a request to the Board, no later than August 1, 2023, to amend its charter region based on enrollment trends.

For several years, CCSC has seen an increase in Cambridge enrollment due to its enhanced strategies to recruit, enroll, and retain students who reside in Cambridge. In February 2022, however, Cambridge was identified as near its NSS cap. As a result, the school now has limited ability to increase its Cambridge enrollment. On average, over the past three years, 7.3 percent of the school’s enrollment was from Chelsea, Everett, and Revere.

The school’s request to add Chelsea, Everett, and Revere to the school’s region meets the condition imposed on its charter and complies with the charter school statute at G**.**L. c. 71, § 89(n) (requiring a charter amendment if more than 20 percent of students for two consecutive years reside in school districts not included in a school’s charter).

Proven provider status is required to add Chelsea or Everett to a school’s charter region.[[10]](#footnote-11) After evaluating the performance of CCSC against the criteria for proven provider status, I identified the board of trustees of CCSC as a proven provider for the purpose of the current amendment request. Pursuant to 603 CMR 1.04(4)(b), the award of proven provider status to an existing board of trustees must include successful student academic performance over a three-year period. For CCSC, this was determined by using achievement levels and growth measures on the state assessment test in comparable grades for all students and for one or more targeted subgroups.[[11]](#footnote-12) In addition to the school demonstrating successful academic student performance, the Department assesses the organizational and financial viability of the charter school and its performance on various indicators such as attrition, attendance, retention, and discipline rates.

Comment was received from the superintendents of Chelsea Public Schools, of Revere Public Schools, and of Somerville Public Schools[[12]](#footnote-13) opposing the addition of their districts to the school’s region. These letters are attached.

Granting a modified version of CCSC’s request provides students who live in Chelsea, Everett, and Revere with the same enrollment preference as students who reside in Cambridge. CCSC does not plan to provide transportation services to residents of Chelsea, Everett, and Revere at this time but would be eligible for regional transportation reimbursement in the future should it provide transportation to these students.

Recommendation

I have reviewed the school’s request, and it is reasonable and consistent with the charter school statute and regulations. The charter school statute requires the school to request such an amendment. Overall, the submitted amendment request, the renewal of the school’s charter in 2020, 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. I recommend that the Board approve the addition of Chelsea, Everett, and Revere to the school’s region as requested by the school. A motion for approval is attached for your consideration.

**Prospect Hill Academy Charter School**

| **Prospect Hill Academy Charter School** | | | |
| --- | --- | --- | --- |
| **Type of Charter** | Commonwealth | **Location** | Cambridge, Somerville |
| **Regional or Non-Regional** | Regional | **Districts in Region** | Cambridge, Somerville |
| **Year Opened** | 1996 | **Years Renewed** | 2001, 2006, 2011, 2016, 2021 |
| **Maximum Enrollment** | 1,200 | **Current Enrollment** | 918 (October 2023) |
| **Chartered Grade Span** | PK-12 | **Current Grade Span** | PK-12 |
| **Students on Initial Waitlist** | 24 (March 2023) | **Current Age of School** | 27 years |
| **Mission Statement:** Prospect Hill Academy Charter School will prepare each student for success in college, inspire a lifelong love of learning, and foster responsible citizenship. | | | |

School’s Request

The board of trustees of PHA submitted a request to add Chelsea, Everett, Malden, Medford, Revere, Waltham, Watertown, and Woburn to the school’s region. The request to include Malden and Medford cannot be considered based upon enrollment projections showing both districts at or above their NSS caps.[[13]](#footnote-14) The request to add other districts to PHA’s region complies with G**.**L. c. 71, § 89(n) (requiring a charter amendment if more than 20 percent of students for two consecutive years reside in school districts not included in a school’s charter).

PHA enrolled more than 20 percent of its student body from outside of Cambridge and Somerville during the 2018-19 and 2019-20 school years, prior to renewal of its charter in 2021. Due to these enrollment trends and the requirements in statute, pursuant to my delegated authority, I renewed PHA’s charter for another five-year term in February 2021 with the condition that follows.

