
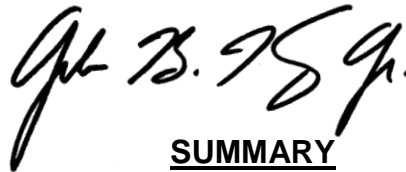




**TO:** P-12 Education Committee  
**FROM:** Ken Slentz   
**SUBJECT:** Charter Schools. Revision to Charter Authorized by the  
Chancellor of the New York City Department of Education  
(NYCDOE)

**DATE:** June 16, 2014

**AUTHORIZATION(S):**

  
SUMMARY

**Issue for Decision**

Should the Regents approve the proposed charter revision for the Equality Charter School which is authorized by the Chancellor of the New York City Department of Education (NYCDOE)?

**Reason(s) for Consideration**

Required by State Statute

**Proposed Handling**

This issue will come before the P-12 Education Committee and the Full Board for action at the June 2014 meeting of the Board of Regents.

**Background Information**

I recommend that the Board of Regents approve the proposed revision to the charter of the Equality Charter School authorized by the Chancellor of the New York City Department of Education in the Chancellor's capacity as a charter school authorizer under Article 56 of the Education Law.

The Equality Charter School was first authorized by the Chancellor of the NYCDOE in December 2008 and opened for instruction in September 2009. The school was issued a full renewal in December 2013. It currently serves 546 students in

Grades 6-12. The School submitted a charter revision request to the Chancellor of the NYCDOE to revise its enrollment by adding a total of 84 students for a total of 630 students in grades 6-12. The school is requesting a charter revision that would expand its enrollment starting in the 2014-15 school year and allow the school to offer additional student supports: reduced teacher-student ratio of 15:1 in all content areas, full-time Special Education teacher for the 7/8<sup>th</sup> grade social studies classroom, a guidance counselor and full-time social worker. Specific school data is attached.

The chart below outlines the material terms of the Equality Charter School's charter and the proposed revision.

School	Equality Charter School
Current Board Chair	Ed Hubbard
School Leader	Caitlin Franco
District of Location	CSD 11 Public Space (grades 6-8) CSD 8 Private Space (grades 9-12)
Current Charter Term	December 2013 - June 30, 2018
Management Company	None
Partners	None
Facility	CSD 11 Public Space (grades 6-8) 4140 Hutchinson River Parkway East, Bronx 10475  CSD 8 Private Space (grades 9-12) 715 Castle Hill Avenue, Bronx, NY 10473
Projected Enrollment and Grade Span during Charter Term	If approved, increase the school's authorized enrollment from 546 to 630 total students at the end of its next charter term. <ul style="list-style-type: none"> <li>○ The authorized enrollment for grades 6-8 increases from 230 to 270</li> <li>○ The authorized enrollment for grades 9-12 increases from 316 to 360</li> </ul>

**Recommendation**

VOTED: That the Board of Regents finds that the proposed revised 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; (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; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the above listed charter revision as proposed

by Chancellor of the NYCDOE and the provisional charter for the Equality Charter School is amended accordingly.

### **Timetable for Implementation**

The Regents action for the Equality Charter School will take effect immediately.

Attachment  
**Attachment**

**School:** The Equality Charter School (84X488)

**CSD:** 11/8

**Enrollment/ Grades Served in 2013-2014:** 6-8/ 234

**Total Grades Served/ Authorized Enrollment at Scale:** 6-12 / 630

### **Revision Background**

- The Equality Charter School received a full renewal in December 2013. At the time of renewal, the school demonstrated academic achievement and progress.
- Over the past two years, its NYC DOE Overall Progress Report performance placed ECS in the top 30% or better of NYC middle schools, ranking in the 97th percentile in 2011-2012 and in the 74th percentile in 2012-2013.
- Based on its Progress Report performance, ECS was the top ranked middle school in its CSD in both 2011-2012 and 2012-2013.
- The school is proposing a charter revision that would expand its enrollment starting in school year 2014-15 to serve additional students (with no grade expansion) while also employing a co-teaching model. The co-teaching model includes:
  - A teacher-to-student ratio of 15:1 in all content area classes.
  - Continuation of and upgrades to academic supports such as Achieve 3000, Read 180, and System 44.
  - A fulltime SPED teacher joining 7th/8th grade social studies in 2014.
  - A guidance counselor in 2014.
  - A full-time Social Worker and additional guidance counselor in 2015.
- **If approved, the revision would increase the school's authorized enrollment from 546 total students at the end of its next charter term to 630 total students.**
  - The authorized enrollment of students in the co-located space only (Grades 6 to 8) would increase from 230 to 270 total students.
  - The additional per pupil allotment that the school would receive will cover the cost of the additional supports to students.
- This enrollment increase would not affect the school's section count and therefore would not impact the Building Utilization Plan (BUP) or Educational Impact Statement (EIS).

