



New York State Education Department Charter School Office

Charter School Application Summary, Findings, and Recommendation

*Application in response to the
New York State Education Department 2011 Request for Proposals to
Establish Charter Schools Authorized by the Board of Regents
to establish the proposed:*

Neighborhood Charter School of Harlem

September 6, 2011

Summary of the Proposed Neighborhood Charter School of Harlem

Name of Charter School	Neighborhood Charter School of Harlem
Lead Applicant(s)	Ruth Meyler
District of Location	New York City Community School District 5
Opening Date	Summer/Fall 2012
Projected Charter Term	September 13, 2011 – June 30, 2017
Management Company	None
Partners	YAI Autism Center
Projected Enrollment and Grade Span during Charter Term	Opening with 106 students in grades K through 1 in 2012-13, growing to 323 students in grades K through 5 in 2016-17.
Maximum Enrollment and Grade Span	323 students in grades K through 5
Mission Statement	“The mission of the Neighborhood Charter School of Harlem is to provide the children of Harlem with new educational opportunities through a rigorous, comprehensive K-8 program that cultivates the intellectual, social and emotional development of each child. Our students, who will include high functioning children with autism spectrum disorders, will become independent learners and critical thinkers, will acquire the academic skills that they need to succeed in college preparatory high schools and will exhibit the social and emotional skills that will allow them to reach their full potential.”

The Neighborhood Charter School of Harlem will offer a comprehensive, full-inclusion program with a focus to serve neighborhood children with Autism Spectrum Disorder (ASD) who are high-functioning, as well as typical children, English language learners and students with other disabilities. The education plan is designed to provide rigorous, appropriate instruction with specialized behavior modification in a program that will help all students to become independent learners and critical thinkers and to acquire the academic, social and emotional skills needed to reach their full potential. Key design elements of the school include:

- A specialized program of supports for high-functioning children with ASD in an inclusion setting, modeled on the NYC Department of Education NEST program.
- Collaborative team teaching, with two certified teachers in each classroom
- A rigorous academic program with a focus on literacy, math and a strong arts program, that will combine direct instruction in essential skills and factual knowledge with opportunities to develop independent learning and critical thinking.
- A “no excuses” approach to school design, with a focus on social and emotional learning and an orderly, consistent school-wide culture.
- Longer school day and year
- Extensive teacher professional development and specialized training
- A partnership with YAI Autism Center to identify and screen children with signs of ASD in community early childhood programs

The Neighborhood Charter School of Harlem will provide a strong and balanced focus on literacy instruction that is aligned with the NY Common Core State Standards, and has identified several research-based programs of proven effectiveness with a low-income, high need population of learners (Teachers College Reading and Writing, supplemented with Foundations, Reading Mastery, and Text Talk). Instructional programs have been identified for all core subject instruction. The school will use Responsive Classroom to foster the social, emotional and academic growth of all students. The process of curriculum development and alignment with the NY Common Core State Standards and the NYS Testing Program will commence in the pre-opening period and be developed with teachers through a “backward planning” process during summer professional development.

The school will offer a robust professional development program to prepare teachers to provide rigorous, responsive instruction for all Neighborhood Charter School of Harlem students. The professional development program will include eleven full days and four half days in August before school starts. Five full days will be provided during the school year and two-hour professional development blocks every week. All teachers in the ASD classrooms and the Director of Special Education will complete two classes in autism-specific strategies at Hunter College during the summer before school starts. The teachers and speech and language pathologists will also take coursework in Social Development Intervention and will work with general education teachers following initial training to ensure that techniques and language from the social development intervention curriculum are incorporated into the Responsive Classroom curriculum. Teachers will also receive training in the Teachers College Reading and Writing Project and core instructional programs and ongoing support in the analysis of student data.