By August 1, 2025, Prospect Hill Academy Charter School will submit a revised request for an amendment to the school’s charter region that aligns with enrollment demand and would serve to reduce enrollment from outside of its charter region to no more than 20 percent of the school’s total population in future charter terms. The amendment request shall take into consideration all districts from which the school draws students, including those districts where limited seats are available, and a proven provider determination is required.

The school has limited ability to increase its enrollment of students living in Cambridge and Somerville to 80 percent. In February 2022, Cambridge was identified as near its NSS cap. Additionally, Somerville has been approaching its NSS cap for several years. The school has requested to expand its charter region to include Chelsea and Everett, which reflected 12.8 percent of the school’s enrollment during the 2023-24 school year. The school is not currently eligible for proven provider, however, a requirement for the addition of Chelsea and Everett. The school’s request to add Revere, Waltham, Watertown, and Woburn to the school’s region complies with the above charter condition. The percent of PHA’s enrollment from Revere, Waltham, Watertown, and Woburn has increased from 2 percent in 2015 to 8.3 percent in 2024.

Comment was received from the superintendents of Chelsea Public Schools, of Medford Public Schools, of Revere Public Schools, of Somerville Public Schools, of Watertown Public Schools, and of Woburn Public Schools opposing the addition of their districts to the school’s region.[[14]](#footnote-15) Additionally, the Department received comment in opposition from Representatives Richard M. Haggerty and Michelle Ciccolo and Senator Cindy Friedman. The Department also received comments in support, including support from members of the school community. The letters are attached.

Granting a modified version of PHA’s request provides students who live in Revere, Waltham, Watertown, and Woburn with the same enrollment preference as students who live in Cambridge and Somerville. PHA has committed to provide regional transportation services to residents of the proposed charter region and will be eligible for regional transportation reimbursement.

Recommendation

I have reviewed the school’s request, and a modified version of the request is reasonable and consistent with the charter school statute and regulations. The charter school statute requires the school to request such an amendment. Overall, the submitted amendment request, the renewal of the school’s charter in 2021, 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. I recommend that the Board approve the addition of Revere, Waltham, Watertown, and Woburn to the school’s region as requested by the school. A motion for approval is attached for your consideration.

**Charter Consolidation Amendments**

Pursuant to G.L. c. 71, § 89(d), the Board may authorize "a single board of trustees to oversee more than one charter school provided . . . each school is issued its own charter." Currently, five boards of trustees hold two or more charters and oversee networks of charter schools. Consolidating charter schools under one charter permits the schools to operate as one school, as opposed to separate schools within a network overseen by a single board of trustees. The Board previously approved the consolidation of charter schools under one charter for Roxbury Preparatory Charter School in December 2011, Excel Academy Charter School in January 2014, Match Charter Public School in February 2014, Brooke Charter School in February 2016, City on a Hill Charter Public School in February 2020, and Community Day Charter Public School in January 2022.

**Hampden Charter School of Science East and Hampden Charter School of Science West**

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| **Hampden Charter School of Science East and Hampden Charter School of Science West** | | |
| **Name** | **Hampden Charter School of Science East** | **Hampden Charter School of Science West** |
| **Type of Charter** | Commonwealth | |
| **Location** | Chicopee | West Springfield |
| **Regional/Non-Regional** | Regional | |
| **Districts in Region** | Chicopee, Ludlow, Springfield,   and West Springfield | Agawam, Holyoke, West Springfield,  and Westfield |
| **Year Opened** | 2009 | 2018 |
| **Year(s) Renewed[[15]](#footnote-16)** | 2014, 2019, 2024 | 2023 |
| **Grade Span** | 6-12 | 6-12 |
| **Maximum Enrollment** | 560 | 588 |
| **Age of School** | 15 | 6 |
| **Students on Initial Waitlist (March 2023)** | 183 | 114 |
| **Mission Statement** (virtually identical for each school)  The mission of the Hampden Charter School of Science East/West is to provide a college preparatory-focused education to the youth of every race and ethnic group in Western Massachusetts in a safe, academically challenging, and caring educational environment. Our promise is to sustain small school size, provide extended math and science curriculum, individualized attention, college guidance, university outreach programs, and to encourage student-teacher-parent partnership. Our mission empowers our students with the support necessary to reach their highest intellectual, emotional, social, and physical potentials building on the inherent promise to aid students’ preparation for college. | | |

Schools’ Requests

Hampden Charter School of Science East and West form a network of two charter schools overseen by a single board of trustees. Each school serves students in grades 6–12. Originally known as Hampden Charter School of Science, the flagship school, the Hampden Charter School of Science East opened in 2009. In 2016, the board of trustees applied to open an additional charter school in western Massachusetts. The Board granted the second charter in February 2017, and the school opened in fall 2018; its charter was renewed in 2023.

