
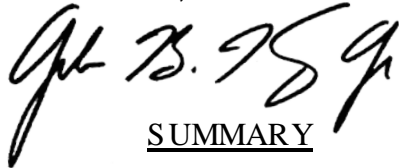




TO: P-12 Education Committee
FROM: Ken Slentz 
SUBJECT: Charter Schools. Initial Applications and Charters
Authorized by the Board of Regents

DATE: October 25, 2012

AUTHORIZATION(S):


SUMMARY

Issue for Decision

The Commissioner and Department staff recommend that the Board of Regents consider initial charters and provisional charters for the following ten new charter schools and approve and issue initial and provisional charters to those indicated in the VOTED language of this item:

New York City School District

- Great Oaks Charter School (proposed to locate in CSD 2)
- Math, Engineering, Science Academy (MESA) Charter High School (proposed to locate in CSD 32)
- New Visions Charter High School for Advanced Math and Science III (proposed to locate in CSD 13,14,16,17,18, or 19)
- New Visions Charter High School for the Humanities III (proposed to locate in CSD 13,14,16,17,18,or 19)
- New Visions Charter High School for Advanced Math and Science IV (proposed to locate in CSD 13,14,16,17,18,or 19)
- New Visions Charter High School for the Humanities IV (proposed to locate in CSD 13,14,16,17,18,or 19)
- The New American Academy Charter School (proposed to locate in CSD 19)
- Unity Preparatory Academy Charter School of Brooklyn (proposed to locate in CSD 13)

Newburgh Enlarged City School District

- Newburgh Preparatory Charter High School

Utica City School District

- Utica Academy of Science Charter School

Reason(s) for Consideration

Required by State statute, Article 56, the NYS Charter Schools Act.

Proposed Handling

This item will come before the P-12 Education Committee for discussion and action at the November 2012 meeting.

Background Information

The Commissioner and Department staff recommends that the Board of Regents issue the initial charters and provisional charters for the above listed ten new charter schools.

Together, these ten new schools will add over 4500 high quality public K-12 seats for families in New York State. The schools represent a range of innovative educational and organizational approaches to improving learning outcomes and college and career readiness for students, with a strong focus on the needs of students who may be educationally or economically disadvantaged, English language learners or students with disabilities. Eight of the ten schools will be located in the New York City School District, one will be located in the Newburgh City School District, and one will be located in the Utica City School District. Six of these schools will be high schools, three will be middle-high schools and one will be an elementary-middle school. Additional details about each of the applications and how Department staff reviewed the applications is included in the attached *Summary, Findings and Recommendation* for each proposed school (Attachment A). These documents are also posted on the Regents Web page at: <http://www.regents.nysed.gov/meetings/>. The Full Applications for each school are posted at <http://www.p12.nysed.gov/psc/startcharter.html>.

Chapter 101 of the Laws of 2010 increased the cap on the number of charters that can be issued in New York State, from 200 to 460. The statute also designates the Board of Regents and the Board of Trustees of the State University of New York (SUNY) as the authorizers for the additional 260 charters (130 charters to be issued by each, with no more than 57 in New York City) and requires that the two chartering entities create competitive Request for Proposal (RFP) processes for applications for the additional 260 charters. The two Boards are required to issue RFPs for new charter applications in cycles on August 1, 2010, January 1, 2011, January 1, 2012 and September 1, 2013. Charters not issued in each RFP round may be added to the number of charters to be issued in the subsequent RFP; and after September 1, 2013, the two Boards may issue any remaining charters through an RFP process on a timetable and at a pace which is left to their discretion.

The Board of Regents application and review process is designed to award charters to applicants that demonstrate the greatest probability of creating high quality public schools. The Department revised the charter school application process in the summer of 2010 to align with the criteria that is outlined in Chapter 101 of the Laws of 2010. The Department issued its first RFP on August 1, 2010, and that call for applications resulted in the issuance of seven initial charters for new Regents-authorized charter schools in December 2010. The Department's second RFP, issued on January 1, 2011, resulted in the issuance of nine initial charters in September 2011. In order to maximize the opportunity for applicants to submit charter school proposals and increase the number of high quality K-12 public school seats for students, the 2012 Request for Proposals to Establish Charter Schools Authorized by the Board of Regents outlined multiple rounds of review. Round 1 resulted in the issuance of three charters for new Regents-authorized charter schools in June 2012.

The application and review process consists of multiple phases in which applicants are invited to advance to each successive phase based on the quality of their application, and alignment with the letter and intent of the law. Staff is presenting the recommendations from the 2012 second round of review for Regents' consideration today. The steps in the review process include:

- Submission and review of a Letter of Intent providing a brief description of the school mission and design; the proposed student population (including plans to meet enrollment and retention goals for target populations); initial evidence of community outreach efforts and community support; a proposed location and/or proposed facility; information about the founding group and anticipated members of the initial board of trustees.

At this stage of the review process, Department staff ensures that applicant groups rigorously demonstrate that they have conducted public outreach, in conformity with a thorough and meaningful public review process prescribed by the Board of Regents in the *2012 Charter School Application Kit*. For Round 2 of the 2012 RFP, 54 Letters of Intent were submitted to the Charter School Office by June 25, 2012. Of the 54 Letters received, 37 applicants were invited to submit full applications. Staff did not accept 16 letters of intent from proposed founding groups, in particular, because groups failed to demonstrate meaningful public outreach and community engagement. One applicant group withdrew from consideration at this stage.

- Submission and review of a written Full Application providing the full design of the proposed school, including instructional model and approach, targeted student population, organizational structure and financial plan. The Full Application is structured to objectively evaluate the proposed school's educational alignment and operational compliance to the requirements and educational priorities of the Charter School Act. Twenty-five applications were submitted by the July 31, 2012, deadline. The Department did not accept one application because it was incomplete. A four-member expert

panel rigorously assessed each application against a quality evaluation rubric. The review panels consisted of qualified consultants, volunteer peer reviewers who are current active educators in public schools or universities, and experienced Department staff.

- Review of public comment provided through formal public hearings and through direct oral and written communication with the Assistant Commissioner of the Office for School Innovation. The Charter Schools Act (“the Act”) §2857 and Commissioner’s Regulations 119.4, require that the school district in which a new charter school proposes to locate, hold a public hearing to solicit comment from the community on the charter school application. It is the responsibility of the local school district to arrange for and conduct the necessary public hearings, at a location and date of their choosing, and to transmit a record of the hearing notice and any comments gathered at the public hearing to the Department.
- Capacity interviews with founding groups to discuss application details and to evaluate the skill and knowledge of the initial board of trustees to launch and operate the proposed school. The Department found that the Full Applications presented by eleven applicant groups (representing 14 proposed schools) met required evaluation criteria and these groups were invited to a capacity interview.
- Recommendations are made to the Board of Regents by the Commissioner to award new charters to applicant groups with the strongest plan and presentation to launch and operate a highly effective public school. These recommendations are based on a synthesis of information gathered throughout all stages of the process. After full evaluation of the information provided through capacity interviews and public comment, staff recommends ten of the twenty-four submitted applications for consideration by the Regents. At the time of the preparation of this item, Department staff is completing the due diligence process related to two of the ten applications. Due to the timing of staff review of application materials and the fact that the remaining due diligence is not related to the substance or merits of the those applications, the Department is asking the Regents to review all ten of the applications in November; consider approval and charter award for eight of the ten applications in November; and consider approval and charter award for the remaining two applications in December, when the necessary due diligence process is complete. The Department found that the remaining 2012 Round 2 applications and applicant groups were fundamentally lacking in the presentation of a complete, comprehensive and viable school design plan or capacity to implement that plan. Department staff informed applicants of the option to withdraw the applications and resubmit in future RFP rounds.

Please Note: In New York City, public charter schools may co-locate in public school facilities with existing charter and traditional district schools. The Charter Schools Act

("the Act") §2853 outlines the responsibility of the chancellor of the New York City Schools to identify co-location facilities, and to develop Building Utilization Plans (BUPs) and Educational Impact Statements (EISs). In NYC, the Panel for Educational Policy (PEP) is the public body with the authority to vote and approve the proposed school co-location. It is the responsibility of the Public Education Panel and city school district's chancellor to arrange for and conduct the necessary locally required co-location hearings, at a location and date of their choosing, and to transmit a record of the hearing notice and any comments gathered at the public hearing to the Department. By taking into consideration the Educational Impact Statement, Building Utilization Plan, and public comments gathered via emails, letters, phone calls and the joint public hearings, the decision for co-location is made. The NYSED Charter School Office (CSO) attends all public hearings regarding co-location, however the final decision for approving a co-location falls solely within the purview of the chancellor of the New York City School District.

An up-to-date summary of the RFP application cycles conducted by the Department on behalf of the Regents is presented below:

RFP Cycle	Letters of Intent Submitted	Full Applications Submitted	Charters issued (# in NYC)	Charters left under cap (# in NYC)
2010	39	35 prospectuses were submitted; 16 applicants were invited to submit full applications; 15 full applications were submitted	7 (5)	123 (52)
2011	100	80 prospectuses were submitted; 37 applicants were invited to submit full applications; 36 full applications were submitted	9 (7)	114 (45)
2012 Round 1	30	20 applicants were invited to submit full applications; 14 full applications were submitted	3 (3)	111 (42)
2012 Round 2	54	37 applicants were invited to submit full applications; 25 full applications were submitted	10 (8)	101 (34)
2012 Round 3	24	21 applicants were invited to submit full applications: 12 full applications were submitted	TBD by Dec. 2012	TBD by Dec. 2012

Recommendation

That the Regents find that the proposed charter schools: (1) meet the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) are 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 therefore:

VOTED: That the Board of Regents approves and issues a charter and provisional charter to the Great Oaks Charter School for a term of five years in accordance with §2851(2)(p) of the Education Law.

VOTED: That the Board of Regents approves and issues charters to the New Visions Charter High School for Advanced Math and Science III, the New Visions Charter High School for the Humanities III, the New Visions Charter High School for Advanced Math and Science IV, and the New Visions Charter High School for the Humanities IV, and a provisional charter to New Visions Charter Schools to operate such schools, for terms of five years in accordance with §2851(2)(p) of the Education Law.

VOTED: That the Board of Regents approves and issues a charter and provisional charter to The New American Academy Charter School for a term of five years in accordance with §2851(2)(p) of the Education Law.

VOTED: That the Board of Regents approves and issues a charter and provisional charter to the Unity Preparatory Academy Charter School of Brooklyn for a term of five years in accordance with §2851(2)(p) of the Education Law.

VOTED: That the Board of Regents approves and issues a charter and provisional charter to the Utica Academy of Science Charter School for a term of five years in accordance with §2851(2)(p) of the Education Law.

Timetable for Implementation

The Regents action for these charter schools is effective immediately.



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 2012 Request for Proposals to
Establish Charter Schools Authorized by the Board of Regents
to establish the proposed:*

Great Oaks Charter School

October 2012

Summary of the Proposed Great Oaks Charter School

Name of Charter School	Great Oaks Charter School
Lead Applicant(s)	Michael Duffy
District of Location	Manhattan, CSD 2
Opening Date	Summer/Fall 2013
Projected Charter Term	November 5, 2012 - June 30, 2018
Management Company	None
Partners	Great Oaks Foundation
Facility	Proposed lease with private landlord
Projected Enrollment and Grade Span during Charter Term	Opening with 99 students in grade 6 in 2013-14; growing up to 495 students in grades 6 through 10 in 2017-18.
Projected Maximum Enrollment and Grade Span	550 students in grades 6 through 12
Mission Statement	<i>“The mission of the Great Oaks Charter School is to prepare our students to succeed in college by obtaining a four-year degree. We will accomplish this by combining high academic and behavioral expectations for our students with an extraordinary level of individual attention to each student’s needs through tutoring. We believe that this model will be particularly beneficial to English Language Learners and will target them for recruitment.”</i>

Great Oaks Charter School will be a college preparatory charter school serving students in grades 6 through 12 that will replicate the successful methods of the Match Charter School in Boston. The mission of Great Oaks Charter School is to “to prepare our students to succeed in college by obtaining a four-year degree.” As stated in the application, founding members believe that “college success requires higher-order thinking skills, a passion for reading and discovery, deep mastery of content and character traits like courage, discipline and perseverance.” Their premise is that the mission can be accomplished by combining high academic and behavioral expectations for all students with an extraordinary level of individual attention to each student’s needs through high-dose tutoring and support.

Great Oaks Charter School’s key features are modeled on practices that Match Charter School of Boston has refined over the last decade. These practices include a school culture of high academic and behavioral expectations predicated on the belief that every child can succeed; a strong focus on building relationships with students and their families; and a highly individualized academic program through daily tutoring delivered by a full-time Tutor Corps member.

Key elements of the school’s design include:

- High academic and behavioral expectations though rigorous academics and character building
- Excellent classroom instruction which provides rigorous, college-preparatory instruction while connecting with each student as an individual
- Fostering positive relationships among school staff, tutors, students and families
- Individualized lessons via high-dosage tutoring through the Tutor Corps

- Partnership with New York University’s Steinhardt School of Education to support a teaching career ladder and professional development
- Small school size
- More time on task, through a longer school day and year and additional supports
- Data-driven instructional practices to inform teaching and learning
- Focus on English language learners and other at-risk student populations to reach English proficiency and ultimately move on to college success

The key variable that permits Great Oaks to replicate elements of the Match model without the need for significant philanthropy is class size. By increasing the average general education class size to 33, the school is able to generate additional revenue (more than \$100,000 per class section, compared to a 25-student class), which allows Great Oaks to fund a high-dosage tutoring program. Great Oaks’ overall student-to-teacher ratio (excluding tutors) will be low (16:1) at full-scale. Each student will be provided with approximately 400 hours of individual or small group tutoring each year.

The proposed school calendar includes 200 instructional days per year, organized by trimesters. At the conclusion of each trimester, students take exams and data derived from the assessments will inform content to be retaught the first two weeks of the following trimester. Students who are academically struggling at any time of the school year will receive supplemental time and attention via after-school and Saturday school supports, in addition to the two hours of daily tutoring which every student at Great Oaks Charter School will receive.

The daily student schedule is structured to offer a longer school day, beginning at 7:30 a.m. and ending with an enrichment offering from 3:55 to 4:45 p.m. Monday through Thursday. On Fridays, students are dismissed at 1:00 p.m., so that the school community can be involved in professional development activities. The weekly instructional schedule includes 725 minutes per week of English language arts instruction, 493 minutes of mathematics, 261 minutes of science, 145 minutes of social studies, 116 minutes of physical education and health, along with 290 minutes of enrichment activities. A typical student day includes seven academic periods with five teacher-led classes and two tutorials which are integrated throughout the day. The eighth period of the day provides students with an opportunity to participate in an art or enrichment activity. These activities are led by the tutors, designed based on student interests, and rotated throughout the year to enable students to experience a variety of enrichments.

Teachers begin the school day at 7:30 a.m. and end each day at 4:45 p.m. There are two daily prep periods in the schedule, with almost four hours of school-wide professional development time set aside each Friday afternoon. The plan for professional development includes a Summer Staff Development Institute, a four-week full time training that will provide orientation to the school’s culture, academic program and expectations for new employees, as well as curriculum design and planning. The professional development will be provided by the Executive Director and the Director of Curriculum and Instruction in the first year of the school, with additional support provided by high-performing teachers in later years.

Tutor Corps members begin their day at 7:30 a.m. and end at 4:45 p.m. each week day. Daily prep time and participation in the whole school professional development on Fridays is included in their schedule. A planned partnership with New York University to support the preparation of teachers will enable tutors to be trained as classroom teachers. Participation in Summer Staff Development is required, with Tutor Corps members participating with teachers for four weeks and then for two additional weeks with the other tutors. Training will be provided by the Executive Director, and the Corps Director, supported by

the Director of Curriculum and Instruction and, in later years, with support from high-performing teachers.

The instructional goal of the school is that all students will complete the 12th grade with the knowledge and habits they will need to graduate from a selective four-year college or university. In order to achieve that mission, Great Oaks Charter School will incorporate the proven curriculum design approach of many high-performing charter schools, most notably the Match Charter School, by focusing on backward planning with thematic units that emphasize enduring threads of understandings. The school does not plan to adopt off-the-shelf programs and instead will leverage Wiggins and McTighe's *Understanding by Design* concept for curricular design, with year-end learning objectives drawn primarily from the Common Core State Standards. This work will be completed by teachers and school leaders under the direction of the Director of Curriculum and Instruction, and with the support of additional resources.

Across all classrooms, consistency in instructional practices will be established. This will help to create an environment where students know what is expected of them and valuable learning time is not lost by confusing students with different routines and procedures from teacher to teacher.

The founding group believes that the fundamental purpose of assessment is to gather accurate and timely information so that informed decisions and appropriate actions can be taken to maximize student learning. Therefore, teachers, tutors, instructional leaders and the board of trustees will implement a comprehensive assessment system to drive all decisions about curriculum, instruction, professional development, school-wide communication, student promotion, evaluation of staff, school policies and procedures and monitoring progress towards achieving the mission and accountability goals, among other purposes. A combination of teacher-developed and standardized assessment instruments, including the Achievement Network assessment system will be used.