The use of data to drive instruction and determine progress towards meeting educational objectives is a key element of Neighborhood Charter School of Harlem’s educational program. Data analysis will drive rigorous instruction that will respond to the individual needs of students. The assessment program will include formative assessments aligned to the common core state standards and nationally normed Terra Nova 3 tests in Reading Language and Mathematics. The school will assess students often using a variety of tools, including baseline assessments in reading and math before the beginning of each academic year, formative assessments daily and weekly, interim assessments every six weeks and the Terra Nova in the spring of each year, as well as the NYS tests starting in third grade. Neighborhood Charter School of Harlem will use a data management system to analyze assessment data quickly and to generate reports that will be immediately accessible to teachers.

The school calendar will include 195 days of instruction. The daily schedule is structured to offer a longer school day, with the day starting at 8:00 a.m. and ending at 4:00 p.m. The sample kindergarten schedule offers two hours per day of English language arts instruction, and one hour and fifteen minutes per day of math, with the exception of Wednesday, which offers forty-five minutes of math instruction.

Neighborhood Charter School of Harlem teachers will be NYS certified or have reciprocity or will be otherwise qualified, and will have experience teaching in an urban setting and a record of demonstrated success in raising academic achievement. When hiring staff, the school will comply with all requirements of New York State Education Law. The hiring of general education teachers will be in accordance with Article 56, Section 2854(3)(a-1). All special education teachers will be New York State-certified in special education and will be “highly qualified” as defined by NCLB and IDEA. Whenever possible, teachers with experience working with children on the autism spectrum will be hired. In order to retain staff the school will provide an environment that supports and sustains teachers through ample professional development and time for collaboration with peers.

The educational plan of the Neighborhood Charter School of Harlem specifies the grade/classroom configuration of ASD and non-ASD students for an effective inclusion program. The school proposes to serve eight ASD students in each grade K through 2 and ten ASD students in the higher grades. All ASD

students will be evaluated and qualified by YAI prior to applying for admission to the school. The school proposes to conduct a lottery set-aside for ASD students, and to conduct separate lotteries and maintain separate waiting lists for ASD students and general students, in order to maintain the appropriate configuration. The school has prepared detailed procedures for the proposed lottery model and will work with the Department to review and modify the admissions policy during the pre-opening period.

As required, the founding group provided a set of draft by-laws and code of ethics. Additionally, each founding group member proposed for a seat on the board of trustees has provided a resume or curriculum vitae, a completed statement of assurances, and a completed request for information from prospective charter school board member form.

The founding group consists of twelve individuals, eleven of whom will transition to the board of trustees. The initial members of the board of trustees have a range of expertise in the areas of education, special education for students with autism, law, business management, journalism, architecture, investment management, real estate and community engagement.

The proposed initial members of the board of trustees are described below:

- **Ruth Meyler**, Lead Applicant, has experience in charter start-up and school governance. Ms. Meyler is a former trustee and Chief of Staff of Gateway Charter High School in San Francisco, as well as a founding trustee of Leadership Prep Charter School in New York City. She is presently a trustee of St. Hope Leadership Academy. Ms. Meyler is an attorney.
- **Marva Allen** is the owner of the Hue-Man Bookstore in Harlem. She is the founder of *The Power of One*, an organization that supports small businesses in Harlem. Ms. Allen was also a founding member of St. Hope Leadership Academy Charter School and is a current trustee of LitWorld, which promotes literacy around the world.
- **Gail Brousal** is an educator, who served as the head of the high school at St Ann's School in Brooklyn for more than 30 years. She was a founding trustee of Leadership Prep Charter School. In addition, she has taught adult literacy at the Borough of Manhattan Community College in New York City.
- **Erik Dowling** is a Vice President and Head of Originations with Strategic Capital Solutions, an international real estate merchant banking company. He is also an adjunct professor at New York University. He is a founding member and current president of the Young Real Estate professional (YREP).
- **Derek Fleming** is a Harlem resident who has been involved in community economic development in San Francisco and with the Empire State Development Corporation in New York. He is currently a partner in the Red Rooster restaurant in Harlem and is also a trustee of Complexions Contemporary Ballet Company.
- **Angela Bronner Helm** is a Harlem resident and the Managing Editor of the Harlem-based Uptown Magazine. She is also the parent of a child on the autism spectrum.
- **Everardo Jefferson** is an architect and partner in the award-winning firm of Caples Jefferson Architects. The firm works for local communities in New York City and at least 50% of its projects are public projects for the community.
- **Sharon Joseph** is a member of Community Board 10 in Central Harlem. She is a Wealth Management Advisor at Merrill Lynch and is also the co-founder and owner of Harlem Lanes in Harlem. She serves on the board of Junior Achievement New York and the Tufts Alumni Council.
- **Andrew Popper** is a photojournalist and news editor who was most recently a Senior Photo Editor at Business Week Magazine. He is also the parent of a child diagnosed with Asperger Syndrome.

