



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: Proposed Charters for ROADS Charter School I and
ROADS Charter School II – Authorized by the Trustees of
the State University of New York

DATE: March 29, 2011

AUTHORIZATION(S):

SUMMARY

I recommend that the Board of Regents approve the proposed charters for the ROADS Charter School I and ROADS Charter School II authorized by the Board of Trustees of the State University of New York (SUNY). The proposed charters were approved by the SUNY Board of Trustees at their meeting on March 22, 2011, in their capacity as charter school authorizers under Article 56 of the Education Law and were approved by the SUNY Board of Trustees as two of the 130 new charters that the SUNY Board of Trustees is authorized to approve under the new request for proposal (RFP) process included in the 2010 amendments to the Charter Schools Act of 1998.

The tables below outline information about the proposed charters:

Name of Proposed Charter School:	ROADS Charter School I
Lead Applicant(s):	Jeffrey Wen Li
Management Company:	None
Other Partner(s):	NYC Department of Education District 79
District of Location:	NYC Community School District 17
Opening Date:	September 2011
Grade Levels:	Grades 9-12 (beginning with Grade 9 in September 2011)
Number of Students:	250 at full enrollment (beginning with 150 students in September 2011)

Name of Proposed Charter School: ROADS Charter School II
Lead Applicant(s): Jeffrey Wen Li
Management Company: None
Other Partner(s): NYC Department of Education District 79
District of Location: NYC Community School District 7
Opening Date: September 2012
Grade Levels: Grades 9-12 (beginning with Grade 9 in September 2012)
Number of Students: 250 at full enrollment (beginning with 150 students in September 2012)

Additional information about the applications and proposed charters is included in the attached Summary of Findings and Recommendations presented to the SUNY Board of Trustees concerning the ROADS Charter School I and ROADS Charter School II.

Reasons for Recommendation

(1) The charter schools described in the proposed charters meet the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules, and regulations; (2) the applicants can demonstrate the ability to operate the school in an educationally and fiscally sound manner; and (3) approving and issuing the proposed charter 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.

Motion for Approval

VOTED: That the Board of Regents approves and issues the charter of the ROADS Charter School I as proposed by the Trustees of the State University of New York (SUNY) and issues a provisional charter to it for a term as prescribed by §2851(2)(p) of the Education Law.

The Regents action for the ROADS Charter School I is effective immediately.

VOTED: That the Board of Regents approves and issues the charter of the ROADS Charter School II as proposed by the Trustees of the State University of New York (SUNY) and issues a provisional charter to it for a term as prescribed by §2851(2)(p) of the Education Law.

The Regents action for the ROADS Charter School II is effective immediately.

Attachment



Charter Schools Institute
The State University of New York

Summary of Findings and Recommendations

*Proposals to establish:
ROADS Charter School I and ROADS Charter School II*

March 11, 2011

Executive Summary

The proposals to establish the ROADS Charter School I (“ROADS I”) and the ROADS Charter School II (“ROADS II”) were submitted to the Charter Schools Institute (the “Institute”) by lead applicant Jeffrey Wen Li on January 14, 2011 in response to the Institute’s Request for Proposals (“RFP”) that was released on behalf of the Board of Trustees of the State University of New York (the “SUNY Trustees”) on January 3, 2011. ROADS is an acronym for Reinventing Options for Adolescents who Deserve Success.

ROADS I intends to occupy a site in an existing New York City Department of Education (“NYCDOE”) building located in New York City Community School District (“CSD”) 17 (Brooklyn), while ROADS II intends to occupy similar space in CSD 7 (Bronx). ROADS I plans to open in the fall of 2011, while ROADS II plans to open in the fall of 2012, both with a cohort of 150 over-aged and under-credited students that meet the proposed school’s criteria for entrance into the 9th grade. In years two and three, each school would add 50 additional students, in addition to replacing those lost through attrition on a rolling basis. In each school’s third year of operation, it would reach its enrollment capacity of 250 mixed age and ability high school students and would maintain this enrollment through the end of the initial charter term.

