



State of New Jersey

DEPARTMENT OF EDUCATION

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KEVIN DEHMER
Acting Commissioner

January 31, 2025

Ms. Eloisa Hernandez, President
Board of Trustees
Academy for Urban Leadership Charter School
612 Amboy Avenue
Perth Amboy, New Jersey 08861

Dear Ms. Hernandez:

The purpose of the Charter School Program Act, *N.J.S.A. 18A:36A-1*, et seq. is to support public education by establishing charter schools that enhance educational choices, implement innovative learning methods, and improve student outcomes. To achieve these goals, charter schools must demonstrate strong academic performance, and they are held to a high standard of accountability for student outcomes. The granting of a charter represents one of the most significant actions of the Department in that academic success, governance, and sound fiscal management of the school's assets are placed in the hands of a charter school's trustees. In this respect, beginning with its application, a charter school must demonstrate not only an ability to provide students with a high-quality education, but the capacity to effectively govern and maintain organizational stability.

The Academy of Urban Leadership Charter School (AULCS) has been on probation since January 31, 2024, due to concerns regarding compliance with its charter, state laws, and regulations. In accordance with *N.J.A.C. 6A:11-2.4*, AULCS submitted a remedial plan on February 14, 2024 (updated January 3, 2025), and has subsequently been subject to periodic onsite, virtual, and document-related review by the New Jersey Department of Education (Department) to assess the school's progress towards full remediation. Pursuant to *N.J.S.A. 18A:36A-17* and *N.J.A.C. 6A:11-2.4(b)*, I have determined that AULCS has failed to effectively implement the remedial plan and address the deficiencies that led to probation. Therefore, I am revoking the charter for AULCS, effective June 30, 2025.

As set forth in greater detail below, based on onsite observations, document review, interviews with stakeholders, meetings with administrators and members of the board of trustees, and a review of academic performance, the Department has determined that AULCS has failed to provide an educational program consistent with its mission to "employ an educational design and

experience that merges the highest standards of academic excellence while fostering convictions and commitment to social and economic justice.”

AULCS’ academic performance strongly suggests that it is not offering its students a high-quality education characterized by academic excellence. In January 2023, under the Every Student Succeeds Act (ESSA), AULCS was identified as a school in need of Comprehensive Support and Improvement with summative scores falling in the bottom 5th percentile of all Title I schools in the State. According to the New Jersey Student Learning Assessment (NJSLA) data, AULCS has been significantly outperformed by its district of residence, Perth Amboy School District, and the State within the last three consecutive school years in grades seven through twelve. In addition, AULCS’ NJSLA English language arts (ELA) and mathematics (math) proficiency rates demonstrate a significant decline in student outcomes since the 2021-2022 school year.

Figures 1 and 2 below display AULCS’ 2022, 2023, and 2024 NJSLA performance in comparison to the Perth Amboy School District and statewide performance in the same tested grade levels. Figure 3 shows AULCS’ 2023 and 2024 median student performance growth percentile (mSGP) in comparison to its district of residence, the Perth Amboy School District, in the same tested grade levels. 97.2% of AULCS’ student population resides in Perth Amboy School District, the approved district of residence.