The board of trustees requests approval to consolidate the two charter schools effective July 1, 2024.[[16]](#footnote-17) The board of trustees plans to use the two existing locations in Chicopee and West Springfield to establish one campus for a middle school and one campus for a high school. The board of trustees reports that it can expand educational offerings and provide additional social and emotional support for students with more students in each grade level campus for middle school and high school. Dedicated campuses also will support professional learning communities that are grade specific for faculty. The board of trustees reports that by consolidating under a single charter with two campuses, the board of trustees can also realize efficiencies not currently available including, but not limited to, simplified administrative processes, preparation for monitoring activities, and financial management and reporting. Importantly, consolidation will satisfy the condition placed on Hampden Charter School of Science West at its 2023 renewal. That condition states as follows.

Beginning August 1, 2023, Hampden Charter School of Science West (HCSSW) must submit for annual approval by the Department of Elementary and Secondary Education an enhanced Recruitment and Retention Plan that includes deliberate and specific recruitment strategies for residents of the school’s charter region. These strategies must be designed to increase enrollment from within the school’s charter region and to reduce enrollment from outside of its charter region to no more than 20 percent of the school’s total population. By October 1, 2024, HCSSW must enroll no more than 20 percent of its total student population from outside its chartered region. Alternatively, HCSSW may submit a charter amendment request no later than August 1, 2025, to amend its region to reflect the school’s actual enrollment pattern. Any amendment request submitted by HCSSW shall take into consideration all districts from which the school draws students, including those districts where limited seats are available and districts where a proven provider determination may be required.

If granted, charter consolidation would comply with the statutory requirement in G.L. c. 71, § 89(n); more than 80 percent of the consolidated charter’s population would reside in the districts in the consolidated charter. During the 2023-24 school year, 98.6 percent of students enrolled at the two charter schools resided within the consolidated region that the school proposes.

The superintendents of the seven districts named in the schools’ charter were invited to submit comment. No comment was received. The Department has received letters of support for the proposed consolidation from current and prospective members of the school community, including families and staff. These letters are attached.

Recommendation

Overall, the submitted request, recent successful renewal of each charter in 2023 and 2024, respectively, and the Department’s accountability records indicate that the schools’ academic programs are a success, that the schools are viable organizations, and that the schools have been faithful to the terms of their charters. The request to consolidate is reasonable and consistent with the charter school statute and regulations and addresses the criteria outlined in the technical advisory on consolidation amendments. The Department is confident that the material terms of the charters will not change as a result of consolidation. I recommend that the Board vote to consolidate the charters of Hampden Charter School of Science East and Hampden Charter School of Science West, effective July 1, 2024. I also intend to impose an enrollment sub-cap on Springfield because of the limited availability to enroll students living in Springfield under its NSS cap. A motion for approval of consolidation is attached for your consideration.

**UP Academy Charter School of Boston and UP Academy Charter School of Dorchester**

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| **UP Academy Charter School of Boston and UP Academy Charter School of Dorchester** | | |
| **Name** | **UP Academy Charter School  of Boston** | **UP Academy Charter School  of Dorchester** |
| **Type of Charter** | Horace Mann | |
| **Location** | Boston | |
| **Year Opened** | 2011 | 2013 |
| **Years Renewed** | 2016, 2021 | 2018, 2023 |
| **Grade Span** | 6-8 | Pre-K-8 |
| **Maximum Enrollment** | 540 | 750 |
| **Age of School** | 13 | 11 |
| **Students on Initial Waitlist (March 2023)** | 0 | 111 |
| **Mission Statement** (identical for each school)  UP Academy will ensure that its students acquire the knowledge, skills, and strength of character necessary to succeed on the path to college and to achieve their full potential. | | |