Great Oaks Charter School will be located in CSD 2, which includes New York's Chinatown as well as neighborhoods that have been home to immigrants for generations. The board of trustees' intention is to seek space on Governors Island to serve the families of Lower Manhattan. They anticipate drawing a representative cross-section of CSD 2, with a particular emphasis on English language learners. The founding group understands and is committed to meeting required enrollment and retention targets in accordance with the NYS Charter Schools Act.

The applicant group has engaged in rigorous, ongoing outreach efforts to inform the CSD 2 community and to secure the community's input and comments regarding how the proposed Great Oaks Charter School intends to address the educational and programmatic needs of students. Evidence of the applicant group's responsiveness to community concerns can be seen in the founding team's decision to sharpen the school's focus on meeting the needs of English language learners. To strengthen school and family communication, Great Oaks Charter School will recruit and hire Tutor Corps members who are multi-lingual and mirror the language and culture of the student body and families.

Submitted with the application are letters of support from various stakeholder groups, including organizations interested in future partnering opportunities. These letters include, but are not limited to, the NYU Steinhardt School of Culture, Education and Human Development; St. Bartholomew's Church; New American Leadership Project; Hamilton Madison House; The Boys Club; Apex for Youth; NYCAN; and TASC-The After-school Corporation.

The draft Admissions and Enrollment Policy submitted with the application establishes enrollment preferences in accordance with the NYS Charter Schools Act, including a set-aside of 25% of vacant seats in each lottery for English language learners.

The lead applicant for Great Oaks Charter School is Michael Duffy. The founding team consists of nine members, eight of whom will transition to the initial board of trustees. The group has a broad range of expertise in charter school start-up, teaching, finance, real estate, law and community outreach.

As required, the applicant has provided a set of draft by-laws and a draft code of ethics. Additionally, a School Trustee Background Information form, Statement of Assurance and resume or curriculum vitae is provided for each of the eight individuals who will compose the school's initial board of trustees.

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

- **Susan Mustokoff Akselrad**, proposed Board Secretary, is currently Senior Counsel for Rhodia Inc. She has been a practicing corporate attorney for twenty-five years, is a parent and has prior experience as a classroom teacher in a public school.
- **Shun-Fang Chang** is a career educator currently serving as Assistant Principal/Director of College Office at Bronx High School of Science. She is currently a trustee for The College Board. As an author, she wrote, *The American College Admission Guide*, a Chinese language guide for Asians and Asian-Americans to the U.S. University system.
- **Michael Duffy**, proposed Board President, is the Managing Director for Victory Education Partners. He currently serves as the President of the Board of Directors of the Great Oaks Foundation. He previously served as the Executive Director of the Charter School Office for the New York City Department of Education. He brings to the board close to 20 years of charter school experience as a volunteer, advocate, founder, fundraiser, trustee, school leader and authorizer. He is a resident of CSD 2.
- **Kate Hayes**, proposed Board Vice-Chair, is a resident of CSD 2 and a parent.
- **Robert Ludlum**, proposed Board Treasurer, is Managing Director for Treasure Services at Chase Bank. His experience includes over twenty years as a finance professional specializing in fiscal oversight and internal controls. He resides in CSD 2.
- **Dr. Joseph P. McDonald** serves as a Professor of Teaching and Learning at NYU-Steinhardt School of Culture, Education and Human Development. He is the Chair of the Teacher Education Working Group at NYU and the Director of Research for the Annenberg Institute for School Reform. He is a resident of CSD 2.
- **John Love** is retired after forty years of experience as an independent school educator. He is the former Principal of Fieldston School.
- **Alia Smith** has served initially as a Tutor Corps member and then as Tutor Corps Director for Match Public Charter School in Boston. She is currently a graduate student at Columbia University Business School.

Benjamin Carson, the ninth member of the founding team, was one of the primary authors of the submitted application. He currently serves as the Launch Director for Great Oaks Foundation. His experience includes work in the NYCDOE Charter School Office as a statistician and founder of Great Oaks Charter School in Newark.

Included in the application is a partnership agreement between the proposed charter school and the Great Oaks Foundation, which recently supported the launch of the Great Oaks Charter School of Newark. The letter outlines the no-cost supports to be provided to the proposed school by the foundation. These include supporting the application process, facilities acquisition, significant fundraising and assisting the school's board of trustees with the recruitment of the initial team of staff and the first cohort of students.

The organizational structure of Great Oaks Charter School is designed to separate operational duties from academic responsibilities, and to allow instructional leaders to focus the majority of their time supporting instruction. The initial middle school leadership team will be composed of an Executive Director,

Director of Curriculum and Instruction, Tutor Corps Director, and the Director of Operations. A Dean of Students will be added in the third year of operation. In year four, when the initial cohort of students is promoted into the 9th grade, a high school leadership team will be added, to be joined by a High School Dean of Students in year five. The leadership teams will be led by the Executive Director who will be responsible for the overall success of the school. For both the middle school and the high school programs, the Executive Director will supervise all administrative staff and will serve as the key point of accountability for the Board's oversight of the school's operation. Additional responsibilities include taking the lead in annual budget planning, facilities planning and all other strategic matters.

The Director of Curriculum and Instruction will be responsible for supervision of all instructional aspects of the school including; coaching and evaluating the teaching staff, planning and delivering teacher and tutor professional development, supervising curriculum development and the revision processes; and managing the data analysis and review of assessment.

The Tutor Corps Director will supervise of all aspects of the Tutor Corps. This includes coaching and evaluating tutors, planning and delivering tutor training and professional development, direct supervision of tutors and a focus on recruitment and retention.

The Director of Operations is responsible for the non-instructional aspects of the school. This includes managing the daily school operations in the areas of food, transportation, facilities, attendance and visitors to the school. The position also supports the Executive Director in ensuring the school's fiscal integrity and compliance with state and federal regulations.

In year one the projected enrollment is ninety-nine students. The school anticipates hiring five general education middle school teachers, one special education teacher and twenty tutors to meet the needs of the students.

In order to recruit and retain effective teachers the board plans to initiate a thorough search process. The school will place a high value on recruiting a pool of applicants that reflect the diversity of the student body for all openings and focus recruitment efforts that are likely to reach a broad cross-section of teachers. Through a competitive compensation package, a performance-based incentive plan, career pathways, a school culture that emphasizes collaboration and support, and strong Tutor Corps support, they expect to attract high quality candidates.

The Great Oaks Tutor Corps is structured as a one-year residential tutoring fellowship. Recent graduates from top colleges and universities across the country commit to a year of service as full-time tutors to approximately five Great Oaks students and in exchange receive housing and a small living allowance. Great Oaks staff will identify prospective tutors by conducting vigorous outreach to campuses across the country, meeting with career placement offices, administrators and professors and attending college career fairs. The home languages of Great Oaks students will drive recruitment and selection of Tutor Corps members to ensure the school has adequate capacity to engage students and their families in their native languages.

For Tutor Corps members who wish to become classroom teachers, the Great Oaks Foundation has partnered with the Steinhardt School at NYU to create an innovative pathway. Great Oaks-NYU Teacher Residency blends the inherent benefits of working full-time as a tutor for a full year with the benefits that a large graduate school of education can offer. Covering a two-year course of study (the Tutor Corps year and the Corps member's first year as a classroom teacher), participants in this program receive hundreds of hours of coaching, participate in extensive practical coursework and attend content courses at NYU, leading first to initial certification as a teacher and then a Masters of Education. The scheduling of the Teacher Residency activities occurs entirely outside of the Great Oaks schedule (after PD on Fridays and

on Saturdays) and residency costs are borne by outside philanthropy and scholarships from NYU. There is no programmatic or fiscal impact on the Great Oaks Charter Schools.

The founding team states in their application, “...they are committed to being a partner with the downtown community in creating solutions to the school-overcrowding crisis in Lower Manhattan schools. For that reason, we will not co-locate or occupy public school space. From its first day of operation, GO will occupy a private facility in Lower Manhattan, Community School District 2, and will create new public school seats.” The founders have presented a two-stage facilities plan: two years in private incubation space, after which they plan to move into a completely renovated building that will serve as the school’s long-term home. Members of the founding group are working with architects and commercial real estate brokers specializing in assisting charter schools to find facility space. The vision is to acquire a long-term lease and renovate a historic building on Governors Island in New York Harbor. The founding group included budget projections and assumptions for all options.

The work to secure, develop and renovate the school’s permanent home is being conducted by the Great Oaks Foundation and the charter school founding board. The lead applicant has successfully guided the effort to identify, finance and renovate two different charter school building projects. The project budget will be underwritten by a combination of three sources of funds: Historic Preservation Tax Credits; Philanthropic Funds, raised by the Great Oaks Foundation through a Capital Campaign (\$15m); and Tax Exempt Bonds, issued through the ‘BuildNYC’ program of the NYC Economic Development Corporation.

Projected Fiscal and Programmatic Impact on District of Location

The applicant provided an analysis of the fiscal and programmatic impact of the proposed school on public and non-public schools in CSD 2, indicating that the fiscal impact of the Great Oaks Charter School on NYC Department of Education public schools is expected to be minimal (less than 0.0023% of the total NYC Department of Education budget). The impact on student enrollment of other district and charter public and non-public schools in the Community School District is also expected to be minimal (1% of the total public school enrollment in grades 6-12). The applicant states that Great Oaks Charter School intends to have a positive programmatic impact on the other public and nonpublic schools in the community and will strive to be a model high-performing school.

The New York State Education Department (“Department”) also conducted additional analysis on the projected fiscal impact of the Great Oaks Charter School on its district of residence, the New York City School District (“NYCSD”), 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
2013-14	99	\$15,089	\$1,493,811	\$117,847	\$19,724,841,088	0.008%
2017-18	495	\$17,903	\$8,861,985	\$588,780	\$19,724,841,088	0.048%

¹ Source: Great Oaks Charter School 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 Source: New York City DOE Financial Status Report September 2012; <http://schools.nyc.gov/Offices/DBOR/FSR/default.htm>.

The calculations above assume charter school basic tuition rates in the charter period (2013-14 thru 2017-18) based on a trend analysis provided by the Department's State Aid Office. In order to conservatively avoid underestimating the fiscal impact that the charter school will have on the district going forward, 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.

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.

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 are likely to result from a reduction in the number of students attending district public schools.

Below, for your reference, please find additional data on New York City Community School District 2.⁵

New York City Community School District 2

Enrollment Data	
Total District Enrollment:	59,844
Grade 6 through 10 Enrollment:	28,501
White:	21%
Black/African-American:	19%
Hispanic/Latino:	36%
American Indian/Alaskan Native:	1%
Asian/Native Hawaiian/Pacific Islander:	23%
Free/Reduced Priced Lunch:	62%
English Language Learners:	12%
Students with Disabilities:⁶	13.6%
Graduation Rate	CSD 2
2007 Graduation Cohort:	68%

State Assessments (% proficient)		
Grade level	English Language Arts	Mathematics
6	66%	80%
7	67%	80%
8	63%	75%
2007 Cohort Grades 9 – 12	76%	73%

Public Hearing and Public Comment

As required by the Charter Schools Act, the New York City Department of Education (NYCDOE) held a public hearing on Thursday August 30, 2012 to solicit comments from the community concerning Great Oaks Charter School. Twelve individuals spoke at the meeting. One individual spoke against charter schools in general and thirteen, who were either parents or teachers from a public school located on the Governors Island, spoke or wrote against sharing the Island with another school. Three members of the community spoke in favor of the proposal, citing the track record of success of the school model, the

⁵ Source: 2010-2011 New York State School Report Card (<https://reportcards.nysed.gov/view.php?schedist=district&county=none&year=2011>); 2011-2012 state assessment data for Grades 3 through 8 English language arts and mathematics (<http://www.p12.nysed.gov/irs/ela-math/>); 2007 cohort graduation rates (<http://www.p12.nysed.gov/irs/pressRelease/20120611/home.html>).

⁶ Source: Special Education School District Data Profile for 2010-11 <http://eservices.nysed.gov/sepuprep/>. 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).

commitment on the part of the applicant group to serving English language learners, and the high-dose tutoring and mentoring that will be available to all students. Supporting comments mirror the letters of support from the community that were included in the written application.

The Department directly notified the Chancellor of 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. In response, personnel and parents from New York Harbor School submitted two petitions with over 300 signatures and multiple comments in opposition to the proposed site of the Great Oaks Charter School on Governor's Island. The concerns are related to the impact on New York Harbor School and families of sharing the harbor community and resources with another school and with students of a different age group and culture.

The Chancellor was contacted by letter and invited to comment directly. Chancellor Walcott submitted a letter in support of the Great Oaks Charter School, noting: "The NYCDOE found this proposal to be well-designed and features a rigorous educational model. Chancellor Dennis Walcott recommends this charter application to support the children of New York."

Application Review Process

On January 3, 2012, as required by the New York State Charter Schools Act, the New York State Education Department (the "Department") released the 2012 Request for Proposals ("RFP") to Establish Charter Schools Authorized by the Board of Regents. The charter school application process utilized by the Board of Regents and the Department during the 2012 RFP cycle is multi-stage and designed to ensure that any charter school applicant presented to the Board of Regents for possible approval demonstrates a detailed and complete school design plan that:

- includes a clear plan to meet or exceed enrollment and retention targets for students with disabilities, students who are English language learners, and students who are eligible to participate in the federal free reduced-price lunch program;
- provides evidence of public outreach that conforms to the process prescribed by the Regents for the purpose of soliciting and incorporating community input regarding the proposed charter school;
- meets all requirements set forth in the Charter Schools Act as well as all other applicable laws, rules, regulations;
- demonstrates the ability to operate the school in an educationally and fiscally sound manner;
- is likely to improve student learning and achievement and materially further the purposes of the Act; and
- would have a significant educational benefit to the students expected to attend the proposed charter school.

In addition, the applicant group and founding board of trustees must demonstrate appropriate knowledge, capacity, and abilities to effectively create, maintain, and oversee a high-quality charter school.

During 2012 Round 2, 54 letters of intent were received in June 2012 and, after an initial review process, 37 applicants were invited to submit full applications. The Department received 25 full applications, including the application for Great Oaks Charter School.

To assess whether to recommend approval or denial of the charter application to the Board of Regents, the Department established multi-person review panels to thoroughly evaluate each full application. Each of these panels was comprised of professional expert consultants, peer reviewers who are school leaders and educators active in charter and public schools in New York, as well as qualified Department staff

members. The review panel members reviewed, rated, and commented on each section of the application according to the criteria published in the Application Kit.

Department staff conducted a two-hour capacity interview with seven of the eight initial board members of the proposed school and one additional founding group member, on Thursday, September 13, 2012. Questions posed to the proposed initial trustees included general questions around New York State Charter School Law, roles and responsibilities of the school community and the board to the community and various stakeholder groups as well to as the Board of Regents as authorizer. To fully understand the proposed academic program, governance role and fiscal viability of the proposed school, targeted questions were asked to clarify information provided in the full application.

The responses demonstrated adequate knowledge and grasp of key areas. Members of the applicant group as a whole and individually demonstrated knowledge of the charter school application and the proposed school. Structures, systems, protocols and procedures are in place to permit the board to effectively govern the school. The applicants addressed questions posed with specific and detailed information that presented a clear, realistic picture of how the school expects to operate.

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.⁷ 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,⁸ 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 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 manner.⁹ This finding is based on the following (among other things):
 - The presentation in the application of a sound description of key features that are core to the school's overall design, and which rigorously addresses the criteria outlined in the Department's RFP in the areas of mission; key design elements; enrollment, recruitment and retention; and community to be served.

⁷ Education Law §2852(2)(a).

⁸ 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 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.

⁹ Education Law §2852(2)(b).

- The presentation in the application of a sound educational plan, which rigorously addresses the criteria outlined in the Department’s RFP in the areas of achievement goals; school schedule and calendar; curriculum and instruction; assessment; school culture and climate; and special student populations and related services.
 - The presentation in the application of a sound organizational and fiscal plan, which rigorously addresses the criteria outlined in the Department’s RFP in the areas of founding group capacity; board of trustees and governance; management and staffing; evaluation; professional development; facilities; insurance; health, food and transportation services; family and community involvement; financial management; budget and cash flow; pre-opening plan; and dissolution 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 Act¹⁰ and will have a significant educational benefit to the students expected to attend the charter school.¹¹ 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 Great Oaks Charter School to open in 2013 in New York City.

¹⁰ Education Law §2852(2)(c).

¹¹ As applicable pursuant to §2852(2)(d).