- **Adam Rashid** is an analyst at Eminence Capital, an investment management firm in New York with \$3.5 billion under management. He is also a volunteer mentor for Big Brothers, Big Sisters with a strong commitment to urban youth.
- **Patricia Soussloff** is an attorney and until recently worked for Partnership for Children's Rights. She is the Board Chair of Partnership with Children, a non-profit that provides social and emotional support to at-risk children in NYC public schools.

One member of the founding group, Joshua Klaris, is relocating away from New York and will not become a trustee. Three additional persons with professional expertise in special education and autism spectrum disorders served as advisors to the founding group through the development of the application, but will not serve as trustees. They are:

- Dorothy Siegel is one of the founders of the NEST program and is currently its Director. She is a Senior Researcher and Project Director at the New York University Institute for Education and Social Policy.
- Dr. Charles Cartwright is a nationally known expert on autism spectrum disorders and is the Director of the YAI Autism Center.
- Lauren Hough was until recently, a special education teacher in the NEST program and is currently creating and implementing professional development programs for teachers in the NEST program as a Research Associate at New York University. In addition, she is one of the developers of the Social Development Intervention (SDI) curriculum.

The board of trustees will have final authority for the policy and operational decisions of the school. The Head of School will report to the board of trustees and will be accountable for the overall management and day-to-day operation of the school, including both the educational program and the operations of the school. The Head of School will be assisted by a leadership team consisting of a Director of Curriculum, a Director of Special Education and Director of Operations.

Neighborhood Charter School of Harlem will enter into a formal partnership with the YAI Autism Center to identify and evaluate children with characteristics of autism spectrum disorder in community and early childhood programs in the Harlem community.

The founding group is presently working with a realtor to identify suitable short-term and long-term private space for the Neighborhood Charter School of Harlem in CSD 5. At least one potential site has been identified. Also, the school has requested both incubation and long-term space in CSD 5 through the New York City Department of Education (NYCDOE).

Fiscal Impact on District of Location

The projected fiscal impact of the Neighborhood Charter School of Harlem on its district of residence, the New York City School District (“NYCSD”), is summarized below.

Year	Number of Students Enrolled in Charter Schools Per Year ⁽¹⁾	Charter School Basic Tuition Rate ⁽²⁾	Total Charter School Basic Tuition Only	Estimated District Special Education Payment ⁽¹⁾	Total District General Fund Budget ⁽³⁾	Percent of District Budget
2012-13	106	\$13,527	\$1,433,862	\$899,148	\$19,218,074,295	0.012%
2016-17	323	\$17,199	\$5,555,277	\$2,838,372	\$19,218,074,295	0.044%

The calculations above assume that there will be no annual increase in the charter school basic tuition rate in year one (2012-13) and a 6.2% average annual increase each year thereafter for the remainder of the charter period (2013-14 thru 2016-17). Per the latest NYCSD Financial Status Report (FSR),³ dated May 2011 and published on the NYCDOE website, the NYCDOE is projecting its NYCSD budget to increase at a rate of 1.59% over the next three years. In order to conservatively avoid underestimating the fiscal impact that the charter school will have on the district going forward, the New York State Education Department (the “Department”) is assuming no growth in the NYCSD budget during the duration of the school’s charter.⁴