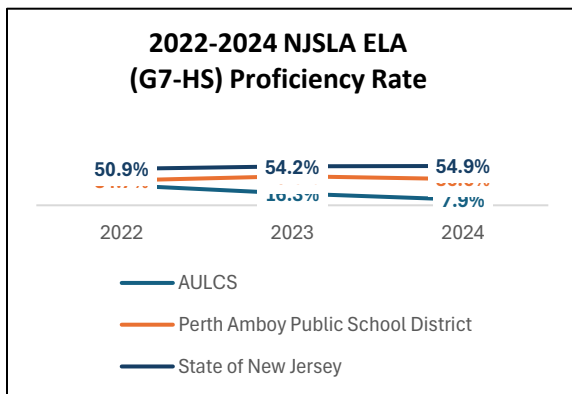


Figure 1

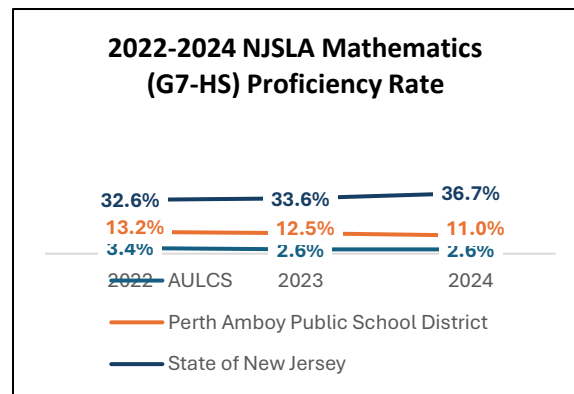


Figure 2

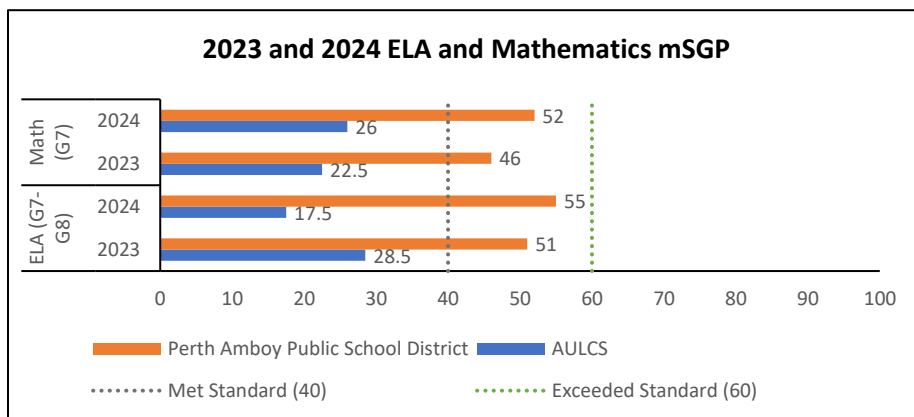


Figure 3

The data above illustrates AULCS' 20.1% decline in NJSLA ELA proficiency rates since the 2021-2022 school year and its consistent underperformance when compared to Perth Amboy Public Schools and the State average. The data also confirms AULCS' .8% decline in NJSLA math proficiency rates since the 2021-2022 school year. The school has also significantly underperformed Perth Amboy Public Schools and the State average in NJSLA mathematics proficiency rates. In addition to AULCS' NJSLA assessment performance, the school has not met the State's student growth standards in either assessed content area in the 2022-2023 and 2023-2024 school years. These results further demonstrate the school's failure to adequately improve student growth in comparison to the district of residence.

The Department expects that charter schools on probation create and implement remedial plans commensurate with the causes for probation. The remedial plan submitted by AULCS included actions for improvements in the areas of leadership, instruction, curriculum, assessments, student culture, operations, enrollment, staff retention, and support for multilingual learners (MLs) and students with disabilities (SWDs). The Department conducted an onsite status visit, instructional observations, and meetings with AULCS officials to monitor the progress and implementation of the remedial plan, including an in-person meeting on March 12, 2024, a virtual meeting with AULCS' new chief school administrator (CSA) on July 1, 2024, and an onsite status visit on October 2, 2024. Additionally, the Department requested that written updates to the remedial plan be submitted in August and December 2024. Following observations and discussions with school officials, the Department has concluded that AULCS has not developed or executed a remedial plan that adequately addresses or demonstrates a sustainable strategy to address the issues that resulted in its probationary status.

These interactions make clear that AULCS has not succeeded in demonstrating high-quality instruction throughout all classrooms or in addressing the instructional deficiencies that were identified when the charter school was placed on probation. During the most recent Department visit to the school in October 2024, learning objectives were posted in most classrooms but there were inconsistencies in their measurability and alignment to the New Jersey Student Learning Standards (NJSLS). Instructional pacing was notably slow and lacked the necessary urgency to engage students in a rigorous learning environment. Additionally, teachers did not demonstrate a clear understanding of effective classroom management and student engagement strategies. The lack of differentiation, modification, or adequate support for MLs and SWDs was particularly concerning, considering that 39.8% of the student population at AULCS consists of SWDs or MLs. In addition, most classrooms did not appear conducive to learning, with notable space constraints and inadequate access to high-quality learning materials needed to achieve the lesson objective. These observed practices contrast with AULCS' mission to provide a program that integrates the highest standards of academic excellence while promoting a commitment to social and economic justice.