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 2012 Request for Proposals to
Establish Charter Schools Authorized by the Board of Regents
to establish the proposed:*

**Math, Engineering, and Science Academy (MESA)
Charter High School**

October 2012

Summary of the Proposed Math, Engineering, and Science Academy (MESA) Charter High School

Name of Charter School	Math, Engineering, and Science Academy (MESA) Charter High School
Lead Applicant(s)	Arthur Samuels and Pagee Cheung
District of Location	Brooklyn, CSD 32
Opening Date	Summer/Fall 2013
Projected Charter Term	November 5, 2012 – June 30, 2018
Management Company	None
Partners	None
Facility	Seeking public co-location space
Projected Enrollment and Grade Span during Charter Term	Opening with 125 students in grade 9 in 2013-2014; growing up to 500 students in grades 9 through 12 in 2017-2018.
Maximum Enrollment and Grade Span	500 students in grades 9 through 12
Mission Statement	<i>“Math, Engineering, and Science Academy (MESA) Charter High School will provide a rigorous education that equips each student with the ability to succeed in college and in life. MESA students will develop a passion for science, technology, engineering, and mathematics and, through a comprehensive college readiness program, critical thinking and self-advocacy.”</i>

The intent of the Math, Engineering, and Science Academy Charter High School (MESA) is to graduate students who will have internalized the connection between academic excellence, perseverance, and success in college and in life. Accordingly, each aspect of the MESA Charter School design is built around enhancing academic rigor and promoting student learning.

Key elements of the school’s design include:

- *Standards-Referenced Grading:* MESA’s Standards-Referenced Grading (SRG) system focuses exclusively on student mastery of learning goals measured through multiple forms of formative and summative assessments. Students will become accustomed to tracking their own progress on assessments and empowered to take ownership of their performance.
- *Universal Design for Learning:* MESA will utilize Universal Design for Learning (UDL), which is described in the application as a set of principles that provides teachers with a structure to develop instruction to meet the needs of a diversity of learners. UDL incorporates three features: multiple means of representation of material to students, multiple means of action and expression, and multiple means of engagement. The aspect of choice embedded in UDL planning empowers students to find aspects of classroom content that interest them, and to approach learning from a place of strength, which is particularly beneficial for students with disabilities and English language learners.
- *STEM Block:* Twice per week, students will have a double period of Science, Technology, Engineering, and Mathematics or (STEM). This block provides an inquiry-based complement to core Math and Science courses. The kinesthetic nature of this allotted time allows STEM subjects

to be more accessible to students who have not yet developed the language or computational skills to navigate traditional textbook- and classroom-based learning.

- *College Bound*: College Bound is a project-based course designed to increase college awareness and readiness. The course provides an opportunity to explicitly teach students throughout their four years of high school the difference between meeting minimum high school graduation requirements and the high standards of achievement required to be a candidate for a four-year college. MESA will provide dedicated college counselors for grade 11 and grade 12 students as well as an alumni counselor to support graduates through college.
- *9th Grade Writing Seminar*: Understanding the literacy gaps of most incoming grade 9 students, every MESA freshman will take a 9th Grade Writing Seminar that focuses on building basic arguments through writing. The Writing Seminar will teach basic spelling, sentence structure, writing conventions, and grammar.
- *Advisory*: MESA will incorporate Advisory four mornings per week. Advisories will be structured around common core anchor standards in speaking, listening and writing, allowing students to develop these skills in a safe, supportive, and structured environment. These skills are important not just in terms of strengthening English fluency, but also in boosting student confidence and self-esteem, and building relationships with peers and teachers. Topics covered in Advisory will revolve around ethics and character development.
- *Intersessions*: In February, April and July, MESA will hold four, day-long Intersessions. During these times, voluntary programming such as academic remediation and enrichment, or job and internship opportunities will be offered. Teachers will staff one Intersession per year creating intimate, creative, and fun programming allowing for higher levels of student engagement and understanding.
- *Common Planning Time*: Early release of students on Wednesdays will provide teachers with three hours of professional development (PD) and common planning time each week. MESA will have four full PD days and three full grading days at the end of each trimester.
- *Instructional Coaching*: The Principal is the instructional leader of the school, and will provide feedback to teachers. In addition, MESA also intends to employ Instructional Coaches to provide developmental, formative feedback. The coaches will observe every teacher weekly at minimum, and debrief with those teachers to promote high-quality planning, classroom management, delivery of instruction, and assessment. Instructional Coaches will also work closely with the Principal to develop support plans for developing teachers, and to help teachers understand and successfully implement the highly effective techniques of SRG and UDL.
- *Supplemental Instruction*: Students with diagnostic test scores in Math that indicate a need for additional remediation will be assigned to Math tutoring after school once per week from 4:30 PM to 5:30 PM. Two STEM teachers will work with students in small groups of five. In addition, the school will provide tutoring for all students after school on Mondays, Tuesdays, and Thursdays.

The MESA school calendar consists of 187 days of instruction, divided into three trimesters during the school year. On Mondays, Tuesdays, Thursdays and Fridays, the instructional day will begin at 9:00 a.m. with a 27-minute advisory followed by seven 52-minute academic periods with the day concluding at 4:30 p.m. On Wednesdays, students will have seven 35-minute academic periods allowing for an early release at 1:33 p.m. Teachers will stay until 5:15 p.m. on Wednesday for planning and professional development.

Prior to opening for instruction, teachers will attend a twelve-day professional development program referred to as the Summer Institute. All grade 9 students and newly-admitted grade 10 students will attend the Summer Vista, a one week summer program during which the school administers diagnostic testing, provides students with an orientation to the school environment, and offers targeted remedial instruction.

Students will be released at 1:33 p.m. on these days, allowing teachers to use the afternoon to finalize planning and participate in professional development.

In accordance with the Common Core State Standards (CCSS), MESA has set high learning standards and selected curricula “to prepare students to master the skills and understandings required for college and career readiness.” For each subject in which the school feels the existing curriculum does not meet or exceed these standards, the Principal will work intensively with curriculum specialists during the pre-opening period to adapt and amend the curriculum through the lens of the CCSS.

For English Language Arts, MESA will utilize McDougal Littell’s *Write Source* curriculum in ELA for grades 9 through 12 making modifications as needed to align with the CCSS. MESA will supplement the curriculum and focus on increasing text complexity, student exposure to expository and informational texts, and expanding students’ academic vocabulary, which are key components of the CCSS for literacy.

MESA will teach Integrated Algebra, Geometry, Algebra II/Trigonometry, and Pre-Calculus using the CCSS-aligned *University of Chicago School Mathematics Project (UCSMP)* curriculum. Beginning in year four, MESA will offer AP Calculus to students who demonstrate skills and abilities to succeed in the course. Students will also have the opportunity to take Statistics, Combinatorics, and other math courses through CUNY’s *College Now* program.

MESA has selected Holt McDougal Littell’s *Living Environment, Earth Science, World of Chemistry, and Physics* as its science curriculum based on its compatibility with UDL, clarity of content, and an inquiry-based, exploratory approach to foster investment in the scientific process and thinking. To maximize the rigor and quality of our science program, MESA will also adopt the principles of the newly released Next Generation Science Standards (NGSS). MESA will offer AP Biology to 12th grade students who demonstrate skills and abilities to succeed in the course. Students will also have the opportunity to take Molecular Biology, Environmental Science, and other science courses through CUNY’s *College Now* program.

The curriculum design for the STEM Block is driven by teacher and student interest. Students will constructively form connections to and build learning upon content in their core Math and Science courses by collaborating with partners and small groups going through the extended process of inquiry in response to a complex question, problem, or challenge. In a course called the Physics of Sports, for example, students will perform physical experiments to answer such questions as “*How do the laws of gravity affect a skateboarder’s kick-flip?*” In a course called Money Math, students will compete in a stock market game which involves analyzing trends to answer the question “*How can we outsmart the stock market with linear regression and statistics?*” Engineering and technology components of STEM education that are often overlooked according to the Next Generation Science Standards will be emphasized.

MESA teachers will use assessments in its many forms to revise pacing, differentiate lessons, remediate skills or content, group students, select students for interventions, assess professional growth and progress, and communicate with students, parents, and families. The Principal will use assessments to design, review, and revise curriculum, evaluate teachers and instructional methods, and make decisions about PD and assess its efficacy. Assessment data will also be used to inform decisions about student promotion and determine school progress towards student achievement goals.

MESA teachers will use summative assessments at the end of units of study in a variety of different forms, including written exams, group projects, oral and visual presentations, laboratory reports, among other performance tasks. Students will also take benchmark Interim Assessments at the end of each trimester and at the end of the academic year. These assessments will be aligned with both New York

State Standards (NYSS) and CCSS and allow the school leaders and teachers to identify and address gaps in student learning. This may result in, but is not limited to, after school tutoring and adjustments to and differentiation of instruction to best address identified gaps. Using summative data, teachers will work in department teams during the Summer Institute to facilitate discussions about vertical alignment of curriculum and assessment across grade levels.

If a student has a Regents Exam that corresponds to a course, the Regents Exam will be taken in place of a MESA-created end of year exam. To ensure preparedness for the exams in both content knowledge and test-taking stamina, MESA will institute three days of mock Regents Exams in May and June.

MESA teachers will review all diagnostic assessment data from the Summer Vista at length during their pre-opening professional development in August and create a data profile for the incoming cohort to identify areas of strength and skills deficits and those students who may be at-risk of academic failure. This information, along with the previous year's state test data and other available data, will also be used to make necessary adjustments to curricular frameworks, to create groups for academic interventions, and to develop instructional targets for the coming year.

At the conclusion of each year, *TerraNova* assessments will be used to measure higher-order thinking skills as well as basic and applied skills in ELA and math. These assessments generate norm-referenced achievement scores, criterion-referenced objective mastery scores, and performance-level information that can be used to assess the school's academic program. This suite of exams will be used to measure student growth.

MESA Charter High School will also collect baseline data of college readiness skills of incoming 9th grade students through a multi-faceted performance assessment that will include interviews, written responses, and problem solving. The assessment will be administered in conference sessions in tandem with the math and ELA diagnostics. The assessment will gather data on communication skills, study habits, perseverance, attitude towards school, and learning styles. This similar assessment will be administered at the conclusion of students' senior year in order to measure growth in the college readiness domains.

The applicant group has engaged in rigorous, ongoing efforts of outreach to inform and solicit input from the CSD 32 community regarding how the proposed MESA Charter High School intends to address the educational and programmatic needs of students. The applicant group held a number of community forums, distributed informational brochures in various locations throughout the community, made presentations to community based organizations and local public school officials, met with members of State and local legislatures, and invited the public to comment via the proposed school's website, email address, or phone. The applicant group has considered community feedback in its school design. For example, MESA incorporated speaking and listening opportunities in the advisory program in response to suggestions that English language learners needed more such opportunities.

The draft Admissions and Enrollment Policies submitted with the application establish enrollment preferences for English language learners in accordance with the NYS Charter Schools Act. At a minimum, a percentage of the seats equal to the enrollment target set by New York State for English language learners will be set aside for English language learners. For example, if the enrollment target set for a charter school in CSD 32 is 12%, MESA will set aside 12% of its 9th grade seats aside for English language learners.

In addition to lead applicants Mr. Samuels and Ms. Cheung, the planning team consists of eight individuals, all identified as members of the school's initial board of trustees. Four other individuals are named in the application as advisory board members, who will provide expert guidance and advice to the

board and school leaders. Subsequent to the submission of the full application, two of these individuals agreed to join the school's founding board, bringing the total number of initial trustees to ten. One founding board member intends to serve only throughout the pre-opening period and will transition to the advisory board after the school opens. A School Trustee Background Information form, Statement of Assurance and resume or curriculum vitae was provided for each of the ten individuals who will compose the school's initial board of trustees. As required, the applicant group has provided a set of draft by-laws and a draft code of ethics.

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

- **Hilary Allen**, currently the Associate Director of Math for America, is a founding teacher at Achievement First, East New York. She has expertise in teacher training and development as well as charter school start-up. She contributed extensively to the development of the mission statement and strategies for staff recruitment and retention.
- **Tracie Benjamin-Van Lierop**, currently the Director of Instruction for Special Education for the Newark Public School System, is a former Special Education Senior Instructional Facilitator with the NYCDOE and an Adjunct Professor of Education at The City College of New York with expertise in teacher training, curriculum development, and special education. She contributed to the design of MESA's special education program and served as MESA's liaison to the NYCDOE in general and CSD 32 in particular.
- **Rebecca Daverin**, currently the Director of Reporting and Compliance for the Explore Charter Schools Network. She has expertise in charter school operations, reporting, start up and compliance and contributed extensively to the design of the mission statement, charter goals, school calendar, and strategies for serving at-risk populations.
- **Jon Davidson**, currently is a Senior Manager of the Internal Audit Operations Department at Morgan Stanley. With an expertise in budgeting, finance, and financial planning, he has contributed extensively to the budget, staffing plan, and financial plan.
- **Rajeev Nath**, currently the Director in Global Finance and Procurement of ANN Inc, is a former Management Consultant at Accenture with expertise in finance, strategic planning, and personnel. He contributed extensively to development of mission statement, budget, financial management and strategies for recruitment and retention of staff.
- **Paul T. O'Neill** will transition from the Board of Trustees to the Advisory Board at the conclusion of the school's start-up phase. He is a partner at Cohen, Schneider & O'Neill LLP; is a founder & President of Tugboat Education Services; a former General Counsel of the SUNY Charter Schools Institute; a Board Chair of Manhattan Charter School I and II; and an Adjunct Professor at Teachers College, Columbia University. He has expertise in charter school start-up, design, and law. He contributed extensively to the overall school design, Board recruitment and application strategy, including development of the mission statement, special education plan, and discipline policy. Mr. O'Neill.
- **Ralia Polechronis**, currently an Associate at Paul, Weiss, Rifkind, Wharton & Garrison, LLP, is a member of the NYC Bar Association's Education and the Law Committee and has expertise in education law and charter school litigation. Ms. Polechronis contributed extensively to the mission statement, admissions policy, school culture design, and discipline policy.
- **Raul Rubio, Jr.**, currently the Coordinator of the Community Partnership Program for Episcopal Community Services of Long Island, New York which provides technical assistance to partnership project focused on child welfare issues. Mr. Rubio has a background in psychology and expertise in community based human services programs.
- **Ellis E. Scope**, currently an Adjunct Faculty member at Bank Street College who teaches graduate courses on instructional needs of students with disabilities, behavior management and positive approaches for supporting students with challenging behaviors, and school leadership.

Mr. Scope is a former Principal of the Jeffrey M. Rapport School, a high school for students with disabilities, and a former special education teacher.

- **Bill Short**, currently the Director of Arthur O. Eve Higher Education Opportunity Program (HEOP) at St. Lawrence University, is a former President of the statewide HEOP Professional Association. He has expertise in partnership building and college readiness and contributed extensively to development of mission statement and college readiness plan.

The founding group has identified an advisory board consisting of experienced individuals who will provide school's leadership and board of trustees with ongoing advice and support. The following individuals are named as members of the advisory board:

- **Richard Berlin** is the Executive Director of Harlem RBI and the Board Chair of DREAM Charter School. Mr. Berlin has experience in non-profit management, charter school start-up, charter school administration.
- **Stacey Gauthier** is Co-Principal of Renaissance Charter School. Ms. Gauthier has experience in charter school administration and operations.
- **Paul T. O'Neill** will transition from the Board of Trustees to the Advisory Board at the conclusion of the school's start-up phase.

The founding group has proposed that the co-applicants and primary authors, Arthur Samuels and Pagee Cheung, serve as the Executive Director and School Principal respectively, stating that both are uniquely qualified to open, operate, and lead the charter school.

- **Arthur Samuels** holds a J.D. from Harvard Law School and an M.A. in Education Leadership Studies from Columbia University. He founded the College Guidance program at Williamsburg Charter High School and the College Bound Program at The Renaissance Charter High School for Innovation where he has been employed since 2010. He has a track record of successful program design, partnership building and project management.
- **Pagee Cheung** holds an M.A. in Secondary Math Education from Columbia University. As a teacher at Baruch College Campus High School and Harlem Village Academy High School, she had a 100% pass rate on the Integrated Algebra Regents Exam for every year she taught. She has also served as the Director of Operations, and now as the Dean of Instruction, at Brooklyn Ascend, which scored in the top ten of all charter schools on the 2011-2012 NYS assessments.

The organizational structure of MESA Charter High School is designed to maximize support for teachers by creating an Executive Director position to oversee the school as a whole and to allow the School Principal to focus entirely on teaching and learning. The Executive Director (ED) will report directly to the Board of Trustees (Board); serve as the "public face" or chief liaison between the school and its external stakeholders, such as parents, community leaders, and the authorizer; manage all operations; and oversee fundraising and development. The ED will hire and fire all staff, subject to consultation with and recommendation of the Principal for instructional and program staff.

The ED will supervise the Principal. The Principal as the instructional leaders will focus on curriculum and instruction and planning professional development. The Principal will supervise and evaluate all instructional and program staff including teachers, counselors, Instructional Coaches, and the Director of School Culture (DSC). The Principal ensures that the educational program meets the goals of the charter by coordinating the educational programs, professional development, curriculum design, and staff accountability.

The Director of Operations (DOO) is responsible for ensuring the effective management of the non-instructional functions of the school. The DOO manages admissions, facilities, student records, food

services, the generation of required reports, and other operational and compliance responsibilities. The DOO will supervise and evaluate non-instructional, non-program staff.

MESA has incorporated into the school design several mechanisms to attract and retain high-quality teachers. For example, MESA will offer an average starting salary at MESA of \$62,000, nearly 10% higher than the DOE salary for a sixth year MA-level teacher, with a standard 3% raise each year for all teachers, and match up to 3% of an employee’s contribution to their retirement plan for those employed with MESA for more than one year. MESA will also provide an opportunity for experienced, proven teachers to serve as department heads, grade leaders, coaches, or curriculum developers and receive an extra \$5,000 stipend. Additionally, MESA will offer competitive professional growth travel fellowships of \$4,000 each to teachers, counselors, and junior level staff for professional growth purposes, such as teacher language immersion program to improve foreign language skills.