The boards of trustees of each school would have the same members. The schools would partner with the NYCDOE District 79 (Alternative Schools and Programs) (“District 79”) for purposes of student referrals, sharing of promising practices, and to assist in measuring results through comparative student populations.

Consistent with the May 2010 amendments to the New York Charter Schools Act (the “Act”), the Institute finds: 1) that the proposals for ROADS I and II rigorously demonstrate the criteria detailed in the Institute’s RFP including the mandatory criteria set forth in Education Law subdivision 2852(9)(b)(i); 2) that the proposed schools have conducted thorough and meaningful public review processes to solicit community input regarding the proposal in accordance with the requirements in the RFP, which are in conformity with Education Law subdivision 2852(9)(b)(ii); 3) the proposals are ones that best satisfy the objectives contained within the RFP based on the content of the proposals and their supporting documentation, and are therefore qualified within the meaning of Education Law subdivision 2852(9-a)(d); and 4) the Institute has scored each proposal pursuant to Education Law subdivision 2852(9-a)(c), and there are enough charters to be issued by the SUNY Trustees pursuant to the January 2011 RFP to accommodate the proposals and all other RFP applicants.

Based on the foregoing:

The Institute recommends that the SUNY Trustees approve the charter proposals for the ROADS Charter School I and ROADS Charter School II.

Background and Description

While SUNY may still award a small number of charters pursuant to its traditional application process, amendments to the New York Charter School Act (as amended, the “Act”) effective May 2010 made additional charters available only through an RFP process. The schools opted to apply for an expedited review process that would allow one of them to open in the fall of 2011, as opposed to the fall of 2012, which is the opening time frame for

those not in the expedited pool. This option was only available to applicants who submitted a proposal in response to the Institute's August 2010 RFP that was not recommended for approval. The revisions to the law granted SUNY a total of 130 new charters to award, with specific limits per RFP cycle. The current cycle, which began January 3, 2011, can result in a maximum of 63 new charters by SUNY, per Education Law subdivision 2852(9), 30 of which reflect charters that were available but not awarded in response to the August 2010 RFP.

The Institute conducted rigorous reviews including fiscal and legal soundness reviews of these, and previous iterations of these proposals, which were initially submitted to the Institute in response to the August 2010 RFP. Pursuant to its protocols, the Institute has met with the applicant, the proposed board of trustees which will oversee both schools and other members of the founding team. In addition, members of SUNY Trustees' Education, College Readiness and Success Committee had an opportunity to interview the lead applicant and members of the founding board.

The mission of both ROADS I and II would be, "to ensure that disconnected youth – over-age, under-credited students aged 15-17 in New York City – graduate from high school thoroughly prepared to excel academically, professionally, and personally."

To achieve this mission, the founders would create "second-chance" high schools characterized by customized, relevant, and rigorous academics, socio-emotional support and learning, and work-based experiences that dramatically accelerate student progress. All ROADS I and II students would:

- Earn at least 44 high school credits, pass at least five core content Regents examinations, and receive a high school diploma;
- Demonstrate at least two years of academic progress in literacy and numeracy for each year enrolled in the school;
- Design, complete, and defend a capstone project;
- Participate in a mentorship, job shadowing, and internships;
- Visit colleges, and submit college applications; and,
- Develop and maintain Individual Life Plans (ILPs).

Unlike traditional school models that measure progress through grades of similarly aged peers, the proposed schools would promote students through three competency benchmark phases: 1) *building core skills*, which would include literacy and numeracy "boot camp;" 2) *approaching competency*, in which students prepare for and pass three Regents examinations; and 3) *ready for college*, when students complete higher level courses, pass additional Regents examinations and develop and submit college applications. Individual student levels would be determined through diagnostic assessments administered when students enroll in the school. Learning would occur through academic, project-based, learning blocks; academic seminars; "real world" experiences; and advisory sections based on student ability levels.