**Proposed Enrollment Chart**

	2013-14	2014-15	2015-16	2016-17	2017-18	2018- 19
6	78	90	90	90	90	90
7	78	90	90	90	90	90
8	78	90	90	90	90	90
9		90	90	90	90	90
10			90	90	90	90
11				90	90	90
12					90	90
<b>Total</b>	<b>234</b>	<b>360</b>	<b>450</b>	<b>540</b>	<b>630</b>	<b>630</b>

### Prior Enrollment Chart

	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
6	78	78	78	78	78	78
7	78	78	78	78	78	78
8	78	78	78	78	78	78
9		78	78	78	78	78
10			78	78	78	78
11				78	78	78
12					78	78
<b>Total</b>	<b>234</b>	<b>312</b>	<b>390</b>	<b>468</b>	<b>546</b>	<b>624</b>

### Performance on the NYC Progress Report

Progress Report Grade	2009-2010	2010-2011	2011-2012	2012-2013
Overall Grade	-	C	A	B
Student Progress	-	C	A	B
Student Performance	-	C	A	C
School Environment	-	A	A	A
College and Career Readiness*			-	-
Closing the Achievement Gap Points	0.0	1.5	4.8	4.9

\* The College and Career Readiness grade was not introduced until the 2011-2012 school year.

### Students scoring at or above Level 3, compared to CSD, NYC, and State averages

% Proficient in English Language Arts				
	2009-2010	2010-2011	2011-2012	2012-2013
The Equality Charter School	31.6%	23.5%	29.9%	9.1%
CSD 11	30.1%	29.9%	34.7%	16.1%
Difference from CSD 11	1.5	-6.4	-4.8	-7.0
NYC	39.2%	38.3%	42.5%	24.8%
Difference from NYC	-7.6	-14.8	-12.6	-15.7
New York State	52.5%	54.8%	55.2%	31.2%
Difference from New York State	-20.9	-31.3	-25.3	-22.1

### % Proficient in Math

	2009-2010	2010-2011	2011-2012	2012-2013
The Equality Charter School	49.2%	50.9%	69.6%	16.2%
CSD 11	40.4%	42.1%	47.9%	16.8%
Difference from CSD 11	8.8	8.8	21.7	-0.6
NYC	52.8%	54.7%	57.3%	26.5%
Difference from NYC	-3.6	-3.8	12.3	-10.3
New York State	64.6%	64.6%	65.7%	28.9%
Difference from New York State	-15.4	-13.7	3.9	-12.7

\* All comparisons to either the CSD or NYC take into account only grades the school itself serves.

### Special Populations

Year	Free Reduced Lunch				Students with Disabilities				English Language Learners			
	2009-2010	2010-2011	2011-2012	2012-2013	2009-2010	2010-2011	2011-2012	2012-2013	2009-2010	2010-2011	2011-2012	2012-2013
School	68.6%	74.2%	70.7%	76.3%	22.6%	18.8%	22.0%	21.2%	2.9%	2.3%	2.6%	1.7%
CSD 11	56.4%	59.7%	64.3%	69.6%	16.4%	16.3%	15.7%	16.0%	9.8%	9.9%	9.4%	9.0%
NYC	62.1%	65.3%	68.1%	69.8%	15.9%	15.9%	15.7%	16.1%	16.1%	16.1%	15.5%	15.0%



June 13, 2014

John B. King Jr.  
Commissioner of Education  
New York State Education Department  
89 Washington Avenue  
Albany, NY 12234

Commissioner King,

Re: Material Charter Revision Approval Rationale – The Equality Charter School

Commissioner King:

This letter is to acknowledge and accept the material charter revision request made by The Equality Charter School (ECS), located in Co-op City, CSD 11; serving grades 6-8. The school seeks to amend its maximum enrollment beginning in school year 2014-2015.

The New York City Department of Education (NYC DOE) has reviewed the request to allow the school, The Equality Charter School, currently in its second charter, to expand its maximum enrollment to 630 students by school year 2017-2018, beginning by serving 360 students in 2014-2015.

The Equality Charter School seeks to expand its enrollment in order to put a second teacher in each classroom, bringing its student to teacher ratio to 15 to 1 in all content area classes.

As this is a material change to The Equality Charter School's charter, a public hearing was held on June 4, 2014 to discuss the proposed school management team restructuring.

After reviewing the request, the New York City Department of Education finds that this revision to The Equality Charter School:

- i. will meet the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules, and regulations;
- ii. will permit the charter schools to operate in an educationally and fiscally-sound manner; and
- iii. 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.