MESA seeks to co-locate within an existing NYCDOE public school facility in CSD 32 and has pursued this possibility with NYCDOE Charter Schools Office staff. If DOE does not make public space available, MESA has identified a potentially viable private space within CSD 32.

Projected Fiscal and Programmatic Impact on District of Location

The applicant group provided an analysis of the fiscal and programmatic impact of the proposed school on public and non-public schools in CSD 32, indicating that the fiscal impact of the Math, Engineering, and Science Academy (MESA) Charter High School on NYC Department of Education public schools is expected to be nominal (approximately 0.0346% of the total NYC Department of Education budget. The impact on student enrollment of other district and charter public and non-public schools in the Community School District is also expected to be minimal, as they expect to be an alternative for students who would otherwise go out of the district for high school. The applicant group stated they stated that they would be eager to share resources and successful practices with other schools in the district in the hope of having a mutually positive impact. In addition MESA hopes to co-locate with minimal impact.

The New York State Education Department (“Department”) also conducted additional analysis on the projected fiscal impact of the Math, Engineering, and Science Academy (MESA) Charter High School on its district of residence, the New York City School District (“NYCSD”), 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
2013-14	125	\$15,089	\$1,886,125	\$155,850	\$19,724,841,088	0.010%
2017-18	500	\$17,903	\$8,951,500	\$436,380	\$19,724,841,088	0.048%

The calculations above assume charter school basic tuition rates in the charter period (2013-14 thru 2017-18) based on a trend analysis provided by the Department’s State Aid Office. In order to conservatively

¹ Source: MESA Charter School Application

² Source: Education Law §2856(1)(a)(iii) and NYS Education Department Office of State Aid Charter School Basic Tuition Rate Analysis, October 2012.

³ Source: New York City DOE Financial Status Report September 2012; <http://schools.nyc.gov/Offices/DBOR/FSR/default.htm>.

avoid underestimating the fiscal impact that the charter school will have on the district going forward, 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.

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.

Below, for your reference, please find additional data on New York City Community School District 32.⁵

New York City Community School District 32

Enrollment Data	CSD 32
Total District Enrollment:	14,994
Grade 9 through 12 Enrollment:	8,476
White:	1%
Black/African-American:	23%
Hispanic/Latino:	74%
American Indian/Alaskan Native:	0%
Asian/Native Hawaiian/Pacific Islander:	2%
Free/Reduced Priced Lunch:	90%
English Language Learners:	20%
Students with Disabilities:⁶	13.6%
Graduation Rate	CSD 32
2007 Graduation Cohort:	50%

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 are likely to result from a reduction in the number of students attending district public schools attend the nonpublic schools located in the school district.

⁵ Source: 2010-2011 New York State School Report Card (<https://reportcards.nysed.gov/view.php?schedist=district&county=none&year=2011>); 2011-2012 state assessment data for Grades 3 through 8 English language arts and mathematics (<http://www.p12.nysed.gov/irs/ela-math/>); 2007 cohort graduation rates (<http://www.p12.nysed.gov/irs/pressRelease/20120611/home.html>).

⁶ Source: Special Education School District Data Profile for 2010-11 <http://eservices.nysed.gov/sepubrep/>. 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).

Grades 9-12 (2007 cohort) State Assessments (% proficient)	
English Language Arts	61%
Mathematics	61%

Public Hearing and Public Comment

As required by the Charter Schools Act, the New York City Department of Education (NYCDOE) held a hearing on Tuesday, August 28, 2012 to solicit comments from the community concerning Math, Engineering, and Science Academy (MESA) Charter High School. No comments in support or in opposition from community members were provided.

The Department directly notified the Chancellor of 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. The Chancellor was contacted by letter and invited to comment directly. Chancellor Walcott submitted a letter in support of the Math, Engineering, and Science Academy (MESA) Charter High School, noting, “The NYCDOE found this proposal to be well-designed and features a rigorous educational model. Chancellor Dennis Walcott recommends this charter application to support the children of New York City. There is need for higher quality high school seats in District 32 and we will work with the applicant on space availability in their identified CSD, if available.”

Application Review Process

On January 3, 2012, as required by the New York State Charter Schools Act, the New York State Education Department (the “Department”) released the 2012 Request for Proposals (“RFP”) to Establish Charter Schools Authorized by the Board of Regents. The charter school application process utilized by the Board of Regents and the Department during the 2012 RFP cycle is multi-stage and designed to ensure that any charter school applicant presented to the Board of Regents for possible approval demonstrates a detailed and complete school design plan that:

- includes a clear plan to meet or exceed enrollment and retention targets for students with disabilities, students who are English language learners, and students who are eligible to participate in the federal free reduced-price lunch program;
- provides evidence of public outreach that conforms to the process prescribed by the Regents for the purpose of soliciting and incorporating community input regarding the proposed charter school;
- meets all requirements set forth in the Charter Schools Act as well as all other applicable laws, rules, regulations;
- demonstrates the ability to operate the school in an educationally and fiscally sound manner;
- is likely to improve student learning and achievement and materially further the purposes of the Act; and
- would have a significant educational benefit to the students expected to attend the proposed charter school.

In addition, the applicant group and founding board of trustees must demonstrate appropriate knowledge, capacity, and abilities to effectively create, maintain, and oversee a high-quality charter school.

During 2012 Round 2, 54 letters of intent were received in June 2012 and, after an initial review process, 37 applicants were invited to submit full applications. The Department received 25 full applications, including the application for Math, Engineering, and Science Academy (MESA) Charter High School.

To assess whether to recommend approval or denial of the charter application to the Board of Regents, the Department established multi-person review panels to thoroughly evaluate each full application. Each of these panels was comprised of professional expert consultants, peer reviewers who are school leaders and educators active in charter and public schools in New York, as well as qualified Department staff members. The review panel members reviewed, rated, and commented on each section of the application according to the criteria published in the Application Kit.

Department staff conducted a two-hour capacity interview with the seven initial board members of the proposed school and one additional founding group member, on Tuesday, September 18, 2012. Questions posed to the proposed initial trustees included general questions around New York State Charter School Law, roles and responsibilities of the school community and the board to the community and various stakeholder groups as well to as the Board of Regents as authorizer. To fully understand the proposed academic program, governance role and fiscal viability of the proposed school, targeted questions were asked to clarify information provided in the full application.

The responses demonstrated adequate knowledge and grasp of key areas. Members of the applicant group as a whole and individually demonstrated knowledge of the charter school application and the proposed school. Structures, systems, protocols and procedures are in place to permit the board to effectively govern the school. The applicants addressed questions posed with specific and detailed information that presented a clear, realistic picture of how the school expects to operate.

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.⁷ 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,⁸ 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 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 manner.⁹ This finding is based on the following (among other things):

⁷ Education Law §2852(2)(a).

⁸ 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 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.

⁹ Education Law §2852(2)(b).

- The presentation in the application of a sound description of key features that are core to the school’s overall design, and which rigorously addresses the criteria outlined in the Department’s RFP in the areas of mission; key design elements; enrollment, recruitment and retention;, and community to be served.
 - The presentation in the application of a sound educational plan, which rigorously addresses the criteria outlined in the Department’s RFP in the areas of achievement goals; school schedule and calendar; curriculum and instruction; assessment; school culture and climate; and special student populations and related services.
 - The presentation in the application of a sound organizational and fiscal plan, which rigorously addresses the criteria outlined in the Department’s RFP in the areas of founding group capacity; board of trustees and governance; management and staffing; evaluation; professional development; facilities; insurance; health, food and transportation services; family and community involvement; financial management; budget and cash flow; pre-opening plan; and dissolution 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 Act¹⁰ and will have a significant educational benefit to the students expected to attend the charter school.¹¹ 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 Math, Engineering, and Science Academy (MESA) Charter High School to open in 2013 in New York City.

¹⁰ Education Law §2852(2)(c).

¹¹ As applicable pursuant to §2852(2)(d).



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 2012 Request for Proposals to
Establish Charter Schools Authorized by the Board of Regents
to establish the proposed:*

**New Visions Charter High School for Advanced Math and Science III (AMS III)
New Visions Charter High School for the Humanities III
(HUM III)**

**New Visions Charter High School for Advanced Math and Science IV (AMS IV)
New Visions Charter High School for the Humanities IV
(HUM IV)**

October 2012

Summary of the Proposed New Visions Charter High Schools

Name of Charter School	New Visions Charter High School for AMS III New Visions Charter High School for HUM III New Visions Charter High School for AMS IV New Visions Charter High School for HUM IV
Lead Applicant(s)	Ron Chaluisan and Lori Mei
District of Location	Brooklyn CSD 13, 14, 16, 17, 18 or 19
Opening Date	Summer/Fall 2013
Projected Charter Term	November 5, 2012- June 30, 2018
Management Company	New Visions for Public Schools
Partners	Lincoln Center Institute
Facility	Seeking public co-location space
Projected Enrollment and Grade Span during Charter Term	Each school will open with 125 students in grade 9 in 2013-14; growing up to 600 students in grades 9 through 12 in 2017-18.
Projected Maximum Enrollment and Grade Span	Each school will serve up to 600 students in grades 9 through 12
Mission Statement	<i>“New Vision Charter High Schools provide all students, regardless of their previous academic history, the highest quality education in an atmosphere of respect, responsibility and rigor. New Visions Charter High Schools ensures that graduates have the skills and content knowledge necessary to succeed in post-secondary choices by engaging students, teachers and administrators in learning experiences that allow risk-taking, embrace multiple attempts at learning, cultivate students’ imaginative and creative abilities, and celebrate achievement. Through an intensive study of math & science concepts, students generate research questions, develop the skills necessary to answer those questions, create products that demonstrate understanding, and defend their knowledge publicly.”</i>

New Visions Charter High School for AMS III and for HUM III, and New Visions Charter High School for AMS IV and for HUM IV, are each designed as paired sister schools to be located in geographically-close campuses, to help address the need for high quality high school seats generated through the closure of persistently low-achieving district schools in Brooklyn. New Visions for Public Schools and its flagship enterprise, New Century High School Initiative, have an extensive record of effectively providing school support, school turnaround and school start-up services in New York City and nationally. New Visions for Public Schools seeks to implement and replicate the proposed curriculum, technology, data initiatives, teacher training and leadership development model within a charter school governance structure, with the stated goal of establishing eighteen paired schools by 2015. The New Visions Charter High School for AMS III and HUM III, and New Visions Charter High School for AMS IV and HUM IV would be the third and fourth pair of charter high schools under this design. The first pair, New Visions Charter High Schools for AMS and HUM, was authorized through SUNY in September, 2010, and opened in the Bronx in August, 2011. New Visions Charter High Schools for AMS II and HUM II were authorized by the Board of Regents in September, 2011, and opened in the Bronx in August, 2012. Consistent with the 2010 amendments to

the Charter School Act, which permits one education corporation to operate more than one charter school, a new education corporation, New Visions Charter Schools, would be approved and authorized to operate the four proposed New Visions Charter High Schools.

The philosophy of New Visions Charter High Schools is “to support intellectual, social and personal development and intellectual curiosity and love for learning, balancing this academic commitment with a focus on cultivating moral character and integrity....Scholars should be challenged academically and asked to use critical thinking skills to discover, analyze and critique real world issues...Scholars should be equipped with the reading, writing and speaking skills to communicate easily and persuasively...”

Key design elements include:

- A coordinated school- and network-wide approach to intensive instruction in writing and literacy aligned with the Common Core State Standards (CCSS) in the Lower House. The Lower House is considered to include the following instructional terms: Transition to Grade 9 Summer Bridge, Grade 9, Transition to Grade 10 Summer Bridge and Grade 10.
- A differentiated program in the Upper House (Grades 11 through 12) of the paired schools, so as to offer expanded choice of coursework in STEM subjects (AMS) and history, ELA and the arts (HUM).
- An instructional inquiry model that uses challenging curricula and anchor projects to address questions relevant to students and their communities throughout all four years of the program.
- The systematic use of assessment information, aligned to the CCSS, to guide all growth and learning.
- Ongoing analysis of data by teachers and administrators to review performance, reflect on practice and determine emerging needs of students, cohorts and schools.
- A partnership with the Lincoln Center Institute to implement the Capacities for Imaginative Learning Framework, that allows students and teachers to practice and master habits of learning, creating a common language and culture among students and teachers, and fostering coherence from class to class and project to project.
- An extended school day and year.
- A staffing structure in which teacher teams, including special education and English language learner (ELL) teachers, guidance counselors and assistant principals loop with student cohorts.

The Lower House program is designed to accelerate learning and skill mastery to grade level, so that regardless of where students start academically, they exit 10th grade at proficiency. The Lower House program includes a mandatory ten-day summer bridge program for incoming grade 9 and rising grade 10 students, a clear focus on individual learning needs, and additional daily instructional time when needed. In order to advance to Upper House, students must achieve satisfactory Regents credit accumulation (Integrated Algebra, 1st level Science, Global Studies and English Language Arts), and also demonstrate proficiency in writing and literacy, and completion of anchor projects.

The Upper House program offers a small school environment with expanded subject offerings through the build-out of advanced level mathematics/science or humanities focused coursework and will offer cross-registration for students in grades 11 and 12. Upper House program may include AP coursework, career exploration opportunities and internships.

The Lincoln Center Institute (Capacities for Imaginative Learning) will partner with the schools to prepare students to solve complex problems, present knowledge coherently in writing, and present and defend their knowledge publicly.

The proposed school calendar includes 180 days of instruction in a trimester schedule, plus an additional 10 days in July for the bridge program. The daily schedule is structured to offer a longer school day, beginning at 8:30 a.m. and ending at 4:30 p.m. The schedule includes morning, extended day and enrichment activities; all core and required subjects; and daily common planning time for teachers.

The schools' assessment plans are comprehensive and describe multiple types of assessment that will be used to obtain baseline and diagnostic information; measure growth; assess progress toward college- and career readiness; and set student-, teacher- and school-level goals. These assessments include Gates-MacGinitie reading diagnostics; Performance Series Math assessments; NYS Regents exams; PSAT; ACT; 9th Grade EXPLORE exams; 10th grade PLAN; 11th-12th grade ACT; teacher-created measures for information about content mastery; performance-based measures for information about skill progress; anchor projects; and portfolios. Assessment data will be systematically provided to all stakeholders, including administrators, teachers, students, families, and trustees. Teacher evaluation will be based on assessment-based evidence of student learning, as well as evidence of addressing student needs, evidence of effective classroom practice, and student survey information.

The founding group of New Visions Charter High Schools for AMS III, HUM III, AMS IV, and HUM IV has identified high-needs neighborhoods in north and central Brooklyn, with a predominance of low-income and non-English speaking families, which may be appropriate settings for the schools. Extensive community outreach has been done by New Visions for Public Schools through the relationships of founding board members in specific communities in Brooklyn, and through Brooklyn-based community-based organizations and community leaders, including clergy, elected officials and not-for-profit leaders.

The founding group hopes to locate the proposed New Visions Charter High Schools on campuses with NYC district public schools, an arrangement that would facilitate the sharing of promising practices across charter/district structures. This arrangement would permit campus-wide provision of services, such as clinically-rich teacher training and leadership development, technology, and data initiatives. New Visions for Public Schools commits to the necessary community engagement and outreach and to collaborative work with the UFT and CSA to resolve any potential building-specific issues.

The proposed New Visions Charter High Schools will not establish enrollment preferences beyond those listed in statute (residence in CSD of location, siblings, returning students). Upon notification of the schools' placement by the New York City Department of Education (NYCDOE), New Visions for Public Schools will target feeder middle schools, principals, guidance counselors and parent coordinators in the district in which the school is going to be placed, for effective collaborations and articulations. Wherever feasible, New Visions will work with the guidance counselors, parent coordinators and youth services coordinators to convene parent information and student recruitment sessions to introduce the New Visions Charter High Schools model to students and families. The New Visions Charter High Schools understand and are committed to meeting required enrollment and retention targets for English language learners, students with disabilities and students eligible for free- and reduced-price lunch. The founding group presented a detailed, substantive narrative of how the proposed schools will attract and retain students, in particular those students with disabilities or who are English language learners.

The founding group of the New Visions High Schools consists of a core group of individuals employed by the CMO New Visions for Public Schools, the Principals of the four operating New Visions Charter High Schools and six initial members of the board of trustees, who will oversee the four proposed Brooklyn-based New Visions Charter High Schools. The six initial trustees will identify and secure seven to nine additional members once the schools' locations are identified, in order to assure strong local representation. At full development, the board is expected to include thirteen to fifteen trustees and be organized into subcommittees to effectively address the governance responsibilities of four schools. The Principal of each

school will also serve as ex-officio member on the board. As required, a set of draft by-laws and code of ethics is provided with the applications.

The applicants have provided a School Trustee Background Information form, Statement of Assurance and resume or curriculum vitae for each of the six individuals who will compose the schools' initial board of trustees. The proposed board has a range of expertise in the areas of education, administration, real estate, business management, and community and youth engagement.