ROADS I and II would each offer a longer school day open from 7:00 a.m. to 7:00 p.m. with students attending school from at least 8:00 a.m. to 6:00 p.m. The schools would use trained AmeriCorps members to provide one-on-one tutoring and academic support and staggered teacher schedules to ensure maximum common planning time and flexibility based on individual student needs. The school year would consist of three roughly 13 week

trimesters and a five week summer session resulting in 215 days of instruction. In recognition of this work load and additional responsibilities, teachers would earn salaries in the range of \$80,000 - \$100,000.

Both ROADS I and II will each maintain an organizational structure that includes a school leader who would report directly to the school board of trustees, maintain overall responsibility for day-to-day operations, and supervise a number of secondary school leaders including a director of operations and finance, director of curriculum and instruction, director of partnerships, and director of student support, as well as literacy and math specialists, special education coordinators and all lead teachers. Directors of curriculum and instruction and partnerships would manage all AmeriCorps members, while the directors of curriculum and instruction would also provide instructional leadership for the overall educational program. The directors of operations and finance would manage all non-instructional responsibilities of the schools, and the directors of student support would manage services related to students' social-emotional needs as well as the school nurses.

The ROADS I and II by-laws indicate that school board would consist of not less than 5 voting members, and not more than 13. The proposed initial members of the board of trustees are set forth below.

1. **Richard Barth** – President and CEO of the KIPP Foundation; member of The Broad Center for Management of School Systems and Be the Change, Inc.
2. **Jamina Bernard** – Vice President of Regional Operations, Teach for America
3. **Richard Buery** – President and CEO of Children's Aid Society. Co-founder and former executive director of Groundwork, Inc.
4. **James Foreman, Jr.** – Professor of Law at Georgetown University.
5. **Mark T. Gollogly** – Co-Founder and Managing Partner, Centerbridge Partners.
6. **Marguerite Roza** – Senior Scholar for the Center on Reinventing Public Education.
7. **Kim Smith** – CEO of Bellwether Education Partners.
8. **William J. Snipes** – Partner at Sullivan and Cromwell in NYC, and founder of Winning Strategies for Black Men.
9. **Student Member** (Ex-officio, voting) (Vacant).
10. **Parent Member** (Ex-officio, voting) (Vacant).
11. **Community Member** (Ex-officio, voting) (Vacant).

The applicant has worked closely with the NYCDOE to ensure the schools would be provided public facility space if approved. In addition, both proposals note the explicit support of the NYCDOE including a letter of support from Chancellor Cathleen Black. Any NYCDOE space would have to be approved through the new provisions of the Education Law related to the co-location of charter schools. In addition, the Institute reserves the right to review and approve all facilities, and, pursuant to the Act, would have to hold a hearing on behalf of the SUNY Trustees prior to each school occupying district school space.

The fiscal impact of ROADS I and II each on the district of residence, the New York City School District, is summarized below.

Number of Students	Per Pupil Aid Rate Assumed	Per Pupil Aid Revenue Only	Total Budget for New York City (in billions)	(%) of Total NYC Ed. Budget
150 (2011-12 school year – year 1)	\$13,527	\$2,029,050	\$19.007	0.011%
250 (2015-16 school year – year 5)	\$14,781	\$3,695,330	\$20.704	0.017%

The calculations above assume there will be no annual increase in per-pupil aid in years 1 and 2 (2011-12, 2012-13) and a three percent increase each year thereafter for the remainder of the charter period (2013-14 thru 2015-16). The NYCDOE yearly budget figures were accessed from the latest, December 2010, Financial Status Report (FSR) published on the NYCDOE website. No information was available for 2015-16 so no increase in spending was assumed for that year. Using the moderately aggressive assumptions for per-pupil aid and revenue and the district’s four-year operational budgeting assumptions, along with the fundamentally conservative assumption for year five of the proposed charter period, illustrates the maximum fiscal impact of the proposed school on the district.