The New York City Department of Education, on behalf of the Chancellor, has approved this charter provision request. If you require any further information please contact us. NYC DOE recognizes that per law, the State Department of Education may take up to 90 days to review the material change. If we do not hear from you within that timeframe we will consider that you are in agreement with our determination and the status of these requests.

Sincerely,

A handwritten signature in black ink that reads 'Carmen Fariña'.

Chancellor Carmen Fariña  
Chancellor  
New York City Department of Education

CC:

Ed Hubbard, Board Chair, The Equality Charter School;  
Laurie Price, Interim Acting Executive Director, NYC DOE  
Bill Clarke, Executive Director, Charter Schools Office NYSED

Enclosure(s): School's rationale cover letter, Public hearing notice, Board minutes recording the charter amendment vote

March 28, 2014

To Whom It May Concern:

Please see the information below regarding a charter revision request by the Equality Charter School Board of Trustees. Please let us know if you need any additional information.

Sincerely,

Caitlin Franco  
Head of School & Founder

**Required Information:**

Contact Person: Caitlin Franco

Position: Head of School

Telephone: 718-320-3032 ext.3253

Email: [caitlin.franco@equalitycharterschool.org](mailto:caitlin.franco@equalitycharterschool.org)

School Name: Equality Charter School

Date/Year of School's Original Charter: January 2009

Date/Year of School's Renewal: January 2014, full 5-year renewal granted

### Description/Rationale of Change Being Requested:

Equality Charter School is a Bronx middle school consisting of 234 scholars from grades 6-8 and is expanding to grade 9 in September 2014. Equality's middle school is co-located in the PS160 building and the high school will be located in private space.

From its inception, Equality has welcomed all scholars, regardless of their previous academic performance or behavioral record, helping them progress to build a solid foundation for transition into high school and college. Some highlighted features of Equality include:

- Population with 21% of scholars with disabilities, twice the 8.2% national average in charter schools and well above the 14% average for CSD11.
- Fully inclusive environment – we teach our scholars in CTT classes.
- Ranked in the top 25% of all NYC middle schools in 2012-2013.
- Ranked the best middle school in Community School District 11 for both 2011-2012 and 2012-2013 school years according to the NYCDOE Progress Report.
- Equality's charter was renewed for 5 years with no conditions by the NYC Department of Education in January 2014.

Equality seeks to provide more comprehensive supports to our scholars by increasing our instructional staff and our support staff, as well as adding to our instructional supports. These supports include:

- Increased professional development for our teaching staff
- Continuation of and upgrades to academic supports such as Achieve 3000, Read 180, and System 44
- A fulltime SPED teacher joining our 7<sup>th</sup>/8<sup>th</sup> grade social studies classroom in 2014
- A guidance counselor in 2014
- A dean in 2014
- A fulltime Social Worker and additional guidance counselor in 2015

To provide these supports, Equality proposes to adjust its enrollment from 27 scholars per class to 30 scholars per class effective July 1, 2014. This would result in a grade level increase of 12 scholars per grade, 48 scholars spanning between 6<sup>th</sup>-9<sup>th</sup> grades.

**Proposed Enrollment Chart**

	2013-14	2014-15	2015-16	2016-17	2017-18	2018- 19
6	78	90	90	90	90	90
7	78	90	90	90	90	90
8	78	90	90	90	90	90
9		90	90	90	90	90
10			90	90	90	90
11				90	90	90
12					90	90
Total	234	360	450	540	630	630

This change in enrollment will result in a 15:1 scholar-to-teacher ratio in all content area classes and will allow us to add more programs to support our struggling readers. No large scale studies for middle and upper grades show that class size is a determining factor in educational impacts. Instead, we believe that the student to teacher ratio more heavily impacts student achievement. For example, while many schools have a student-to- teacher ratio of 26:1 or 25:1, Equality's enrollment adjustment will enable Equality to obtain a ratio of only 15:1, with two teachers per content area classroom.



We are very conscientious of the potential effects on our co-located schools regarding Space needs. The proposed enrollment adjustment would NOT impact the space needs in the middle school, as we would NOT need additional classroom or administrative space. In addition, we would not need any additional time in the cafeteria, gym, or auditorium.