The proposed members of the initial board of trustees for New Visions Charter High Schools AMS III, HUM III, AMS IV, and HUM IV are described below:

- **David Briggs** is an architect with an established independent practice, Loci Architecture. As a community member, Mr. Briggs is involved with urban planning issues in Brooklyn and NYC. Mr. Briggs also serves as Board Chair of Amber Charter School.
- **Ronald Chaluisan** is employed by New Visions for Public Schools as Vice-President, Charter Division. Since 2002, when he began his work with New Visions, Mr. Chaluisan has overseen a comprehensive program of creating new small schools and has developed and evaluated the supports provided to 76 New Visions Partnership Support Organization membership schools. He has also developed the Scaffolded Apprenticeship Program (SAM), a high school leadership certification that has been earned by over 100 NYC principals to date. Mr. Chaluisan has extensive experience in a range of teaching, administrative and educational policy settings.
- **Joycelyn Dillon** is Chair (Dental Hygiene) and Associate Professor at New York City College of Technology. She brings her knowledge of higher education and career and technical education to the board.
- **Jerry Garcia** is a Managing Director of J.P. Morgan Private Bank and has experience serving on non-profit boards. A Brooklyn resident, Mr. Garcia brings extensive expertise in business and finance to the New Visions Charter High School board.
- **Jennella Young** is Chief Program Officer with Beginning with Children Foundation. Prior to that role, Ms. Young served as Knowledge Management Officer and Program Officer Small Schools Development at New Visions for Public Schools.
- **Reverend Carmen Walston** is a Pastor at Calvary-Fellowship A.M.E. Church in Brooklyn and a retired administrator from Boys & Girls High School in Brooklyn. Reverend Walston had an extensive career as an administrator in public education in New York City prior to retirement and now brings her capacities for community engagement and knowledge of youth programming to the board.

Additional members of the founding group, all associated with New Visions for Public Schools, are listed below:

- **Scott Bruss**, Curriculum Development, Teacher Coaching (Secondary Math)
- **Julia Chun**, Principal, Advanced Math and Science
- **Jen Gowers**, Curriculum Development, Teacher Coaching (Secondary ELA)
- **Janice Hamman**, Curriculum Development, Compliance (Special Education)
- **Kami Lewis Levin**, Curriculum Development, Teacher Coaching (Literacy)
- **Seth Lewis Levin**, Principal, New Visions Charter High School for Humanities
- **Stacy Martin**, Chief Operating Officer
- **Lori Mei**, Director of Charter School Operations
- **Kiran Pirohit**, Curriculum Development, Teacher Coaching (Secondary Science)
- **Jennie Soler-McIntosh**, Director, Community Engagement
- **Janet Price**, Director of NVPS Instruction, Charter Schools

- **Michelle Williams**, Curriculum Development, Teacher Coaching (Secondary Social Studies)

New Visions for Public Schools is a charter management organization and will provide academic, programmatic and operational support to the New Visions Charter High Schools as described in the application and in the draft Educational Service Agreement provided with the applications. The New Visions Charter High Schools board of trustees will delegate authority to New Visions for Public Schools to run the daily operations of the school, including the selection and evaluation of the Principals, the professional development of Inquiry Teams, the provision and analysis of data, and the setting of targets and development of action plans to attain the targets. New Visions for Public Schools will also provide administrative start-up support and resources, fiscal management and payroll administration services, support for teacher recruitment and development, community engagement, curriculum support, network collaboration support and other services.

The New Visions Charter High Schools will be led by the school Principals, who will be hired by the board of trustees. New Visions for Public Schools will assume responsibility to recruit, train, provide ongoing support, and evaluate the school Principals. The Principals will serve as the instructional leaders and managers of the New Visions Charter High Schools. A Chief Operating Officer will report to the Principal in each school, and will manage the schools’ operations teams, consisting of an office manager, nurse, parent coordinator and teaching aides. Each school will be staffed with four Assistant Principals, who will work in conjunction with the Guidance Counselors to lead a grade group cohort from grade 9 through grade 12. Teachers and Guidance Counselors will report to the Assistant Principals, who will report to the Principal.

The New Visions Charter High Schools will have a formal partnership with the Lincoln Center Institute, which will provide instructional support to the schools at the direction of the Principals.

The applicants have not yet identified facilities for these schools and will work with the NYCDOE to plan for siting of the schools in Brooklyn. In his letter of support for the applications, NYCDOE Chancellor Dennis Walcott noted: “The DOE has not made any decisions regarding potential phase-outs for the 2013-14 school year. However we do see a need for higher quality high school seats in the identified CSDs and in other CSDs. We will work with the applicant to identify space.”

Projected Fiscal and Programmatic Impact on District of Location

The projected fiscal impact of the four proposed New Visions Charter High Schools on the district of residence, the New York City School District (“NYCSD”), is summarized below:

Year	Number of Students Enrolled in Charter Schools Per Year¹	Charter School Basic Tuition Rate²	Total Charter School Basic Tuition Only	Estimated District Special Education Payment¹	Total District General Fund Budget³	Percent of District Budget
2013-14	500	\$15,089	\$7,544,500	\$891,824	\$19,724,841,088	0.043%
2017-18	2400	\$17,903	\$42,967,200	\$4,038,184	\$19,724,841,088	0.238%

¹ Source: Charter School Applications for AMS III, HUM III, AMS IV, and HUM IV.

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 Source: New York City DOE Financial Status Report September 2012; <http://schools.nyc.gov/Offices/DBOR/FSR/default.htm>.

The calculations above assume charter school basic tuition rates in the charter period (2013-14 thru 2017-18) based on a trend analysis provided by the Department's State Aid Office. 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.

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.

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 are likely to result from a reduction in the number of students attending district public schools.

Below, for your reference, please find additional data on New York City Community School Districts 13, 14, 16, 17, 18 and 19 (Brooklyn):⁵

New York City Community School Districts 13, 14, 16, 17, 18, and 19 (Brooklyn) Data

Enrollment Data	CSD 13	CSD 14	CSD 16	CSD 17	CSD 18	CSD 19
Total District Enrollment:	22,114	19,714	9,907	26,188	18,010	24,825
Grade 9 through 12 Enrollment:	11,917	7,344	3,040	8,476	4,094	7,680
White:	8%	8%	1%	1%	1%	1%
Black/African-American:	59%	29%	82%	83%	91%	53%
Hispanic/Latino:	15%	59%	15%	13%	7%	40%
American Indian/Alaskan Native:	0%	0%	1%	1%	0%	1%
Asian/Native Hawaiian/Pacific Islander:	17%	3%	1%	2%	1%	6%
Free/Reduced Priced Lunch:	73%	87%	80%	86%	80%	89%
English Language Learners:	5%	12%	4%	10%	6%	13%
Students with Disabilities:⁶	13.6%	13.6%	13.6%	13.6%	13.6%	13.6%
Graduation Rate	CSD 13	CSD 14	CSD 16	CSD 17	CSD 18	CSD 19
2007 Graduation Cohort:	78%	67%	50%	61%	45%	61%

Grades 9-12 (2007 Cohort) State Assessments (% proficient)						
CSD	CSD 13	CSD 14	CSD 16	CSD 17	CSD 18	CSD 19
English Language Arts	86%	75%	58%	71%	56%	62%
Mathematics	84%	71%	56%	73%	58%	67%

Public Hearing and Public Comment

As required by the Charter Schools Act, the NYCDOE conducted a public hearing in CSD 17 on August 14, 2012, to solicit comments from the community concerning the proposed charter school and three other new charter schools proposed to be established in the area. No comments, either in favor of or in opposition to the schools, were made at the hearing. A number of individuals commented that the NYCDOE did not provide sufficient notice of the hearing or time for the public to review the applications. On August 23, members of the Community Education Council and a number of other community residents jointly submitted a letter to the Department Charter School Office expressing this concern. As per standing Department protocol, the Charter School Office invited members of the public to submit comments on the proposed schools directly through the website at <http://www.p12.nysed.gov/psc/startcharter> or through letters or phone calls to Charter School Office staff. No comments were submitted.

The Department directly notified the NYCDOE, as well as public and private schools in the region, of the New Visions Charter High School applications, and issued an open call for written public comment via the

⁵ Source: 2010-2011 New York State School Report Card (<https://reportcards.nysed.gov/view.php?schedist=district&county=none&year=2011>); 2011-2012 state assessment data for Grades 3 through 8 English language arts and mathematics (<http://www.p12.nysed.gov/irs/ela-math/>); 2007 cohort graduation rates (<http://www.p12.nysed.gov/irs/pressRelease/20120611/home.html>).

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State Education Department Charter School Office website. No public comments have been submitted. The NYCDOE Chancellor was contacted by letter and invited to comment. Chancellor Walcott submitted a letter of support, recommending approval of the New Visions Charter High School applications, noting, “This application is proposing to offer students and families a high quality option within a building that also houses a school that is phasing out due to performance concerns. It is a replication of an existing high-performing charter school. Chancellor Dennis Walcott recommends this charter application to support the children of New York City.”

Application Review Process

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- includes a clear plan to meet or exceed enrollment and retention targets 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;
- provides evidence of public outreach that conforms to the process prescribed by the Regents for the purpose of soliciting and incorporating community input regarding the proposed charter school;
- meets all requirements set forth in the Charter Schools Act as well as all other applicable laws, rules, regulations;
- demonstrates the ability to operate the school in an educationally and fiscally sound manner;
- is likely to improve student learning and achievement and materially further the purposes of the Act; and
- would have a significant educational benefit to the students expected to attend the proposed charter school.

In addition, the applicant group and founding board of trustees must demonstrate appropriate knowledge, capacity, and abilities to effectively create, maintain, and oversee a high-quality charter school.

During 2012 Round 2, 54 letters of intent were received in June 2012 and, after an initial review process, 37 applicants were invited to submit full applications. The Department received 25 full applications, including the four applications for New Visions Charter High Schools.

To assess whether to recommend approval or denial of the charter application to the Board of Regents, the Department established multi-person review panels to thoroughly evaluate each full application. Each of these panels was comprised of professional expert consultants, peer reviewers who are school leaders and educators active in charter and public schools in New York, as well as qualified Department staff members. The review panel members reviewed, rated, and commented on each section of the application according to the criteria published in the Application Kit.

Department staff conducted a two-hour capacity interview with five initial board members of the proposed schools and five founding group members, on Wednesday, September 19, 2012. Questions posed to the proposed initial trustees included general questions around New York State Charter School Law, roles and responsibilities of the school community and the board to the community and various stakeholder groups as well to as the Board of Regents as authorizer. To fully understand the proposed academic program, governance role and fiscal viability of the proposed schools, targeted questions were asked to clarify information provided in the full application.

The responses demonstrated adequate knowledge and grasp of key areas. Members of the applicant group as a whole and individually demonstrated knowledge of the charter school application and the proposed schools. Structures, systems, protocols and procedures are in place to permit the board to effectively govern the schools. The applicants addressed questions posed with specific and detailed information that presented a clear, realistic picture of how the schools expect to operate.

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.⁷ This finding is based on the following (among other things):
 - the application included the information required by Education Law §2851(2)
 - the proposed charter school would meet or exceed enrollment and retention targets, as prescribed by the NYS Board of Regents,⁸ 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 §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 §2852(9-a)(b)(ii).
2. The applicant has demonstrated the ability to operate the proposed charter school in an educationally and fiscally sound manner.⁹ This finding is based on the following (among other things):
 - The presentation in the application of a sound description of key features that are core to the school's overall design, and which rigorously addresses the criteria outlined in the Department's RFP in the areas of mission; key design elements; enrollment, recruitment and retention; and community to be served.
 - The presentation in the application of a sound educational plan, which rigorously addresses the criteria outlined in the Department's RFP in the areas of achievement goals; school schedule and calendar; curriculum and instruction; assessment; school culture and climate; and special student populations and related services.
 - The presentation in the application of a sound organizational and fiscal plan, which rigorously addresses the criteria outlined in the Department's RFP in the areas of founding group capacity; board of trustees and governance; management and staffing; evaluation; professional development; facilities; insurance; health, food and transportation services; family and community involvement; financial management; budget and cash flow; pre-opening plan; and dissolution 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.

⁷ Education Law §2852(2)(a).

⁸ 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 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.

⁹ Education Law §2852(2)(b).

3. Granting the proposed charter is likely to improve student learning and achievement, will materially further the purposes of the Act¹⁰ and will have a significant educational benefit to the students expected to attend the charter school.¹¹ 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 New Visions Charter High School for Advanced Math and Science III, New Visions Charter High School for Humanities III, New Visions Charter High School for Advanced Math and Science IV, New Visions Charter High School for Humanities IV, to open in 2013 in New York City.

¹⁰ Education Law §2852(2)(c).

¹¹ As applicable pursuant to §2852(2)(d).



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 2012 Request for Proposals to
Establish Charter Schools Authorized by the Board of Regents
to establish the proposed:*

The New American Academy Charter School

October 2012

Summary of the Proposed The New American Academy Charter School

Name of Charter School	The New American Academy Charter School
Lead Applicant(s)	Shimon Waronker
District of Location	Brooklyn, CSD 19
Opening Date	Summer/Fall 2013
Projected Charter Term	November 5, 2012 – June 30, 2018
Management Company	None
Partners	None
Facility	Seeking public co-location space
Projected Enrollment and Grade Span during Charter Term	Opening with 130 students in grades K through 1 in 2013-2014; growing to 370 students in grades K through 5 in 2017-2018.
Projected Maximum Enrollment and Grade Span	550 students in grades Kindergarten through grade 8
Mission Statement	<i>“The New American Academy Charter School empowers learners and inspires leaders to make this a better world. Through our collaborative teacher team, mastery-based career ladder, and looping cycles, we offer personalized rigorous instruction that enables our students to succeed in high school, college, and their future lives.”</i>

The New American Academy Charter School is based on The New American Academy model developed by a cohort of six high-achieving principals (the lead applicant among them) who participated in the Urban Superintendents Program at Harvard University. Designed as a transformative alternative to the traditional schooling design, The New American Academy model is engineered to create emotionally supportive and intellectually rigorous learning communities predicated upon the idea that student achievement is directly tied to the quality of teacher instruction. The model was implemented at P.S. 770, a choice district school in Crown Heights, Brooklyn, in 2010 as a partnership between the New York City Department of Education (NYCDOE) and the United Federation of Teachers (UFT).

Key Design Elements:

- **Four Person Teaching Team:** The New American Academy Charter School teacher teams work with the same 60-65 students within a grade-level cohort. In addition to a Master Teacher, each team includes a licensed Special Education and English as a Second Language (ESL) teacher.
- **Looping Cycles:** Students loop with the same teaching team and classmates for five years to allow for the development of trust and meaningful relationships between students, parents, and their teaching team.
- **Mastery-based Career Ladder:** The New American Academy Charter School four-step career ladder (apprentice, associate, partner, and master) is based on demonstrated ability, culminating with the Master Teacher. Master teachers receive a significantly higher salary than their NYCDOE counterparts, with Master Teachers earning \$120,000.
- **Multi-dimensional Teacher Evaluation System:** The teacher evaluation system draws upon a diverse range of indicators, including student testing data, peer review, and Danielson-based classroom observations to create a holistic and accurate measure of teacher performance.
- **Lower Teacher/Student Ratio:** Each four-person teacher team works with a group of 60-65 students. A 15:1 teacher student ratio has been shown to increase student achievement and to

allow for more personalized attention for every student. By flattening the organizational structure and redistributing external resources to the classroom, The New American Academy Charter School can assign four fully licensed teachers to each team.

- **Embedded Master Teacher:** Each four-person team includes a Master Teacher, whose role is to serve as mentor to the three other members of the team and provide coaching, support, and feedback to ensure best practice and appropriate rigor. In addition to raising the quality of instruction team-wide, an embedded Master Teacher also ensures that inexperienced teachers are never left alone to “sink or swim” at the expense of student learning.
- **Five-Week Summer Training Program:** The five-week summer training program begins with a week-long seminar at Harvard which focuses on in-depth communication, reflection, and listening skills. Critical for the team-based environment, these skills enable teacher-teams to maximize their collective potential and to avoid the interpersonal pitfalls and misunderstandings that often hamper collaborative efforts. These skills are then practiced throughout the next four weeks as teams create their curriculum maps, management systems, and curricula for the school year.
- **Six-Step Hiring Process:** The New American Academy Charter School six step hiring process includes a written application, phone interview, group unit building activity, panel interview, reference checks, and demo lesson. As candidates progress through this process they are observed and assessed by parents, teachers, and administrators.

The proposed school calendar includes 183 days of instruction. Instruction will begin daily at 9:00 a.m. and conclude at 3:30 p.m. The New American Academy Charter School will provide 5.5 daily hours (330 minutes) of teaching and learning, excluding lunch and recess. The New American Academy Charter School teachers will participate in 629 hours of formal professional development each year. In addition to the daily ninety minute teacher team meetings and five week summer training program, the schedule embeds 255 hours of professional development time spread throughout the year and includes ninety minutes of reflective practice each week.