It should be noted that the NYCDOE estimate used by the Institute in conducting its analysis is subject to unpredictable increases and decreases in any given year given the nature of per-pupil funding for the district. While each school has included in its application estimated calculations accounting for special education revenue, federal Title I funds, other federal grants and/or funds provided by the district and to be received by the school, the Institute’s calculations and analysis do not account for these sources of potential revenue.

The Institute finds that the fiscal impact of the proposed schools each on both the New York City School District and nonpublic schools in the same geographic area would be minimal.

The Institute has notified the school district as well as public and private schools in the same geographic area of the proposed school and, as of the date of this report, has received no comments from these entities other than the letter of support from the New York City Schools Chancellor noted above.

The applicant has conducted public outreach, in conformity with a thorough and meaningful public review process prescribed in the RFP, to solicit community input regarding the proposed schools (Ed. Law §2852(9-a)(b)(ii)).

The RFP also contained minimum eligibility and preference criteria to reflect the requirements of Education Law subdivision 2852(9-a). Each proposal met the eligibility requirements, as evidenced by the following:

- Each proposal was complete and met the following basic expectations:
 - submitted by the appropriate deadline;
 - was complete, i.e., include a Transmittal Sheet, Proposal Summary and responses to all RFP requests;

- individual responses adequately addressed each specific request; and
 - the proposal was coherent.
- Each proposal included a viable plan to meet the enrollment and retention targets established by the SUNY Trustees for students with disabilities, students who are English language learners, and students who are eligible to participate in the federal free and reduced-price lunch program (as detailed in Request No. 24).
 - Each proposal provided evidence of public outreach that conforms to the process prescribed by the SUNY Trustees for the purpose of soliciting and incorporating community input regarding the proposed charter school.

As the ROADS proposals each met the eligibility criteria, the Institute's evaluation continued with a full review of proposal, an interview of the founding team and joint proposed boards of trustees, and requests for clarification and or amendments to each proposal. The review process then continued with an evaluation of each proposal in relation to the eleven Preference Criteria contained in the RFP for which proposals can earn credit as described in the RFP's Scoring Rubric. The purpose of the Scoring Rubric was to prioritize proposals in the event that the number of proposals meeting the SUNY Trustees' requirements exceeded the maximum number of charters to be issued in 2011. In the event of a tie for the last charter both proposals will be rejected unless one applicant agreed to withdraw his or her proposal for consideration in a subsequent RFP. The preference criteria, which in addition to eligibility criteria and the overall high standards established by the SUNY Trustees, included the demonstration of the following in compliance with Education Law subdivisions 2852(9-a)(c)(i)-(viii):

- increasing student achievement and decreasing student achievement gaps in reading/language arts and mathematics;
- increasing high school graduation rates and focusing on serving specific high school student populations including, but not limited to, students at risk of not obtaining a high school diploma, re-enrolled high school drop-outs, and students with academic skills below grade level;
- focusing on the academic achievement of middle school students and preparing them for a successful transition to high school;
- utilizing high-quality assessments designed to measure a student's knowledge, understanding of, and ability to apply, critical concepts through the use of a variety of item types and formats;
- increasing the acquisition, adoption, and use of local instructional improvement systems that provide teachers, principals, and administrators with the information and resources they need to inform and improve their instructional practices, decision-making, and overall effectiveness;
- partnering with low performing public schools in the area to share best educational practices and innovations;
- demonstrating the management and leadership techniques necessary to overcome initial start-up problems to establish a thriving, financially viable charter school; and

- demonstrating the support of the school district in which the proposed charter school will be located and the intent to establish an ongoing relationship with such school district.

