MEMORANDUM

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| **To:** | Members of the Board of Elementary and Secondary Education |
| **From:** | Patrick Tutwiler, Interim Commissioner |
| **Date:** | June 17, 2025 |
| **Subject:** | Charter Schools: Delegation of Authority to Commissioner to Approve Proposed Contracts with Education Management Organizations for Community Day Charter Public School and Holyoke Community Charter School |

Under the charter school statute, G.L. c. 71, § 89(k)(5), the Board of Elementary and Secondary Education (Board) must approve contracts between charter schools and the entities from which they intend to procure substantially all educational services. The Board can delegate the approval of such contracts to the Commissioner under G.L. c. 15, § 1F, para. 3,[[1]](#footnote-1) and has done so on many occasions. The review and approval of the contracts often occur during the summer months and may take longer. I recommend that the Board vote at its meeting on June 24, 2025, to delegate to the Commissioner approval of the contracts of two charter schools, Community Day Charter Public School (CDCPS) and Holyoke Community Charter School (HCCS).

CDCPS and HCCS seek to update their existing management contracts due to recent renewals of their charters. CDCPS seeks to continue its management relationship with the Community Group, a non-profit organization. HCCS seeks to continue its relationship with Springfield Educational Management, a subsidiary of SABIS, a for-profit organization. Both schools have long-standing management relationships with these organizations that provide substantially all educational services. Approval of these contracts will also operate to amend the charters granted to CDCPS and HCCS to include the approved management contract.

Prior to approval, the Department of Elementary and Secondary Education (Department) reviews the technical and legal aspects of each proposed management contract and requires or recommends changes as appropriate. Each contract must include a delineation of the roles and responsibilities of the education management organization and the school; a description of how the board of trustees of the charter school will monitor the academic performance and fiscal activity of the school; performance evaluation measures, including those for student academic performance; the total fees for management services; a description of payment structures; delineation of authority over hiring and firing; and the conditions and procedures for the contract's renewal and termination.

Once provisional approval is issued, the board of trustees of the charter school then votes to approve the contract and to submit an executed contract to the Department for final approval.

I recommend that the Board delegate to the Commissioner approval of the contracts following completion of the Department’s review. A motion for delegation is attached. If you have any questions or require additional information, please contact Alison Bagg, Director, at 781-338-3218; Alyssa Hopkins, Assistant Director, at 781-605-4476; or me.

1. Section 1F, para. 3, of G.L. c. 15 states as follows.

   The board may delegate its authority or any portion thereof to the commissioner whenever in its judgment such delegation may be necessary or desirable. The commissioner shall exercise such delegated powers and duties with the full authority of the board. [↑](#footnote-ref-1)