The New American Academy Charter School will provide literacy and mathematics instruction in the mornings and interdisciplinary units of study of science and social studies in the afternoon. Teachers will use the workshop model of literacy instruction. Unique interdisciplinary units of study of science and social studies will support students both in gaining content knowledge and in attaining critical thinking skills. At P.S. 770, the combination of skill building in the morning and interdisciplinary studies in the afternoon was particularly successful, and The New American Academy Charter School will build upon that success.

The structure of the reading workshop provides students with the tools needed to be successful and effective lifelong readers. As in P.S. 770 during Reader’s Workshop, The New American Academy Charter School students will receive explicit teaching through a series of units of instruction that address the Common Core State Standards (CCSS) mandate for the reading of texts with increasing complexity and focus on nonfiction reading. In addition, students will learn to ask effective questions and to make connections with prior knowledge, previously read texts and the world at large, leading to mastery of the higher order thinking skills students need to be effective readers and thinkers in the 21st century.

Writer’s Workshop has been selected by The New American Academy Charter School because of its high rate of success and curriculum validity. The structure of the writing workshop provides students with the tools needed to be effective writers across a variety of genres and for a variety of purposes, and addresses the CCSS mandate for the production of writing in three key areas: narrative, persuasive and informational and also for the production of texts with increasing complexity and increasing focus on nonfiction writing.

The New American Academy Charter School has selected JUMP Math, a guided discovery or micro-inquiry approach to mathematics instruction. This model, well-matched to CCSO, provides feedback, scaffolding, and assessment along with explicit instruction.

Interdisciplinary units of study are aligned to State standards and also embrace the concepts of STEM (science, technology, engineering and mathematics) curriculum. This interdisciplinary project-based model offers students the opportunity to make sense of the world holistically. The New American Academy Charter School will teach six distinct interdisciplinary units of study: engineering, agriculture/husbandry, energy, communication, transportation, and medicine. Two hours each day will be devoted to interdisciplinary units of study.

H.E.A.R.T.-based character education will focus on three areas: self-awareness, efficacy and agency, and developing and maintaining healthy relationships with others. H.E.A.R.T. values of Humility, Empowerment, Aspiration, Responsibility and Teamwork will be at the center of this curriculum. As in P.S. 770, H.E.A.R.T. will be taught through explicit instruction and informally during meals and structured play.

The New American Academy Charter School instructional model with a 60:4 student-to-teacher ratio allows for unique structures that balance the flexibility of exploratory learning with standards-based instruction. The model enables a high level of support for differentiation to ensure that every student will have his or her individual learning needs met. The teaching team, led by the Master Teacher, will have the freedom to select the student/teacher ratio of the instructional group that is most appropriate for any given lesson. This decision will be made while considering the needs of the learners and the objective of the lesson. The flexibility of grouping within the model makes it possible for one student to interact with all four teachers on a regular basis.

The New American Academy Charter School will use a combination of standardized and teacher-developed assessments, which include TerraNova exams in grades K through 2, Fountas and Pinnell Literacy Assessments in grades K through 5, New York State ELA and Math assessments in grades 3 through 5, and the NYS Science assessment in grade 4. Teachers will also design high quality assessments and standards-based rubrics that are aligned to the instructional curriculum in the areas of literacy, math, science and social studies. These teacher created assessments will include both project-based and on demand tasks to insure all aspects of the learner are being evaluated.

The Master Teachers will be responsible for coordinating the administration of assessments, with most of the implementation and learning support to be provided by the Apprentice, Associate and Partner teachers. Training will be provided to teachers by the Master Teachers on how to properly administer these assessments, collect data, analyze results and develop action plans based on the data collected. The 90-minute morning team meetings will be used to facilitate the analysis and evaluation of the data collected and to develop concrete action plans for our students to insure students are provided with the instruction necessary to empower them with the skills and scholarly habits needed in the 21st century workplace.

The data collected from diagnostic, benchmark, formative and summative assessments will be used to: a) establish benchmarks for all students; b) track student progress across time; c) determine current academic performance levels; d) identify topics that students have not mastered and will need to be re-taught; e) identify struggling students who need remediation or advanced students who need enrichment; and f) evaluate overall program elements, such as the curriculum and professional development.

The New American Academy Charter School intends to be located in Community School District 19, which covers most of East New York, Brooklyn. The community, predominantly African American

(59%) and Hispanic (37%), is challenged by crime and poverty with 35.4% of the residents living below the poverty level. Among residents 25 years or older, only 8% have a college degree and only 29% have a high school diploma. Of the 33 elementary and middle schools in the district only two were rated by the NYCDOE as “A” schools, while 12 were rated as “C” schools and 5 were rated as either “D” or “F”. Nearly 90-percent of the school age population are eligible for free or reduced lunch.

The applicant group met with multiple stakeholders in Community School District 19, including State Senator John Sampson, NYCDOE Deputy Chancellor Marc Sternberg, UFT Vice President Leo Casey, and District 19 Superintendent Rose Marie Mills, all of whom continue to provide input and have pledged to support the opening of The New American Academy Charter School in Community School District 19. The applicant group has also received enthusiastic interest and feedback from CEC 19, local educators, and elected officials.

Admissions and Enrollment Policies submitted with the application establish enrollment preferences in accordance with the Commissioner’s Regulations. The New American Academy Charter School is committed to meeting the established enrollment and retention targets for special student populations and will use strategic recruitment to assure that the school attracts a diverse and representative population. The New American Academy Charter School’s Admissions policy includes a preference for students eligible for the federal free and reduced-price meals. The applicant group believes that the school’s positive culture and strong family engagement policies will help to maintain a rate of student attrition at 5% or less.

The applicant group for The New American Academy Charter School consists of six individuals, one of whom will transition to the initial board of trustees. Shimon Waronker is the lead applicant and current Headmaster at P.S. 770, and is proposed to serve as the Headmaster of The New American Academy Charter School. Two individuals on the founding team will remain in their teaching positions at P.S. 770; two other individuals will provide support through the pre-opening phase.

The proposed founding board of trustees for The New American Academy Charter School consists of six members with a broad range of expertise in education, administration, grant writing, law, financial planning, not-for profit governance/management, community engagement, family involvement and charter school start-up, replication, and governance. As required, the applicant has provided a set of draft by-laws and a draft code of ethics. Additionally, a School Trustee Background Information form, Statement of Assurance and resume or curriculum vitae is provided for each of the six individuals who will compose the school’s initial board of trustees.

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

- **Varleton “Mac” McDonald:** Mr. McDonald received his Bachelor’s degree from the New York Institute of Technology, a M.Ed. from the City University of New York and an M.S. from the College of New Rochelle. He served as a teacher for five years and then as an assistant principal for three years. Thereafter, he became principal of one of the twelve most violent schools in NYC, Thomas Jefferson High School.
- **Dr. Leo Casey:** Dr. Casey is Executive Director of the Albert Shanker Institute, a not for profit ‘think tank’ endowed by the American Federation of Teachers to focus on issues of public education, unionism and democracy promotion internationally. Casey was appointed to that position by a unanimous vote of Institute’s Board of Trustees in June 1012. Prior to assuming his current position at the Shanker Institute, Casey served as Vice President of Academic High Schools for the United Federation of Teachers, New York City’s 200,000-person strong teacher union.
- **Krista Barron:** For six years Ms. Barron served as a high school teacher at the East Brunswick High School and the Frederick Douglass Academy. She later assumed the role of Executive

Director of the Cahn Fellows Program in 2006 and continues to serve in this capacity to the present. The Cahn Fellows Program is a fellowship for approximately twenty to twenty-five distinguished public school principals.

- **Dr. Eileen McGowan:** Dr. McGowan studies the development of formal mentoring relationships within educational settings. At Harvard Graduate School of Education, she is the Program Director of the Field Experience Program and a Lecturer on Education. Prior to her current appointment at Harvard, Dr. McGowan was a principal of Mentoring Strategies, a consulting firm specializing in the creation of more effective mentoring programs in urban school systems, higher-education programs, and nonprofit and for-profit organizations. Some of her clients have included the Boston Public Schools, New Leaders for New Schools, and the Jean Mayer USDA Human Nutrition Research Center on Aging at Tufts University. Dr. McGowan has served as Director of Evaluation at the national nonprofit Higher Education Resource Services (HERS) and was a teacher in public education for 14 years.
- **Nancye Miller:** The Founder of Opportunities Development Group, LLC, Nancye Miller is a corporate executive and visionary who has led companies and organizations through successful turnarounds and high growth phases. Throughout her career she has distinguished herself by her knowledge and application of sound operational and management principles, financial models, sales and marketing strategies and the necessary execution required for success.
- **Dr. Evelyn Castro:** Dr. Castro received a B.S. from Morgan University a M.S. from Bank Street College of Education and an Ed.M. & Ed.D. from Teachers College, Columbia University. Beginning as a NYC public school teacher, Dr. Castro pioneered innovative educational leadership on multiple levels. She has served as a teacher, principal, superintendent, vice-president of the Leadership Academy, dean of the School of Liberal Arts and Education at Medgar Evers College, and is currently Director of the Brooklyn/Queens Regional BETAC.

Founding team members include:

- **Shimon Waronker:** Lead Applicant and proposed Headmaster of The New American Academy Charter School. Mr. Waronker is presently the Headmaster at P.S. 770 and is the creator of The New American Academy model.
- **Nick Ackerman:** A consultant at P.S.770, Mr. Ackerman helped develop the model and will support pre-opening planning and operations for the proposed charter school.
- **Yehudi Meshchaninov:** Also a consultant at P.S.770, Mr. Meshchaninov will assist with pre-opening planning and operations, with a focus on human resources.
- **Lisa Parquette Silva:** A Master Teacher at P.S. 770, Ms. Parquette supported the development of the charter school design and contributed to the written application.
- **Lorraine Scorsone:** Also a Master Teacher at P.S. 770, Ms. Scorsone supported the development of the charter school design and contributed to the written application.

The New American Academy Charter School model aims to provide a flattened organizational structure, placing most student resources inside the classroom. Roles such as assistant principal, coach, AIS teacher, push-in English language learner (ELL) teacher, etc. are instead primarily the responsibilities of the grade level teaching team, each of which will include a certified special education teacher and an ESL teacher. All major instructional decisions are made collaboratively by the Education Leadership Team, which consists of the Headmaster and all master teachers.

The Headmaster is the primary instructional leader of the school and serves as head of the Education Leadership Team. The Headmaster reports to the Board of Trustees, evaluates all administrative roles, and plays a primary role in teacher evaluations. Shimon Waronker has been selected as the first Headmaster of The New American Academy Charter School. The Director of Operations, who reports to the Headmaster, is responsible for managing student records, student enrollment, food services, health

services, transportation, facilities, scheduling and planning. In year two, an Operations Assistant will be hired to help with these tasks. Community Assistants, who aid during arrival, dismissal, meal times, etc., will report to the Director of Operations.

Master Teachers as the leader of the teaching team embody and maintain the school's mission, purpose, and core values, and carry the highest burdens of responsibility for student, teacher, and school success. The Master Teacher has the ultimate responsibility for ensuring quality instruction, ensuring appropriate division of teaching duties, monitoring student learning, developing curriculum, and actively participating as a member of the Education Leadership Team. The Master Teacher also mentors and develops the other members of their team and ensures ongoing parental involvement and communication.

The Partner Teacher is an experienced educator and provides a high level of instructional, curricular, and classroom management expertise to their teaching team. Associate Teachers are responsible for daily instruction and student support. Under the mentorship of the Master Teacher, they meet the range and diversity of student learning needs. This includes coaching of small subsets of students and one-on-one direct instruction. The Apprentice Teacher, a first or second year teacher, will be supported and developed by the other three teachers of the teaching team and have responsibility for daily instruction and providing student support for meeting the range of student needs.

The New American Academy Charter School seeks to co-locate in available NYCDOE public school in CSD 19. The founding group met with NYCDOE staff about the availability of public school space. However, in the event that a suitable public space cannot be found, The New American Academy Charter School has budgeted to lease appropriate private space in the CSD 19/East New York area. The ideal space for The New American Academy Charter School would include large classrooms to accommodate flexible instruction for up to 65 students and four teachers.

Projected Fiscal and Programmatic Impact on District of Location

The applicant provided an analysis of the fiscal and programmatic impact of the proposed school on public and non-public schools in CSD 19, indicating that the fiscal impact of The New American Academy Charter School on NYC Department of Education public schools is expected to be nominal (less than 0.002% of the total NYC Department of Education budget). The impact on student enrollment of other district and charter public and non-public schools in the Community School District is also expected to be minimal. The applicant states that The New American Academy Charter School has the potential to positively impact local schools by modeling innovative programs and sharing effective practices, and creating opportunities to collaborate in areas such as professional development, parent involvement and extra-curricular activities.

The New York State Education Department ("Department") also conducted additional analysis on the projected fiscal impact of The New American Academy Charter School on its district of residence, the New York City School District ("NYCSD"), 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
2013-14	130	\$15,089	\$1,961,570	\$155,850	\$19,724,841,088	0.011%
2017-18	370	\$17,903	\$6,624,110	\$436,380	\$19,724,841,088	0.036%

The calculations above assume charter school basic tuition rates in the charter period (2013-14 thru 2017-18) based on a trend analysis provided by the Department's State Aid Office. In order to conservatively avoid underestimating the fiscal impact that the charter school will have on the district going forward, 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.

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: The New American Academy Charter School 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 Source: New York City DOE Financial Status Report September 2012; <http://schools.nyc.gov/Offices/DBOR/FSR/default.htm>.

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 are likely to result from a reduction in the number of students attending district public schools attend the nonpublic schools located in the school district.

Below, for your reference, please find additional data on New York City Community School District 19.⁵

New York City Community School District 19 Data

Enrollment Data	CSD 19
Total District Enrollment:	24,825
Grade K through 5 Enrollment:	7,680
White:	1%
Black/African-American:	53%
Hispanic/Latino:	40%
American Indian/Alaskan Native:	1%
Asian/Native Hawaiian/Pacific Islander:	6%
Free/Reduced Priced Lunch:	89%
English Language Learners:	13%
Students with Disabilities:⁶	13.6%

State Assessments (% proficient)			
Grades	3	4	5
English Language Arts	34%	39%	39%
Mathematics	42%	51%	53%

Public Hearing and Public Comment

As required by the Charter Schools Act, the New York City Department of Education (NYCDOE) held a hearing on Wednesday, August 29, 2012 to solicit comments from the community concerning The New American Academy Charter School. Eight members of the public were in attendance; four of these members spoke in opposition, commenting that: “There was insufficient notice of the public hearing”; “NYC DOE must follow city law for [conducting the] hearing”; and “There is not enough room in CSD 19 - other districts should be the recipients of charter schools.” Additionally, the Department received a letter of opposition from Leonie Haimson, Executive Director of Class Size Matters, in which she states “there is no research or independent evaluation to back up the instructional model of this school and in fact, objective evidence strongly suggests that the existing school is struggling and should not be replicated at this time.”

The Department directly notified the Chancellor of 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. The Chancellor was contacted by letter and invited to comment directly. Chancellor Walcott submitted a letter in support of The New American

⁵ Source: 2010-2011 New York State School Report Card (<https://reportcards.nysed.gov/view.php?schedist=district&county=none&year=2011>); 2011-2012 state assessment data for Grades 3 through 8 English language arts and mathematics (<http://www.p12.nysed.gov/irs/ela-math/>); 2007 cohort graduation rates (<http://www.p12.nysed.gov/irs/pressRelease/20120611/home.html>).

⁶ Source: Special Education School District Data Profile for 2010-11 <http://eservices.nysed.gov/sepubrep/>. 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).

Academy Charter School, noting, “This proposal is a replication of an existing high-performing District school. Chancellor Dennis Walcott recommends this charter application to support the children of New York City. There is need for higher quality elementary/middle school seats in District 19 and we will work with the applicant on space availability in their identified CSD, if available.”

Application Review Process

On January 3, 2012, as required by the New York State Charter Schools Act, the New York State Education Department (the “Department”) released the 2012 Request for Proposals (“RFP”) to Establish Charter Schools Authorized by the Board of Regents. The charter school application process utilized by the Board of Regents and the Department during the 2012 RFP cycle is multi-stage and designed to ensure that any charter school applicant presented to the Board of Regents for possible approval demonstrates a detailed and complete school design plan that:

- includes a clear plan to meet or exceed enrollment and retention targets 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;
- provides evidence of public outreach that conforms to the process prescribed by the Regents for the purpose of soliciting and incorporating community input regarding the proposed charter school;
- meets all requirements set forth in the Charter Schools Act as well as all other applicable laws, rules, regulations;
- demonstrates the ability to operate the school in an educationally and fiscally sound manner;
- is likely to improve student learning and achievement and materially further the purposes of the Act; and
- would have a significant educational benefit to the students expected to attend the proposed charter school.

In addition, the applicant group and founding board of trustees must demonstrate appropriate knowledge, capacity, and abilities to effectively create, maintain, and oversee a high-quality charter school.

During 2012 Round 2, 54 letters of intent were received in June 2012 and, after an initial review process, 37 applicants were invited to submit full applications. The Department received 25 full applications, including the application for The New American Academy Charter School.