While the Institute received a total of 25 proposals in response to its January 2011 RFP, only two, the proposals to establish ROADS I and II respectively, were submitted to the Institute in response to the expedited timeline option of the January 2011 RFP. Both of these proposals met the eligibility criteria and were therefore assessed a score using the rubric contained in the RFP. The proposal for ROADS I earned a score of 44 preference points out of a possible total of 64; the proposal for ROADS II also earned a score of 44 preference points out of a possible total of 64. Based on these scores and the other information and findings set forth herein, the Institute is recommending that the SUNY Trustees approve both proposals, which does not exceed the statutory limit in Education Law subdivision 2852(9-a)(a).

Findings

Based on the comprehensive review of the proposals, discussion with national experts while reviewing previous iterations of the proposal and interviews of the applicant and the proposed boards of trustees, the Institute makes the following findings.

1. The charter school described in each proposal meets the requirements of Article 56 of the Education Law (as amended) and other applicable laws, rules, and regulations as reflected in (among other things):
 - the inclusion of appropriate policies and procedures for the provision of services and programs for students with disabilities and English language learners;
 - the required policies for addressing the issues related to student discipline, complaints, personnel matters and health services;
 - an admissions policy that complies with the Act, federal law and the U.S. Constitution;
 - the inclusion of the proposed by-laws for the operation of the school's board of trustees; and
 - the inclusion of an analysis of the projected fiscal and programmatic impact on surrounding public and private schools.
2. The applicant has demonstrated the ability to operate each school in an educationally and fiscally sound matter as reflected in (among other things):
 - the provision of an educational program that meets or exceeds the State performance standards;
 - the articulation of a culture of self-evaluation and accountability at both the administrative and board level;
 - the student achievement goals articulated by the applicant;

- an appropriate roster of educational personnel;
 - a sound mission statement;
 - a comprehensive assessment plan;
 - the provision of sound start-up, first-year, and five-year budget plans;
 - a plan to acquire comprehensive general liability insurance to include any vehicles, employees, and property;
 - evidence of adequate community support for, and interest in, the charter school sufficient to allow the school to reach its anticipated enrollment;
 - the inclusion of descriptions of programmatic and independent fiscal audits, with fiscal audits occurring at least, annually;
 - the inclusion of a school calendar and school day schedule that provide at least as much instruction time during a school year as required of other public schools; and
 - the inclusion of methods and strategies for serving students with disabilities in compliance with all federal laws and regulations.
3. Granting each proposal is likely to: 1) improve student learning and achievement; and 2) materially further the purposes of the Act. This finding is reflected by (among other things):
- the inclusion of a curriculum crosswalk document that specifies how the proposed curriculum will ensure that students will meet or exceed the performance standards of the Board of Regents;
 - a comprehensive plan to assess student achievement through the use of State tests, externally-verifiable standardized tests and other diagnostic assessments;
 - an extended school year and school day;
 - an innovative instructional program where learning would occur through academic project-based learning blocks, academic seminars, “real world” experiences, and advisory sections based on student ability levels;
 - robust programs to meet the needs of students at risk of academic failure, particularly students who are over-aged, under-credited;
 - the inclusion of significant opportunities for professional development of the school’s instructional staff prior the start of each school year and throughout the year;
 - a commitment to providing an educational program focused on outcomes, not

inputs; and

- an organizational structure with an explicit focus on instructional leadership to improve teaching and student learning.
4. Each proposed charter school would meet or exceed enrollment and retention targets, as prescribed by the SUNY Trustees, of students with disabilities, English language learners, and students who are eligible applicants for the federal free and reduced price lunch program as required by Education Law subdivision 2852(9-a)(b)(i).