In addition to AULCS' failure to meet its mission as observed during the Department's onsite status visits, the school has also failed to consistently implement high-quality curricula and

instructional resources. On the day of the onsite renewal visit on November 1, 2023, interviewed AULCS administrators acknowledged that they were in the early stages of curriculum selection and development, leaving teachers to individually select, develop, and implement instructional materials. As a result, observed classrooms did not demonstrate evidence of vertical or horizontal articulation, and many of the instructional materials observed were not aligned with the NJSLs for the respective grade level or content area. To address this issue, AULCS' remedial plan dated February 14, 2024, indicated the intention to adopt a comprehensive curricular program by September 2024. However, after the onboarding of a new chief school administrator, the remedial plan update dated July 23, 2024, extended the curricular adoption process through June 2025. As a result, AULCS' students were subject to an additional school year without access to a cohesive curriculum aligned to NJSLs. While discussions with administration and the subsequent remedial plan update suggested observable improvements in teachers' use of an approved lesson plan template, observations conducted during the October 2024 onsite status visit did not substantiate these improvements. In addition, Department representatives noted teachers' continued reliance on independently selected instructional materials, resulting in a persistent lack of alignment across grade levels and content areas. AULCS' failure to implement a structured approach to curriculum development and implementation has attributed to significant and enduring impacts on student outcomes.

It is also clear that AULCS has failed to implement sustainable strategies to improve the school's suspension rates and maintain stable levels of enrollment. According to AULCS' 2022 and 2023 Annual Reports, the school's out-of-school suspension rate increased from 11.5% in the 2021-2022 school year to 23% in the 2022-2023 school year. The 2024 Annual Report notes a decrease to 18% in the 2023-2024 suspension rate, indicating improvement from the previous school year, despite organizational instability (e.g., the school had two interim CSAs during the 2023-2024 school year). Additionally, AULCS has demonstrated a consistently high number of student withdrawals and an inability to maintain stable enrollment levels each school year. AULCS reported 106 student withdrawals in the 2021-2022 school year, 67 student withdrawals in the 2022-2023 school year, and 63 student withdrawals in the 2023-2024 school year. The number of student withdrawals reported by the charter school appears to have improved; however, the actual number of students enrolled at AULCS has significantly decreased throughout the previous and current charter term. In 2020, AULCS met 91.5% of its maximum approved enrollment, with 549 students enrolled. In the following years, the charter school's enrollment declined each year by a rate of 10% to 23%. By October 15, 2024, AULCS met only 43% of its approved maximum enrollment, with 258 students enrolled, marking its lowest enrollment since inception. This data suggests a significant reduction in demand which does not support the school's continued operation.

At the time of AULCS' renewal, Department representatives noted significant deficiencies regarding the charter school's support and services for SWDs and MLs, which currently comprise 6.2% and 33.6% of the student population, respectively. During the onsite status visit conducted on October 2, 2024, there were no evident improvements made to AULCS' support and services

for its ML or SWD population as characterized by differentiated educational materials or tailored instruction. Crucially, although appropriately certificated staff may have been present, they were not observed providing adequate instruction or support services for the ML and SWD population during the Department's observations. While AULCS cited Sheltered English Instruction (SEI) training for all teachers in its remedial plan, instructional observations during the October 2, 2024, visit did not demonstrate implementation of SEI protocols. Further, AULCS' continued lack of effective instruction for its ML population is made clear by the school's underperformance in English language proficiency (ELP) progress. As cited in AULCS' 2022 and 2023 New Jersey School Performance Reports, only 1.9% of the charter school's ML population achieved expected ELP growth in the 2021-2022 school year. The following year, the growth to proficiency rate rose slightly, with 2%, failing to meet the 27.4% annual target. Similarly, AULCS' 2023-2024 ELP rate of 7% was still significantly below its annual target of 37.2%.

In addition to AULCS' academic performance, instructional deficiencies, suspension rates, enrollment levels, and inadequate support for SWDs and MLs, the Department identified the charter school's organizational instability and critical staff retention challenges as urgent issues requiring immediate attention. In the previous charter term, AULCS experienced significant leadership turnover, employing four CSAs and five school business administrators (BAs). As mentioned above, in the 2023-2024 school year, the charter school engaged two interim CSAs. As a remedial measure, the board of trustees hired a long-term CSA on a five-year contract, yet the Department remains concerned about the persistent retention issues affecting leadership and instructional staff, with documents and discussions revealing several resignations and terminations. Further compounding these concerns, only one out of four leadership team members interviewed during the onsite renewal visit in November 2023 remains employed by the school. Additionally, AULCS' instructional staff turnover signifies the charter school's inability to retain adequately certified teachers across all content areas; while the 2023 Annual Report indicated a teacher retention rate of 54.5%, an increase to 83% as stated in the 2024 Annual Report is overshadowed by financial documents showing a significant reduction in the number of middle and high school teachers employed—from 48 budgeted teacher salaries in fiscal year 2023 to only 24 in fiscal year 2025.

