



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO: P-12 Education Committee

FROM: John B. King, Jr.

SUBJECT: Charter Schools: Proposed Revision to the Initial Charter for the Riverton Street Charter School

DATE: July 14, 2010

STRATEGIC GOAL: Goals 1 and 2

AUTHORIZATION(S):

SUMMARY

Issue for Decision

Should the Regents approve the proposed revision to the initial charter for Riverton Street Charter School (New York City)?

Background Information

We received a request from the Chancellor of the city school district of the City of New York to approve a proposed revision to the initial charter of the Riverton Street Charter School ("the School"). The School seeks to add National Heritage Academies, Inc. (NHA) as its management partner; and, to change its grade configuration and annual projected enrollment throughout the charter term. The proposed revision seeks to modify the Year 1 (2010-2011) grade span from grades K and 1 to grades K through 3, which will increase Year 1 enrollment from 100 to 196 students. The proposed revision seeks to increase enrollment each year of its initial charter as outlined in Attachment 1.

NHA is a Michigan-based, for-profit management company that provides educational programs to 61 other charter schools. In its partnership with Riverton Street Charter School, NHA would provide: implementation and administration of the educational program; management of all personnel functions, including professional development for the School's administrator and all instructional personnel and the personnel functions; in consultation with the Board, leasing a facility for use by the School, which facility shall be subleased to the Board; all aspects of the business administration of the School, including the maintenance of its federal income tax exemption status; food, transportation and health services for the School; marketing and development for the

School; fulfillment of payment and performance obligations that are identified as obligations of the Tenant under the lease between NHA and the School; and, any other function necessary or expedient for the administration of the School.

Currently, NHA manages five charter schools in New York, approved by the Board of Regents (for performance data, see Attachment II), which are the following (name – date of charter – location):

- Southside Academy Charter School – December 2001 – Syracuse, NY
- Brooklyn Excelsior Charter School – March 2002 – Brooklyn, NY
- Buffalo United Charter School – September 2002 – Buffalo, NY
- Brooklyn Scholars Charter School – February 2009 – Brooklyn, NY
- Brooklyn Dreams Charter School – January 2010 – Brooklyn, NY

The New York City Department of Education held a public hearing in Community School District 29 on May 24, 2010 regarding the proposed revision to the charter. Forty-two people attended the hearing. Three people spoke in support of the proposed revision. No additional comments or summaries were provided.

Recommendation

VOTED: That the Board of Regents approves the revision to the initial charter of Riverton Street Charter School as proposed by the Chancellor of the city school district of the City of New York, and the provisional charter is amended accordingly.

Reasons for Recommendation

The proposed revision to the School's initial charter, along with the other terms of the initial charter: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will permit the charter school to operate in an educationally and fiscally sound manner; and (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law.

Timetable for Implementation

The Regents action for the Riverton Street Charter School is effective immediately.

Attachment I

**Current Enrollment
Riverton Street Charter School
2010-2011 to 2014-2015**

GRADE	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015
Kindergarten	50	50	50	50	50
First	50	50	50	50	50
Second	0	50	50	50	50
Third	0	0	50	50	50
Fourth	0	0	0	50	50
Fifth	0	0	0	0	50
Total	100	150	200	250	300

**Projected Enrollment
Riverton Street Charter School
2010-2011 to 2014-2015**

GRADE	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015
Kindergarten	40	40	80	80	80
First	52	52	78	78	78
Second	52	52	78	78	78
Third	52	52	78	78	78
Fourth	0	52	52	78	78
Fifth	0	0	52	52	78
Total	196	248	418	496	574

Performance of NYS Charter Schools managed by National Heritage Academies, Inc.* on the ELA and Math State Assessments compared to the school district of location

Percent of Students Scoring At or Above Level 3 on State Exams								
Charter School	2004-2005		2005-2006		2006-2007		2007-2008	
	Gr. 4	Gr. 4	3-8	3-8	3-8	3-8	3-8	3-8
	ELA	MATH	ELA	MATH	ELA	MATH	ELA	MATH
Brooklyn Excelsior Charter School	30	54	61	72	54	82	72	90
NYC Community School District 16	46	56	38	42	37	51	47	63
Buffalo United Charter School	69	77	40	55	44	84	66	89
Buffalo City School District	40	53	31	29	35	37	44	51
Southside Charter School	41	64	26	43	40	64	53	77
Syracuse City School District	49	59	35	31	38	40	43	51

* Brooklyn Scholars Charter School was approved by the Board of Regents in February 2009, and opened in September 2009. No New York State assessment data is available.