It should be noted that, given the nature of district-based per-pupil funding, the estimates made by the Department in conducting this analysis are subject to unpredictable financial fluctuations. For forecasting purposes, the fiscal impact of this charter school on the district in which it will be located assumes that: there will be no fluctuations in the grade levels served by existing charter schools over the course of the charter term; the charter school will be able to meet its projected maximum enrollment; all students will come from NYCSD; and, all students will attend every day for a 1.0 FTE. In addition, while the school has included special education revenue and other federal grants and/or funds provided by the district to be received by the school in its proposed budget, Department calculations do not account for these sources of potential revenue.⁵

The specifics of the school’s enrollment composition are still unavailable; however, the Department acknowledges that the programmatic and fiscal impact of the proposed charter school on other public and private schools in the same area will also be influenced by the proportion of charter school enrollees that would have attended a same-district public or private school had it not been for the presence of this charter school.

¹ Source: Neighborhood Charter School of Harlem Application.

² Source: Education Law §2856(1)(a)(iii) and NYS Education Department Office of State Aid Charter School Basic Tuition Rate Analysis, September 2011.

³ NYCSD’s Total District General Fund Budget includes federal special education revenue and other federal grants and/or funds provided.

⁴ Additional notes: While the school has included other federal grants and/or funds that may flow through the district to be received by the school in its proposed budget, this analysis does not account for these sources of potential revenue, nor does it include the value of certain services (e.g., transportation) that the district is required to provide the charter school. However, the analysis also does not account for district per-pupil expense and overall resource savings that is likely to result from a significant reduction in the number of students attending district public schools.

⁵ NYCSD 15’s Total District General Fund Budget includes federal special education revenue and other federal grants and/or funds provided.

Below, for your reference, please find additional data on New York City Community School District 5.⁶

New York City Community School District 5 Data

Enrollment Data	
Total District Enrollment:	12,952
Grade K through 5 Enrollment:	5,723
White:	2%
Black/African-American:	57%
Hispanic/Latino:	38%
American Indian/Alaskan Native:	0%
Asian/Native Hawaiian/Pacific Islander:	2%
Free/Reduced Priced Lunch:	78%
English Language Learners:	11%
Students with Disabilities:⁷	14%

2009-10 State Assessments (% proficient)		
Grade level	English Language Arts	Mathematics
3	33%	39%
4	28%	38%
5	27%	38%

Public Hearing and Public Comment

As required by the Charter Schools Act, the NYCDOE conducted a public hearing on Wednesday, May 25, 2011, in Community School District 5, to solicit comments from the community concerning the proposed charter school. Eighteen community members attended the hearing. Five persons spoke in general opposition to charter schools; one person spoke in general favor of charter schools. There were not comments made specific to the Neighborhood Charter School of Harlem.

The Department directly notified the NYCDOE, as well as public and private schools in the region, of the charter school application, and issued an open call for written public comment via the State Education Department Charter School Office website. Chancellor Walcott was contacted by letter and invited to comment directly. The Chancellor provided a statement in support of the Neighborhood Charter School of Harlem, noting: “The NYC DOE found this proposal to be well-designed and features a rigorous educational model ...[and] recommends this charter application to support the children of New York City.”

⁶ Source: 2009-2010 New York State School Report Card (<http://www.p12.nysed.gov/irs/reportcard/2010/home.html>) and Special Education School District Data Profile for 2009-10 (<http://eservices.nysed.gov/sepubrep/>).

⁷ This figure is the available city-wide classification rate: the ratio of the count of school-age students with disabilities (ages 4-21) to the total enrollment of all school-age students in the school district, including students who are parentally placed in nonpublic schools located in the school district. The numerator includes all school-age students for whom a district has Committee on Special Education (CSE) responsibility to ensure the provision of special education services. The denominator includes all school-age students who reside in the district. In the case of parentally placed students in nonpublic schools, it includes the number of students who attend the nonpublic schools located in the school district. Source data are drawn from the Student Information Repository System (SIRS) and from the Basic Education Data System (BEDS).

Ten letters of support were submitted with the application, from community organizations involved with young children, including Resources for Children with Special Needs, Early Childhood Direction Center, Advocates for Children, Asperger Syndrome and High Functioning Autism Association, Mount Sinai School of Medicine, NYU School of Medicine, Northside Center for Child Development and The Children's Village. No other public comment has been submitted.