Schools’ Requests

UP Academy Charter School Boston (UP Boston) and UP Academy Charter School Dorchester (UP Dorchester) form a two-school network of charter schools overseen by a single board of trustees. UP Boston serves students in grades 6-8, while UP Dorchester serves students in grades Pre-K-8.[[17]](#footnote-18) Since 2020, UP Boston has enrolled far fewer students than the 540 students permitted. For the 2023-24 school year, UP Boston enrolled a total of 166 students in grades 6-8. With significantly declining enrollment and decreasing demand for a stand-alone middle school in Boston,[[18]](#footnote-19) UP Boston plans to cease operations at the end of the 2023-24 school year.

The board of trustees requests approval to consolidate the two charter schools, effective July 1, 2024. The consolidated charter school would retain the terms of the charter of UP Dorchester, with no changes in its total maximum enrollment of 750 students or its grade span of Pre-K-8. The board of trustees reports that by consolidating under a single charter, the board of trustees can ensure that current UP Boston students in grades 6 and 7 can attend UP Dorchester for the 2024-25 school year, if interested, without participation in an admissions lottery. UP Boston currently enrolls 42 sixth graders and 62 seventh graders. UP Dorchester has approximately 578 students enrolled during the current school year with adequate facility space to accommodate current UP Boston students. As required for Horace Mann charter schools, the Boston School Committee and the Boston Teachers Union approved the school’s request for consolidation.

Recommendation

Overall, the request to consolidate is reasonable and consistent with the charter school statute and regulations and adequately addresses the additional criteria outlined in the technical advisory on consolidation amendments. I recognize the efforts of the charter school network to ensure access to the UP Dorchester educational option for UP Boston families. I recommend that the Board vote to consolidate the charters of UP Boston and UP Dorchester, effective July 1, 2024. 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); Regina Robinson, Deputy Commissioner (781-338-3104); or me.

Attachments:

Boston Green Academy Horace Mann Charter School:

Correspondence from Boston Green Academy Horace Mann Charter School

Motion

Community Charter School of Cambridge:

Correspondence from Community Charter School of Cambridge

Public Comment, including comment from Chelsea Public Schools, Somerville Public Schools, and Revere Public Schools

Motion

Prospect Hill Academy Charter School:

Correspondence from Prospect Hill Academy Charter School

Public Comment, including comment from elected officials, Chelsea Public Schools, Medford Public Schools, Revere Public Schools, Watertown Public Schools, and Woburn Public Schools

Motion

Hampden Charter School of Science East and West:

Correspondence from Hampden Charter School of Science East and West

Public Comment

Motion

UP Academy Charter School of Boston and Dorchester:

Correspondence from UP Academy Charter Schools of Boston and of Dorchester

Motion

1. A network of charter schools is multiple charter schools operating under individual charters that a single board of trustees oversees. Consolidation permits two or more separate charter schools within a network to operate as a single charter school under one charter with multiple campuses. The Board has previously granted the consolidation requests of six former networks of charter schools. [↑](#footnote-ref-2)
2. At this time, I am not recommending the requests submitted by the board of trustees of Helen Y. Davis Leadership Academy Charter Public School (DLA) and Mystic Valley Regional Charter School (MVRCS). Department staff will communicate with board and school leadership to ensure any future requests by DLA or MVRCS address the concerns identified during the Department’s review process. [↑](#footnote-ref-3)
3. Section 89(n) of G.L. c. 71 provides as follows.