## Notice of Public Hearing: Charter School Revision

- Date:** June 4, 2014
- Time:** Speaker Registration: 5:30 PM – 6:00 PM  
Presentation, Comments, and Questions: 6:00 PM
- Location:** **The Equality Charter School**  
**4140 Hutchinson River Pkwy East**  
**Bronx, NY 10475**
- Event :** This public hearing is open to anyone interested in learning about the following charter revision for a school located in **Community School District 11** in the Bronx:

<b>Name of Charter Schools</b>	<b>The Equality Charter School</b>
<b>Terms and Dates of Charters</b>	Authorized through June 30, 2018
<b>Current Grade(s) and Approved Enrollment</b>	<b>Academic Year 2013-14</b> <b>Grades and Number of Students</b> Grades 6-8, 234 students
<b>Current Year of Operation</b>	<b>2013-14: Year of Operation</b> Year 1 of Second Charter Term
<b>District of Location</b>	CSD 11
<b>Proposed Charter Revision</b>	
<p>From its inception, Equality has welcomed all scholars, regardless of their previous academic performance or behavioral record, helping them progress to build a solid foundation for transition into high school and college.</p> <p>Equality seeks to provide more comprehensive supports to our scholars by increasing our instructional staff and our support staff, as well as adding to our instructional supports. To provide these supports, Equality proposes to adjust its enrollment from 27 scholars per class to 30 scholars per class effective July 1, 2014. This would result in a grade level increase of 12 scholars per grade, totaling 48 scholars spanning between 6th-9th grades.</p> <p>This change in enrollment will result in a 15:1 scholar-to-teacher ratio in all content area classes and will allow us to add more programs to support our struggling readers.</p> <p>We are very conscientious of the potential effects on our co-located schools regarding space needs. The proposed enrollment adjustment would not impact the space needs in the middle school, as we would not need additional classroom or administrative space. In addition, we would not need any additional time in the cafeteria, gym, or auditorium.</p>	

This school is authorized by the New York City Department of Education (NYC DOE). More information can be accessed at: [www.schools.nyc.gov/charters](http://www.schools.nyc.gov/charters).

Comments are welcome; speakers must register within 30 minutes of the hearing's start time. Written comments will also be collected on at the hearing or be submitted via email to: [charterschools@schools.nyc.gov](mailto:charterschools@schools.nyc.gov) or faxed to 212-374-5761 within 48 hours after the hearing's close.

Pursuant to Education Law 2857(1), the New York City Department of Education is required to hold a public hearing to solicit comment from the community in connection with any revision proposal for a charter school.

Equality Charter School  
Board of Trustees Meeting  
Monday, February 26, 2014

**Members Present:**

Mr. Daniel Aks, , Mr. Uriel Burgos, Mr. Peter Davis, Ms. Bethlam Forsa, Ms. Caitlin Franco, Mr. Ed Hubbard, Mr. Ehri Mathurin, Ms. Catherine Walker, Mr. Joshua Weitzman

**Members Absent:**

Mr. Stanley Buchesky, Ms. Denise Leonhard

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**Meeting Called to Order**

Mr. Hubbard opened up the meeting and welcomed everyone.

**January 2014 Meeting Minutes Approved**

A motion was made by Mr. Aks and seconded by Mr. Burgos to approve the meeting minutes from the January 27, 2014 board meeting.

Voting was unanimous, 7-0 for approval (Mr. Mathurin absent)

**Development Committee Update**

Ms. Nichole Martini, Director of Development gave an update to the SSF Grant and upcoming development events including the 5K run and spring reception. The Board of Trustees then discussed Equality's development goals and the process for the Board in the future.

**Academic Accountability Committee Update**

Favrol Philemy, Middle School Principal then gave the Principal's Report and the Board of Trustees discussed attendance rate, school events, Equality's participation in Spelling Bee, Quarter 2 Testing Data and evaluation of academic growth. The Board of Trustees then discussed teacher evaluations, professional development and hiring practices at Equality.

**Financial Committee Update**

Gabriel Park, Director of Finance, gave a report that the school was on target or better with their budget and estimates.

A motion was made by Mr. Burgos and seconded by Mr. Davis to approve the Likler contract.

Voting was unanimous, 8-0 for approval

A motion was then made by Mr. Burgos and seconded by Ms. Forsa to approve the Expeditor contract.

Voting was unanimous, 8-0 for approval

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Signature

Date

Equality Charter School  
Board of Trustees Meeting  
Monday, February 26, 2014

**Governance Safety Call**

The Governance Committee and Board of Trustees discussed the protocols of Equality for a missing child and their latest safety call. The Board of Trustees then talked about a change of student enrollment. A motion was then made by Mr. Burgos and seconded by Mr. Aks to change student enrollment from 27 students per class to 30 students per class, resulting in 90 student per grade level.

Voting was unanimous, 8-0 for approval

The Board of Trustees delegates the revision submission to Ms. Caitlin Franco.

**Adjournment**

Upon motion and approval, the meeting was adjourned.

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Signature

Date