To assess whether to recommend approval or denial of the charter application to the Board of Regents, the Department established multi-person review panels to thoroughly evaluate each full application. Each of these panels was comprised of professional expert consultants, peer reviewers who are school leaders and educators active in charter and public schools in New York, as well as qualified Department staff members. The review panel members reviewed, rated, and commented on each section of the application according to the criteria published in the Application Kit.

Department staff conducted a two-hour capacity interview with the seven initial board members of the proposed school and one additional founding group member, on Monday, April 2, 2012. Questions posed to the proposed initial trustees included general questions around New York State Charter School Law, roles and responsibilities of the school community and the board to the community and various stakeholder groups as well to as the Board of Regents as authorizer. To fully understand the proposed academic program, governance role and fiscal viability of the proposed school, targeted questions were asked to clarify information provided in the full application.

The responses demonstrated adequate knowledge and grasp of key areas. Members of the applicant group as a whole and individually demonstrated knowledge of the charter school application and the proposed school. Structures, systems, protocols and procedures are in place to permit the board to effectively govern the school. The applicants addressed questions posed with specific and detailed information that presented a clear, realistic picture of how the school expects to operate. The applicant group was also able to articulate how the proposed school builds on the lessons learned and design of the P.S. 770, the current school utilizing The New American model.

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.⁷ 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,⁸ 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 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 manner.⁹ This finding is based on the following (among other things):
 - The presentation in the application of a sound description of key features that are core to the school's overall design, and which rigorously addresses the criteria outlined in the Department's RFP in the areas of mission; key design elements; enrollment, recruitment and retention; and community to be served.
 - The presentation in the application of a sound educational plan, which rigorously addresses the criteria outlined in the Department's RFP in the areas of achievement goals; school schedule and calendar; curriculum and instruction; assessment; school culture and climate; and special student populations and related services.
 - The presentation in the application of a sound organizational and fiscal plan, which rigorously addresses the criteria outlined in the Department's RFP in the areas of founding group capacity; board of trustees and governance; management and staffing; evaluation; professional development; facilities; insurance; health, food and transportation services; family and community involvement; financial management; budget and cash flow; pre-opening plan; and dissolution plan.

⁷ Education Law §2852(2)(a).

⁸ 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 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.

⁹ Education Law §2852(2)(b).

- 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 Act¹⁰ and will have a significant educational benefit to the students expected to attend the charter school.¹¹ 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 New American Academy Charter School to open in 2013 in New York City.

¹⁰ Education Law §2852(2)(c).

¹¹ As applicable pursuant to §2852(2)(d).



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 2012 Request for Proposals to
Establish Charter Schools Authorized by the Board of Regents
to establish the proposed:*

Unity Preparatory Charter School of Brooklyn

October 2012

Summary of the Proposed Unity Preparatory Charter School of Brooklyn

Name of Charter School	Unity Preparatory Charter School of Brooklyn
Lead Applicant(s)	Joshua Beauregard
District of Location	Brooklyn, CSD 13
Opening Date	Summer/Fall 2013
Projected Charter Term	November 5, 2012 - June 30, 2018
Management Company	None
Partners	None
Facility	Seeking public co-location space and/or proposed lease with private landlord
Projected Enrollment and Grade Span during Charter Term	Opening with 128 students in grade 6 in 2013-14; growing up to 640 students in grades 6 through 10 in 2017-18.
Projected Maximum Enrollment and Grade Span	819 students in grades 6 through 12
Mission Statement	<i>“Unity Preparatory Charter School of Brooklyn’s (Unity Prep) mission is to empower students as scholars and citizens so they may lead fulfilling academic, personal, and professional lives.”</i>

The mission of Unity Preparatory Charter School of Brooklyn will be accomplished through two interdependent programs that reinforce one another and serve as the backbone of the school’s design: a rigorous academic program in the liberal arts and sciences coupled with an enriching co-curricular program that includes courses in World Languages and Culture and Design and Technology, as well as elective clubs and teams. Partnerships with a number of organizations and institutions located in NYC CSD 13, including Pratt Institute, Long Island University, the Brooklyn Academy of Music (BAM), Brooklyn Music School, and Brooklyn Museum will supplement the core-content and enrichment courses, and support a variety of afternoon clubs and extra-curricular and civic engagement programs.

Key elements of the school’s design include:

- A grade six through grade twelve college preparatory curriculum designed to foster the desire and capacity to learn independently, think critically, and communicate proficiently so that students are fully prepared to succeed in their postsecondary studies.
- Enrichment courses in subjects such as World Languages and Culture and Design and Technology, with elective clubs in sports and visual and performing arts.
- Extended school day, week, and year, to provide approximately 30% more time on academic and co-curricular activities than the local district average.
- Intensive and differentiated academic support including a daily skills-building course and the use of trained teaching assistants, as well as supplemental support through after-school homework help and Saturday Academy.
- Positive and supportive school culture that provides daily Advisory sessions for students, school-wide Mentoring Corps, and Youth Empowerment Seminar (YES!).
- Strong relationship with the community through the Family Partnership and Volunteer Corps and a required community service project during students’ senior year.

- Positive teaching environment with a formal Teacher Career Advancement System (T-CAS) and multi-faceted professional development offerings.

The proposed school calendar is divided into trimesters and includes 187 days of instruction. All students are expected to attend the Summer Academy which is scheduled for ten full days and includes academic, co-curricular and enrichment components. The daily student schedule is structured to offer a longer school day, beginning at 8:00 a.m. and ending at 5:30 p.m. Monday thru Thursday. On Fridays, students are dismissed at 4:35 p.m. The founding group scheduled the academic day to begin approximately one hour later than traditional schools serving adolescent youths to accommodate research about adolescent sleep patterns. The weekly schedule includes 155 minutes per week of health and fitness, offered three days per week prior to the start of core course offerings. Middle school students receive 1,040 minutes of core-content academic time and 841 minutes of co-curricular time each week. The schedule for a typical grade 12 student will be similar to that of middle school students and will include independent study, college level course study, a college prep course, a community service project with a peer and a weekly off-site internship one afternoon per week.

Teachers will begin their school day at 7:30 a.m. and end at 4:15 p.m. daily, and will be assigned to the extra student support time on a rotating basis. Teacher professional development includes Summer Staff Development Institute, a 24-day program to prepare for the upcoming school year. Also planned are 39 Wednesday afternoon training days, with time set aside for grade-level team meetings.

The instructional goal of Unity Prep is to provide students with an exceptional liberal arts and sciences education that will equip them with the knowledge and skills to succeed at the secondary and post-secondary level. The standard instructional model in the four content courses; language arts, math, science and history will be based on the workshop model, which allows teachers flexibility to vary the structure of the lesson to best support student learning. Enrichment courses will not be stand-alone courses, but will involve interdisciplinary projects with teachers seeking out opportunities to challenge students to use world languages, design and technology as tools to broaden, reinforce, and draw connections across key concepts introduced in core content areas.

During the planning year, the Director of Curriculum, Instruction and Assessment will be responsible for the development of a detailed scope and sequence for all grades and subject areas based on the Common Core State Standards. The founding group has selected *The Teachers College Reading and Writing Project* for English language arts instruction in grades six through eight. When necessary, they will adopt resources from successful balanced literacy models to best support student learning. Other selected instructional materials for students in grades six through eight include the *Connected Mathematics Project 3 (CMP 3)*, *History Alive!* and *Full Option Science System (FOSS)*. Unity Prep's high school curriculum will build on the foundational skills acquired in middle school and enable students to meet rigorous graduation requirements designed to prepare students to excel in college and beyond. The high school course sequence will provide students with the opportunity to earn an Advanced Regents diploma and numerous college credits through the successful completion of Advanced Placement courses.

Unity Prep's Design and Technology (D&T) courses for students in grades six through twelve, one of the two interdependent programs identified to support the mission of the school, will provide opportunities for students to apply what they are learning in their core-content courses to the design process, which includes skills such as critical thinking, researching, collecting and representing data, communicating, and problem-solving. Aligned to the Common Core State Standards, D&T features include project-based learning, cooperative learning, problem solving, interdisciplinary/core content reinforcement, technology infusion, and opportunities to present and demonstrate their work.

World Languages and Culture courses for students in grades six through twelve, the school's second interdependent program, will include Spanish language study with opportunities to prepare for the Comprehensive Regents Exam in Spanish, as well as the AP Spanish Language exam in students' senior year. Unity Prep's world language courses will be based on the National Standards for Learning Languages (NSLL), which have recently been aligned with Common Core Learning Standards at the novice, intermediate, and advanced levels. As the school grows to add more students, offerings will include a minimum of two world languages. Key features include language immersion, speaking and writing opportunities, interdisciplinary/core content reinforcement, blended learning and opportunities for cultural experiences and exposure.

Unity Prep's skills-building course will provide opportunities for remediation and for students to sharpen essential mathematics and English language arts skills in a supportive and differentiated learning environment. Key features include targeted interventions, reteaching, sustained independent study, technology infusion, student/teacher meetings, and SAT preparation beginning in grade 8 for all students.

The founding group states that the fundamental purpose of assessment is to gather accurate and timely information so that informed decisions and appropriate actions can be taken to maximize student learning. Therefore, teachers, instructional leaders and the board of trustees will implement a comprehensive assessment system to drive all decisions about curriculum, instruction, professional development, school-wide communication, student promotion, evaluation of staff, school policies and procedures and monitoring progress towards achieving the school's mission and accountability goals. Included will be a combination of teacher-developed and standardized assessment instruments, including the Northwest Evaluation Association (NWEA) Measures of Academic Progress (MAP). In the classroom, teachers will differentiate instruction and use multiple instructional methodologies informed by diagnostic, formative, benchmark and summative assessments.

Unity Preparatory Charter School of Brooklyn will be located in CSD 13, in northern Brooklyn. The communities to be served include Bedford Stuyvesant, Fort Greene, Clinton Hill, Downtown Brooklyn, Brooklyn Heights, and Prospect Heights, and are socio-economically and ethnically diverse. Unity Preparatory Charter School of Brooklyn will be one of only five charter schools in CSD 13 serving middle school students and the first to serve students in grades nine through twelve, thereby offering an additional non-selective, high school option to families in the district. The founders state that they have conducted extensive community outreach and have met with representatives of area cultural and higher educational institutions serving families and youth, local elected officials, local school representatives and families. As evidenced in their application, the founding group has incorporated community feedback to shape the school model to meet student and community needs. The applicant provides letters of support from various stakeholder groups, some of which are interested in future partnering opportunities to support student enrichment and instructional quality at the school. Letters are included from Brooklyn Music School, Brooklyn Museum, Pratt Institute, Yes! for Schools, and Long Island University. A letter of support from Community Board 2 is provided.

The draft Admissions and Enrollment Policy submitted with the application states that Unity Preparatory Charter School of Brooklyn will establish an admissions preference for students eligible for free or reduced-price lunch by reserving a percentage of seats that is proportionate to the percentage of such students served in CSD 13. In 2012 that percentage was 71.8% which is equivalent to 92 of the 128 available grade 6 student seats. The founding group understands and is committed to meet required enrollment and retention targets in accordance with the NYS Charter Schools Act.

The founding group for Unity Preparatory Charter School of Brooklyn consists of thirteen individuals, of whom six will transition to the initial board of trustees, three are proposed employees of the school and four will serve in an advisory capacity. The group has a broad range of expertise in education,

administration, grant-writing, law, financial planning, not-for profit governance/management, community engagement, family involvement and charter school start-up and governance.

As required, the applicant has provided a set of draft by-laws and a draft code of ethics. Additionally, a School Trustee Background Information form, Statement of Assurance and resume or curriculum vitae is provided for each of the six individuals who will compose the school's initial board of trustees.

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

- **Kabir Ahuja** is currently an Engagement Manager for McKinsey & Company, working with business leaders on key strategic and marketing and sales challenges. He has founded and run multiple technology companies. He currently serves as an Advisory Board Member for Academy of Engineering at Red Bank Regional High located in New Jersey.
- **Caleb Hiller-Hurst** has experience with charter school start-up. As a founding faculty member of Community Charter School of Cambridge (CCSC), he has served in various roles, such as Instructional Leader, teacher mentor of Harvard University student teachers, designing and implementing the school's teacher evaluation system, and as the Humanities Department Chair as well as the Upper School Principal. He currently serves as the Head of School at CCSC. Through his work at the MATCH Teacher Residency in Boston, he evaluated teacher residency licensure candidates.
- **Eric Gonzalez** currently serves as an Education Policy Advocate at NAACP Legal Defense and Educational Fund, Inc. As an active community member; he has crafted and executed advocacy strategies culminating in a \$5 million budget allocation from New York City for dropout prevention programming. While at Directions of Our Youth, Inc he served as the Program Director. He has also been involved in research and education policy in his role as a researcher at Achievement Gap Initiative at Harvard University.
- **Carlyle Leach** is a long-term resident of CSD 13 and has been active in local youth sports programs. She was the founding principal of The School for Legal Studies in New York City. Her work in the non-profit management sector brought her to the NYC Public Library where she was named Director of the Junior Scholars Program at Schomburg Center for Research in Black Culture. She currently serves on the Board of Trustees of the Brooklyn Music School, as well as working as a business developer for Toro Stone Asset Management.
- **Marion Leydier** is a partner in the law firm of Sullivan & Cromwell, LLP in New York City, where she specializes in corporate transactions, governance and regulatory matters. As part of her practice she advises clients on complex governance matters. She currently serves as a Board Member and Secretary for the ESSEC (*École Supérieure des Sciences Économiques et Commerciale*) Business School Alumni Association and Falk and Fine Condominium.
- **Richard Pollack** has been a practicing attorney at Sullivan & Cromwell LLP for approximately 25 years with a focus on mergers and acquisitions and corporate finance. He led the firm's General Practice Group and was responsible for over 500 lawyers in twelve offices around the world. He advises senior management and boards of directors on their most complex decisions.

The following members of the founding team will serve as Advisory Board members, providing subject matter expertise or field experience in matters such as pedagogy, management, operations, fundraising, real estate, community relations, special needs programs, and programs to assist students with identifying and preparing for their post-secondary school educations and careers:

- **Amanda Adler** served as an advisor in development of the school design and application. She is currently a Management Consultant at Bain & Company, with expertise in charter school start-up and school finance.
- **Allison Keil** also served as an advisor in the development of the application and brings current charter school operations experience.

- **Aretha Miller** also served as an advisor, and brings charter school experience and expertise in working with English language learners in the charter school setting.
- **Nils Tristan** also served as an advisor for this application and brings experience in corporate financing, philanthropy and fundraising.

The following members of the founding group are proposed employees of the school:

- **Josh Beauregard**, Lead Applicant, is the proposed Head of School. Mr. Beauregard's experience includes: teacher and administrator at Louis D. Brandeis High School; teacher advisor/coach at Harvard Graduate School of Education and MATCH Charter School; evaluation fellow at Harlem Children's Zone; school review consultant with SchoolWorks; and others.
- **Casey Burns** is the proposed Director of Curriculum, Instruction and Assessment. He has served as a teacher leader in the area of language arts instruction. An experienced teacher, he has worked with special education students and English language learners.
- **Hemanth Venkataraman** is the proposed Director of Culture and Enrichment. Mr. Venkataraman is an instructor in the Youth Empowerment Seminar (YES!), which will be implemented at the proposed school. While working in a local high school, he served as the Coordinator of Students Activities and taught mathematics and technology courses in both English and Spanish.

The organizational structure of Unity Preparatory Charter School of Brooklyn is designed to separate operational duties from academic responsibilities, and to allow instructional leaders to focus the majority of their time supporting instruction. The Leadership team will be led by the Head of School along with the Director of Support Services, Director of Curriculum, Instruction and Assessment, Director of Operations, and Director of Culture and Enrichment. The leadership team will be focusing on pre-opening tasks during the planning year, with the exception of the Director of Operations, who will begin during year one of operation.

The Director of Curriculum, Instruction and Assessment will be the co-instructional leader of the school overseeing the development and implementation of curriculum, and evaluation of teachers, in conjunction with the Head of School. The proposed Board of Directors has identified a founding Head of School, also the lead applicant. Mr. Beauregard has extensive teaching and school leadership experiences; his resume is included with the application. In recruiting individuals for key positions, the Hiring Committee will rely primarily on connections with organizations such as Education Pioneers and the Harvard Graduate School of Education (HGSE) School Leadership Program to connect with potential candidates.

During the initial growth years, various school directors and coordinators, excluding the Head of School and Director of Operations, may teach one to two sections of a particular course in addition to their administrative duties. Beginning in year one, in addition to the equivalent of eight teachers and two special education teachers, there will be a part-time social worker. In year two, a YES! Coordinator will be added; in year three a college counselor and in year four, as the school begins to serve students in grade 9 with a projected student enrollment of 486 students, an Associate Director of Support Service, an Associate Director of Curriculum, Instruction and Assessment, a High School Dean of Students, an SAT coordinator, and an Assistant Technology Coordinator will be brought on board to meet the needs of students.