   In any instance where a charter school approved after January 1, 2011 enrolls more than 20 per cent of its total enrollment from school districts not included in its original charter pursuant to subsection (h) for 2 consecutive years, the charter school shall submit an application to the board for an amendment to its charter that reflects its actual enrollment patterns; provided further that upon renewal of a charter school approved prior to January 1, 2011, the board shall establish a timeline of not less than 5 years for the charter to comply with this requirement. [↑](#footnote-ref-4)
4. I accepted the amendment request from the UP Academy Charter Schools this winter after the published deadline of August 1, 2023. [↑](#footnote-ref-5)
5. The school is operating with a condition related to academic achievement; the deadline to meet that condition is December 31, 2024. While the school has demonstrated substantial progress in meeting that condition and improvements in its educational program, I will report on the school's progress toward meeting that condition in 2025. [↑](#footnote-ref-6)
6. The charter school statute establishes limits on the amount of tuition that school districts can transfer to Commonwealth charter schools in any given year. The limits are expressed as a percentage of a district's NSS. Chapter 70 of the General Laws defines NSS, which represents the district's spending on school operations from state and local funds. The majority of school districts are subject to a 9 percent NSS cap for charter school tuition, with the exception of districts performing in the lowest 10 percent statewide based on two years of MCAS performance. School districts performing in the lowest 10 percent have a higher NSS cap of 18 percent. [↑](#footnote-ref-7)
7. They must reside in the Commonwealth, however. [↑](#footnote-ref-8)
8. Massachusetts residents may enroll and attend any Commonwealth charter school. Residents of Somerville attended six Commonwealth charter schools during the last school year This included PHA, which is the only Commonwealth charter school with Somerville in its charter. PHA enrolls 97 percent of the Somerville residents attending Commonwealth charter schools. [↑](#footnote-ref-9)
9. When the school’s charter was renewed in 2015, a similar condition was placed on the charter. Cambridge enrollment increased from 39.4 percent in 2016 to 69.6 percent in 2023.

   By August 1, 2015, CCSC will submit for Department approval a plan that ensures that enrollment from Boston does not exceed 20 percent of its total population by June 30, 2020, and corresponding charter amendment requests for the school’s maximum enrollment, enrollment policy, and any other relevant material terms.   [↑](#footnote-ref-10)
10. The majority of school districts are subject to a 9 percent NSS cap for charter school tuition, with the exception of districts performing in the lowest 10 percent statewide based on two years of MCAS performance. School districts performing in the lowest 10 percent have a higher NSS cap of 18 percent. Pursuant to 603 CMR 1.10(6), amendment requests potentially increasing enrollment from districts performing in the lowest 10 percent statewide, such as expanding a charter region or increasing a school’s maximum enrollment, require a determination of “proven provider” for the charter school if the district has already exceeded or may exceed the standard 9 percent NSS cap with the proposed change. *See also* G.L. c. 71, § 89(i)(3) (requiring applicants for charter schools in districts in the lowest 10 percent to have “a record of operating at least 1 school or similar program that demonstrates academic success and organizational viability and serves student populations similar to those the proposed school seeks to serve”); 603 CMR 1.02 (definition of proven provider); 603 CMR 1.04(4) (qualifications for proven provider status). [↑](#footnote-ref-11)
11. The Department compares the school’s student performance data to statewide averages and to relevant district averages for the grades served by the charter school. [↑](#footnote-ref-12)
12. Somerville Public Schools is not a district included in the recommended Board action. [↑](#footnote-ref-13)
13. Massachusetts residents may enroll and attend any Commonwealth charter school. Residents of Malden and Medford attended 12 and 13 different Commonwealth charter schools, respectively, during the last school year. Charter schools attended included Mystic Valley Regional Charter School, the only Commonwealth charter school with Malden and Medford in its charter region. [↑](#footnote-ref-14)
14. Chelsea Public Schools, Medford Public Schools, and Somerville Public Schools are not districts included in the recommended Board action. [↑](#footnote-ref-15)
15. In my memorandum dated February 16, 2024, I notified the Board of my intention to renew unconditionally the charter of Hampden Charter School of Science East. [↑](#footnote-ref-16)
16. If the Board grants the consolidation request, Hampden Charter School of Science will hold one admissions lottery in March 2024 for the 2024-25 school year. The Department is providing technical assistance for a potential transition from two lotteries to one lottery. [↑](#footnote-ref-17)
17. Each school is operating with a condition related to academic achievement. The deadline for the schools to meet these conditions is December 31, 2024. Once consolidated, the academic condition placed on the charter of UP Dorchester remains in effect, and I will report on the school's progress toward meeting that condition in 2025. [↑](#footnote-ref-18)
18. Decreasing demand is in part due to the changes in grade configuration of BPS. [↑](#footnote-ref-19)