Application Review Process

On January 3, 2011, as required by the New York State Charter Schools Act, the New York State Education Department released the *2011 Request for Proposals ("RFP") to Establish Charter Schools Authorized by the Board of Regents*. In this cycle, the Department could legally award 58 new charters per Education Law subdivision 2852(9), 25 of which reflect charters that were available but not awarded during the 2010 RFP cycle. The charter school application process utilized by the Board of Regents and the Department during the 2011 RFP cycle is multi-stage, and designed to ensure that any charter school applicant presented to the Board of Regents for possible approval demonstrates four essential competencies:

1. The applicant demonstrates clear understanding of the New York State Charter Schools Act and what it means to comply with the Act.
2. The applicant's proposed school demonstrates clear alignment with the educational priorities stated in the law.
3. The applicant presents a coherent and practical design for the proposed school.
4. The applicant demonstrates the necessary experience, skill and will to manage the challenging and dynamic process of opening and operating a public charter school.

During this 2011 cycle, 100 letters of intent were received in January 2011, 80 charter school prospectuses were submitted by January 31, 2011, and, after an initial review process, 37 applicants were invited to submit full applications. The Department received 36 full applications, including the application for Neighborhood Charter School of Harlem.

To assess all four necessary competencies, the Department reviewed and evaluated a letter of intent, a prospectus, and a full application. The prospectus and the educational, organizational, and fiscal plan presented in the full application were evaluated by Department and external reviewers. After determining that the written materials submitted sufficiently met application criteria, the Department staff also conducted a two-hour capacity interview with the founding group and proposed board members for the school.

Findings

Based on the comprehensive review of the application and of the applicant, founding group, and proposed board of trustees, the Department makes the following findings:

1. The charter school described in the application meets the requirements of Article 56 of the Education Law (as amended) and other applicable laws, rules, and regulations.⁸ This finding is based on the following (among other things):
 - the applicant has included in the application the information required by §2851(2)
 - the proposed charter school would meet or exceed enrollment and retention targets, as prescribed by the NYS Board of Regents,⁹ of students with disabilities, English language

⁸ Education Law 2852(2)(a).

⁹ Note, 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 Department evaluated the plans for student

- 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 applicant has conducted public outreach 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).
2. The applicant has demonstrated the ability to operate the proposed charter school in an educationally and fiscally sound manner¹⁰ and the four essential competencies prescribed by the Regents for charter approval noted above. This finding is based on the following (among other things):
- the presentation of a sound educational plan in the application, which rigorously addresses the criteria outlined in the Department’s RFP in the areas of curriculum and instruction, school calendar and daily schedule, target population, assessment, and school climate and discipline.
 - the presentation of a sound organizational plan in the application, which rigorously addresses the criteria outlined in the Department’s RFP in the areas of governing body, founding group, management and operation, staffing and human resources, student recruitment, enrollment and evidence of demand, community involvement and partnerships.
 - the presentation of a sound financial plan in the application, which rigorously addresses the criteria outlined in the Department’s RFP in the areas of budget and cash flow, financial management, facility, transportation, food service, facility, and pre-opening plan.
 - an understanding of the New York State Charter Schools Act, and the skill, will and capacity to successfully launch and operate a high quality public charter school.
3. Granting the proposed charter is likely to improve student learning and achievement, will materially further the purposes of the Act,¹¹ and will have a significant educational benefit to the students expected to attend the charter school.¹² This finding is based on the totality of the information presented in the application and during the application review process, as summarized in this document.

Recommendation

Based on the Department’s review and findings, Commissioner John B. King, Jr. recommends that the New York State Board of Regents approve the proposal to establish the Neighborhood Charter School of Harlem, to open in New York City in 2012.

enrollment, recruitment, and retention plans of each class of student referenced in the amendments to the Act such that the Department 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, the Department will develop such targets and incorporate these targets into the school’s charter agreement performance expectations.

¹⁰ Education Law §2852(2)(b).

¹¹ §2852(2)(c)

¹² As applicable pursuant to §2852(2)(d),