The data upon which to base the enrollment and retention targets mandated by the amendments to the Act was not available at the time the statute mandated the RFP be issued. As a result, the Institute developed internal evaluation criteria regarding the enrollment and retention of each class of student referenced in the amendments to the Act such that the Institute could make the determination that the applicant would meet or exceed the enrollment and retention targets when developed. During the first year of the charter term, SUNY will develop such targets, and shall ensure: “(1) that such enrollment targets are comparable to the enrollment figures of such categories of students attending the public schools within the school district, or in a city school district in a city having a population of one million or more inhabitants, the community school district, in which the proposed charter school would be located; and (2) that such retention targets are comparable to the rate of retention of such categories of students attending the public schools within the school district, or in a city school district in a city having a population of one million or more inhabitants, the community school district, in which the proposed charter school would be located.” The Institute will conduct separate analyses for setting enrollment and retention targets, respectively. The former analysis will be based on the demographic and classification characteristics of cohorts of students first entering the school; the latter analysis will be based on the characteristics of cohorts of students leaving the school. The comparison will be to an individual school or schools within the district that are representative of the districts’ relevant sub-populations. During each year in the charter period, the same methodology will be applied to each charter school to determine if it has met its district-based target. Based on the foregoing, the Institute finds that the proposals have rigorously demonstrated that the proposed charter schools would meet or exceed enrollment and retention targets, to be prescribed by SUNY during the first year of each charter in accordance with the amendments to the Act.

5. As described above, the applicant has conducted public outreach for each school, in conformity with a thorough and meaningful public review process prescribed by the SUNY Trustees, to solicit community input regarding the proposed charter school and to address comments received from the impacted community concerning the educational and programmatic needs of students in conformity with Education Law subdivision 2852(9-a)(b)(ii).
6. As described above, the Institute has determined that each proposal rigorously demonstrates the criteria and best satisfies the objectives contained within the

RFP, and, therefore, is a “qualified application” within the meaning of Education Law subdivision 2852(9-a)(d) that should be submitted to the Board of Regents for approval.

Conclusion and Recommendations

Based on its review and findings, the Institute recommends that the SUNY Trustees approve the proposal to establish the ROADS Charter School I to open in Brooklyn in September of 2011 and the proposals to establish ROADS Charter School II to open in the Bronx in September 2012.

ROADS Charter School I

Basic Identification Information

Lead Applicant(s):	Jeffrey Wen Li
Management Co.:	None
Other Partners:	New York City Department of Education District 79
Location (District):	New York City Community School District 17
Student Pop./Grades:	Opening with 150 students in 9 th grade; growing to 250 students 9 th -12 th grades
Opening Date:	September 2011

School District of Proposed Location Profile

New York City School District 17			
Enrollment (2009-10):		26,897	
Percent (2009-10):			
African-American:		85	
Hispanic:		11	
Asian, White, Other:		4	
Percent Qualifying for Free or Reduced Priced Lunch (2009-010):		87	
English Language Arts (2009-10)		Mathematics (2009-10)	
Grade	Percent Proficient	Grade	Percent Proficient
3	54.4	3	60.0
4	54.5	4	61.6
5	55.8	5	58.7
6	49.4	6	57.7
7	55.2	7	60.3
8	47.7	8	46.0

Source: demographic data are from the New York State Accountability and Overview Report 2009-10; test data are from the 2009-10 results released on the New York City Department of Education's website.

ROADS Charter School II

Basic Identification Information

Lead Applicant(s):	Jeffrey Wen Li
Management Co.:	None
Other Partners:	New York City Department of Education District 79
Location (District):	New York City Community School District 7
Student Pop./Grades:	Opening with 150 students in 9 th grade; growing to 250 students 9 th -12 th grades
Opening Date:	September 2012

School District of Proposed Location Profile

New York City School District 7			
Enrollment (2009-10):		18,526	
Percent (2009-10):			
African-American:		29	
Hispanic:		69	
Asian, White, Other:		2	
Percent Qualifying for Free or Reduced Priced Lunch (2009-010):		91	
English Language Arts (2009-10)		Mathematics (2009-10)	
Grade	Percent Proficient	Grade	Percent Proficient
3	54.4	3	60.0
4	54.5	4	61.6
5	55.8	5	58.7
6	49.4	6	57.7
7	55.2	7	60.3
8	47.7	8	46.0

Source: demographic data are from the New York State Accountability and Overview Report 2009-10; test data are from the 2009-10 results released on the New York City Department of Education's website.