AULCS has experienced challenges with board compliance and capacity in its previous and current charter term. AULCS' submitted documents at the time of its renewal indicated that the charter school's board of trustees had not met the minimum number of members determined by its bylaws. Interviewed board members also confirmed that the board had not adhered to *N.J.S.A. 18A:36A-11.2*, which requires that all charter schools serving grades nine through twelve include a minimum of one student selected by the student body to serve as a nonvoting student representative to the board. Additionally, at the time of renewal, AULCS' most recently posted board meeting minutes were outdated and referenced a meeting that had occurred several months prior to the renewal review which does not adhere to *N.J.A.C. 6A:11-4.12*. During the

renewal review, the Department confirmed that multiple board members had not completed required New Jersey School Boards Association (NJSBA) trainings and mandatory criminal background checks within the timeframe mandated by *N.J.A.C. 6A:11-3.1(d)*. Currently, four members are listed on AULCS' website, indicating that the charter school's board of trustees remains out of compliance with its bylaws which require seven voting members. Although AULCS' most recently posted board meeting minutes are dated December 18, 2024, which aligns with *N.J.A.C. 6A:11-4.1*, the board of trustees has yet to onboard a nonvoting student representative as required by *N.J.S.A. 18A:36A-11.2*. In addition, AULCS' 2024 Annual Report fails to cite the date of the board of trustees' most recent self-evaluation.

Due to the persistent and pervasive challenges in organizational stability, leadership retention, instructional quality, along with the ongoing inability to meet educational standards, AULCS is hereby directed to cease operations effective June 30, 2025. The board of trustees shall implement a comprehensive closure plan in accordance with *N.J.A.C. 6A:11-2.4(c)2*. Additionally, the board shall, within 48 hours of receipt of this notification, provide the Commissioner with a complete list of the names and addresses of all students and staff currently enrolled and working in the school and notify in writing all administrators, staff, parents, guardians, students, and vendors that the charter has been revoked. Within 10 business days of receipt of this notification, or by February 14, 2025, the AULCS Board of Trustees must appoint an independent trustee, whose appointment is subject to Commissioner approval. If the board does not appoint an independent trustee within the requisite deadline, the Commissioner will appoint an independent trustee. The independent trustee will assume primary financial responsibility for AULCS upon appointment.

Furthermore, AULCS is directed to limit the expenditure of funds and the occurrence of debt to only those expenditures and debts that are reasonable and necessary for the ongoing day-to-day operation of the charter school. These expenditures are limited to salaries, benefits, utilities, rent, insurance, and existing accounts payable. The expenditures must be already authorized in the budget approved by the AULCS Board of Trustees. Pursuant to *N.J.A.C. 6A:23A-22.4(e)*, please be advised that the distribution of assets upon nonrenewal must be consistent with applicable provisions of your bylaws, and that all assets of the charter school, after satisfaction of all outstanding claims by creditors, will be distributed equitably among participating districts of residence.

AULCS is an entity incorporated pursuant to the laws of the state. AULCS is required to submit the filings to ensure the enrollment of employees in the Teacher's Pension Annuity Fund, the Public Employees Retirement System, where applicable, and the Social Security Fund for the 2024-2025 school year. The action to revoke AULCS' charter to serve public school students of Perth Amboy does not absolve the entity's rights and obligations of incorporation as set forth in Title 15, and other applicable New Jersey State Statutes.

It is paramount that the interests of students, parents, staff, and the district of residence are protected during this process, and that the process is carried out expeditiously and in accordance

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with state statutes and regulations. In that regard, it is expected that AULCS will work with the Executive County Superintendent, the district, and Department staff to effectuate a smooth transition for AULCS' students. Pursuant to *N.J.A.C. 6A:11-2.4(c)(2)(ii)*, the district will, in cooperation with the Department and the school, establish dates and times for parents and guardians to enroll students in another school for the school year 2025-2026. To this end, the Middlesex County Office of Education staff will be contacting AULCS' administrators shortly to assist in assessing the credit acquisition of AULCS' students. The Department will provide additional direction and technical assistance regarding the specific tasks to be completed and the procedures and timeline to be followed during the closure process.

The decision to close a school is one of the hardest decisions the Department must make and is not taken lightly. This decision may be appealed to the Superior Court, Appellate Division, pursuant to *N.J.S.A. 18A:6-9.1*. Should you have any questions, you may contact the Office of Charter and Renaissance Schools at charters@doe.nj.gov.

Sincerely,



Kevin Dehmer
Acting Commissioner

c: Ambrose Duckett, III
David Corso
Robert Gregory
Allie Cobb
Nicole Kane
Kyle Anderson
David Roman