The hiring process includes four stages which begins with a screening of the initial application, a review of a sample lesson, an interview and culminates with a potential offer for employment. Teachers offered a position will be at-will employees. Salaries will be based on the candidate's experience, demonstrated effectiveness and expertise as a classroom teacher and a contributing member of a school community. A salary schedule was included with the application. Strategies to retain staff include a career path for

teachers to advance their craft and assume new titles and responsibilities while remaining in the classroom as practitioners, comprehensive professional development opportunities, teaching responsibilities and planning for only one-core course, availability of curriculum resources and materials, essential technology, trained teaching assistant support, and time carved out in the teachers’ schedule for collaboration and co-planning with colleagues.

The founding team is working to secure facility space that will meet the needs of the program. They are currently considering three options, which include public and private space. The group has reached out to the New York City Department of Education (NYCDOE) and learned that permanent public co-located space may be available for grades six through eight. Grades nine through twelve will likely be sited in a private facility. An option under consideration would be siting in co-located incubation space for the first three years of operation, with a move into a private facility for all grades served thereafter. The last option presented in the event that public space is not available, includes a private facility for grades six through twelve beginning in year one of operation. The founding group included budget projections and assumptions for all three options, and is working with Fillmore Commercial - Charter School Facilities to secure an appropriate facility for the school.

Projected Fiscal and Programmatic Impact on District of Location

The applicant provided an analysis of the fiscal and programmatic impact of the proposed school on public and non-public schools in CSD 13, indicating that the fiscal impact of the Unity Preparatory Charter School of Brooklyn on NYC Department of Education public schools is expected to be minimal. The impact on student enrollment of other district and charter public and non-public schools in the Community School District is also expected to be minimal, and would be the only charter school in the district serving high school students. The applicant states that Unity Preparatory Charter School of Brooklyn plans to partner with schools in the district both to gather and share best practices by their third year of operation.

The New York State Education Department (“Department”) also conducted additional analysis on the projected fiscal impact of the Unity Preparatory Charter School of Brooklyn on its district of residence, the New York City School District (“NYCSD”), 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
2013-14	128	\$15,089	\$1,931,392	\$117,756	\$19,724,841,088	0.010%
2017-18	640	\$17,903	\$11,457,920	\$588,780	\$19,724,841,088	0.061%

The calculations above assume charter school basic tuition rates in the charter period (2013-14 thru 2017-18) based on a trend analysis provided by the Department’s State Aid Office. In order to conservatively avoid underestimating the fiscal impact that the charter school will have on the district going forward, the

¹ Source: Unity Preparatory Charter School 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 Source: New York City DOE Financial Status Report September 2012; <http://schools.nyc.gov/Offices/DBOR/FSR/default.htm>.

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.

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.

Below, for your reference, please find additional data on New York City Community School District 13.⁵

New York City Community School District 13

Enrollment Data	CSD 13
Total District Enrollment:	22,114
Grade 6 through 10 Enrollment:	10,215
White:	8%
Black/African-American:	59%
Hispanic/Latino:	15%
American Indian/Alaskan Native:	0%
Asian/Native Hawaiian/Pacific Islander:	17%
Free/Reduced Priced Lunch:	73%
English Language Learners:	5%
Students with Disabilities:⁶	13.6%
Graduation Rate	CSD 13
2007 Graduation Cohort:	78%

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 are likely to result from a reduction in the number of students attending district public schools attend the nonpublic schools located in the school district.

⁵ Source: 2010-2011 New York State School Report Card (<https://reportcards.nysed.gov/view.php?schedist=district&county=none&year=2011>); 2011-2012 state assessment data for Grades 3 through 8 English language arts and mathematics (<http://www.p12.nysed.gov/irs/ela-math/>); 2007 cohort graduation rates (<http://www.p12.nysed.gov/irs/pressRelease/20120611/home.html>).

⁶ Source: Special Education School District Data Profile for 2010-11 <http://eservices.nysed.gov/sepubrep/>. 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).

State Assessments (% proficient)		
Grade level	English Language Arts	Mathematics
6	38%	46%
7	36%	47%
8	30%	42%
2007 Cohort Grades 9 – 12	86%	84%

Public Hearing and Public Comment

As required by the Charter Schools Act, the New York City Department of Education (NYCDOE) held a hearing on Tuesday, August 21, 2012 to solicit comments from the community concerning Unity Preparatory Charter School of Brooklyn and another applicant group proposing an elementary school. Two community members spoke at the hearing, referencing the elementary applicant group and overcrowding in co-located buildings. Numerous letters of support from community officials and various community organizations were submitted with the application. Also included is a letter of support from Community Board No. 2 and from City Council Member Letitia James.

The Department directly notified the Chancellor of 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. The Chancellor was contacted by letter and invited to comment directly. Chancellor Walcott submitted a letter in support of the Unity Preparatory Academy Charter School of Brooklyn, noting: “The NYCDOE found this proposal to be well-designed and features a rigorous educational model. Chancellor Dennis Walcott recommends this charter application to support the children of New York City. There is a need for higher quality middle/high school seats in District 13 and we will work with the applicant on space availability in their identified CSD, if available.”

Application Review Process

On January 3, 2012, as required by the New York State Charter Schools Act, the New York State Education Department (the “Department”) released the 2012 Request for Proposals (“RFP”) to Establish Charter Schools Authorized by the Board of Regents. The charter school application process utilized by the Board of Regents and the Department during the 2012 RFP cycle is multi-stage and designed to ensure that any charter school applicant presented to the Board of Regents for possible approval demonstrates a detailed and complete school design plan that:

- includes a clear plan to meet or exceed enrollment and retention targets for students with disabilities, students who are English language learners, and students who are eligible to participate in the federal free reduced-price lunch program;
- provides evidence of public outreach that conforms to the process prescribed by the Regents for the purpose of soliciting and incorporating community input regarding the proposed charter school;
- meets all requirements set forth in the Charter Schools Act as well as all other applicable laws, rules, regulations;
- demonstrates the ability to operate the school in an educationally and fiscally sound manner;
- is likely to improve student learning and achievement and materially further the purposes of the Act; and

- would have a significant educational benefit to the students expected to attend the proposed charter school.

In addition, the applicant group and founding board of trustees must demonstrate appropriate knowledge, capacity, and abilities to effectively create, maintain, and oversee a high-quality charter school.

During 2012 Round 2, 54 letters of intent were received in June 2012 and, after an initial review process, 37 applicants were invited to submit full applications. The Department received 25 full applications, including the application for Unity Preparatory Academy Charter School of Brooklyn.

To assess whether to recommend approval or denial of the charter application to the Board of Regents, the Department established multi-person review panels to thoroughly evaluate each full application. Each of these panels was comprised of professional expert consultants, peer reviewers who are school leaders and educators active in charter and public schools in New York, as well as qualified Department staff members. The review panel members reviewed, rated, and commented on each section of the application according to the criteria published in the Application Kit.

Department staff conducted a two-hour capacity interview with the six initial board members of the proposed school and three additional founding group members, on Thursday, September 13, 2012. Questions posed to the proposed initial trustees included general questions around New York State Charter School Law, roles and responsibilities of the school community and the board to the community and various stakeholder groups as well to as the Board of Regents as authorizer. To fully understand the proposed academic program, governance role and fiscal viability of the proposed school, targeted questions were asked to clarify information provided in the full application.

The responses demonstrated adequate knowledge and grasp of key areas. Members of the applicant group as a whole and individually demonstrated knowledge of the charter school application and the proposed school. Structures, systems, protocols and procedures are in place to permit the board to effectively govern the school. The applicants addressed questions posed with specific and detailed information that presented a clear, realistic picture of how the school expects to operate.

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.⁷ 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,⁸ 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)

⁷ Education Law §2852(2)(a).

⁸ 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 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.

- 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 manner.⁹ This finding is based on the following (among other things):
 - The presentation in the application of a sound description of key features that are core to the school’s overall design, and which rigorously addresses the criteria outlined in the Department’s RFP in the areas of mission; key design elements; enrollment, recruitment and retention; and community to be served.
 - The presentation in the application of a sound educational plan, which rigorously addresses the criteria outlined in the Department’s RFP in the areas of achievement goals; school schedule and calendar; curriculum and instruction; assessment; school culture and climate; and special student populations and related services.
 - The presentation in the application of a sound organizational and fiscal plan, which rigorously addresses the criteria outlined in the Department’s RFP in the areas of founding group capacity; board of trustees and governance; management and staffing; evaluation; professional development; facilities; insurance; health, food and transportation services; family and community involvement; financial management; budget and cash flow; pre-opening plan; and dissolution 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 Act¹⁰ and will have a significant educational benefit to the students expected to attend the charter school.¹¹ 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 Unity Preparatory Charter School of Brooklyn to open in 2013 in New York City.

⁹ Education Law §2852(2)(b).

¹⁰ Education Law §2852(2)(c).

¹¹ As applicable pursuant to §2852(2)(d).



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 2012 Request for Proposals to
Establish Charter Schools Authorized by the Board of Regents
to establish the proposed:*

Newburgh Preparatory Charter High School

October 2012

Summary of the Proposed Newburgh Preparatory Charter High School

Name of Charter School	Newburgh Preparatory Charter High School
Lead Applicant(s)	Thomas J. Fitzgerald
District of Location	Newburgh Enlarged City School District
Opening Date	Summer/Fall 2013
Projected Charter Term	November 5, 2012 - June 30, 2018
Management Company	None
Partners	None
Facilities	Proposed lease with private landlord
Projected Enrollment and Grade Span during Charter Term	Opening with 105 students in grades 9 through 12 in 2013-2014; growing to 305 students in grades 9 through 12 in 2017-2018.
Projected Maximum Enrollment and Grade Span	305 students in grades 9 through 12
Mission Statement	<i>“Newburgh Preparatory Charter High School will provide over-aged and under-credited students 16-21 years of age living in the Greater Newburgh, NY, area - including students living in poverty, students who are English language learners, and students with special needs - the opportunity to return to school and, with intensive social-emotional support, to obtain a high school diploma through a rigorous NYSED standards-based education program that prepares them for college and career.”</i>

Newburgh Preparatory Charter High School’s primary objective is to provide over-aged and under-credited students with an opportunity to graduate from high school and to prepare for college and a career. The school model is a social-emotional and academic intervention program predicated on the assumption that students will have already failed or be at risk of failing at a traditional high school. To accomplish the mission, the founding group of the proposed Newburgh Preparatory Charter High School intends to offer an intensive intervention program for those with fewer than eleven high school credits, and for students who have earned eleven high school credits or more: an internship program, a college/career readiness program, and a program in the visual and performing arts.

Key design elements include:

- An individual learning plan for each student
- Daily Advisory periods for each student
- Social-emotional support
- Blended learning, which includes on-line course access for core course work
- All students will complete a community service project
- A longer school year and day
- Six week summer program for all students, culminating in August Regents exam offerings
- Professional learning community for staff and students
- One week summer session for staff to engage in ongoing professional development

The Intensive Intervention Program is designed to meet the needs of over-aged high school students who have earned fewer than eleven high school credits. Enrolled students will be required to complete four core credits per semester and participate in an Advisory period (“Advisory”) during which counseling services, tutoring and homework help will be available. An individual learning plan (ILP) will be developed and maintained for each student and, in addition to core subjects, will include course work in physical education, health, family and consumer science and art, embedded in community service projects. The Advisory and course work, coupled with a community service project, will help to foster a positive sense of self and community along with sound decision-making around healthy habits and life style choices.

The Intensive Intervention Program with Internship is for students with eleven or more high school credits, ten of which must be in the core subjects. Students in this program will have an opportunity to participate in a half-time internship that will provide them with a full-day work experience that alternates weekly with their academic program. Internships will offer students the “soft skills” necessary to succeed in the work environment (i.e. timeliness, dress, social behavior, work norms, etc.). While at school, students will work in a semi-independent and blended-learning study program. They will participate in core subject courses, as well as in daily Advisory, an elective course, and in the Visual and Performing Arts and the College/Career-Readiness programs.

The Internship, College/Career-Readiness, and Visual and Performing Arts programs have been designed to encourage students to complete their high school education while preparing them for higher education and a career. For students who have not yet earned eleven high school credits, these programs will provide an incentive as they move into positive community involvement activities and ultimately college and career pathways.

In order to meet the high needs of this student population, the school design includes a social-emotional curriculum embedded in the academic program along with the daily Advisory. During the daily Advisory, students will work to develop and refine their individual learning plan, receive some counseling services, and engage in activities to foster team-building and student self-reflection and responsibility.

The founders believe that through a workshop model, balanced instruction and blended learning, teachers will be able to meet the needs of students with a wide range of proficiency levels. The blended learning environment allows for targeted interventions and flexible groupings, as well as opportunities for collaboration among students. Providing students with targeted instruction based on their needs and at their own pace is expected to boost learning outcomes. Students will have an option to take one or more online courses. The founding group is evaluating the on-line services of NovaNET, which they recently observed in use at a charter school in western New York.

The school design includes the Partnership for Innovation in Compensation for Charter Schools (PICCS) School Improvement Model. This model supports implementation of a data-driven culture, allowing teachers to use real-time data to inform instructional decisions. Data derived will assist teachers as they help to create and refine their students’ individual learning plans and differentiate classroom instruction to remediate or enrich as appropriate. The daily teacher schedule includes ninety minutes of planning time for data review, lesson planning and professional development.

Newburgh Preparatory Charter High School plans to have the facility open for ten hours each school day, between 8:00 a.m and 6:00 p.m. The school will be open year round, for a total of 215 school days. For students enrolled in the Intensive Intervention program, instruction will take place from 9:00 a.m.to 5:00 p.m. Each day, students will be engaged in five 55 minute instructional periods, a 90 minute instructional period, a 55 minute Advisory and a 25 minute lunch break. The longer school day will provide

opportunities for students to receive needed supports in the areas that have negatively impacted their prior school performance. For students involved in a community internship, they will be required to be on site from 9:00 a.m. to 5:00 p.m. each day, which mirrors the amount of time spent when employed full-time.

Newburgh Preparatory Charter High School will build on the successful educational programs currently in use at John V. Lindsay Wildcat Academy in Manhattan and planned for use at New Dawn Charter High School in Brooklyn, both serving a similar student population. Students will be offered a rigorous Common Core State Standards-based educational program integrated with intensive social-emotional support. In order to graduate, students will take and pass all the appropriate Regents exams, as well as complete all high school course and credit requirements as specified under the NYSED Part 100 Regulations, with particular attention to Part 100.2q High School Program Offerings.

During the planning year, Newburgh Preparatory Charter High School leaders will have access to the completed and audited educational curriculum crosswalks for grades 9 through 12 from John V. Lindsay Wildcat Academy. The submitted charter application includes a letter from the John V. Lindsay Wildcat Academy authorizing the sharing of these and other documents without cost to the proposed charter school. Using the curriculum crosswalks provided, staff at Newburgh Preparatory Charter High School will use the Sungard K-12 Education product *PerformancePLUS* to develop lesson plans. This product, which includes *Curriculum Connector*, *Performance Tracker*, and *Assessment Builder*, enables schools to map curriculum, manage and organize vital and timely student data, and create local assessments. Performance Tracker is designed to align all data results back to the curriculum as well as to the Common Core State Standards.

Literacy course work will be the foundation of the school's curriculum. Following the Common Core State Standards for English language arts and literacy, all subject area teachers will be responsible for ensuring that their students can read and write within the subject area while developing a strong content-knowledge base. A research-based literacy program, based on balanced instruction and the workshop model, will provide students with direct and explicit instruction, opportunities for self-directed learning, text-based collaborative learning, strategic tutoring, diverse texts, intensive writing, technology, blended learning; and ongoing formative assessments.

Courses in physical education and health will be a significant focus of the proposed school in order to encourage students to be physically active and learn to make positive, healthy life choices. Course work will focus on lifelong physical education, access to city recreational and athletic teams, opportunities to participate in health-related leadership and advocacy activities, injury prevention, mental and emotional health, nutrition and exercise, substance-abuse, family health and sexuality, and personal and consumer health.

The Career Development and Occupational Studies program is designed to create awareness and provide opportunities for exposure to careers in the health, math, science, technology and vocational industries that are particularly relevant to the greater Newburgh area. Students will be engaged in these targeted careers through internships and participation in the College/Career-Readiness Program. To facilitate the integration of these opportunities into daily action, student individual learning plans will include career goals.

The Visual and Performing Arts program, developed in collaboration with the Newburgh Performing Arts Academy and Safe Harbors through its Ann Street Art Gallery and Ritz Theater Project, will foster student engagement through the visual and performing arts and help students to make connections between the arts world, humanities and the sciences. Internships will be available through this collaboration.

Newburgh Preparatory Charter School will be located within the Newburgh Enlarged City School District, a demographically diverse school community. Languages other than English are spoken in 40% of Newburgh households. Most residents earn less than \$35,000 a year and 63% of Newburgh students are eligible for free-or reduced-price lunch. Many adults in the community have less than a ninth grade education. Unemployment in Newburgh is approaching 12% and the rate of violent crime is high.

Newburgh Preparatory Charter School will be the first charter school in the community and will provide an educational alternative by enrolling students not currently served in the school district or at risk of dropping out. The applicant group has engaged in rigorous, ongoing outreach efforts with the Newburgh Enlarged City School District community to share plans for the school and to secure input and comments about the educational and programmatic needs of students.

In support of the charter school application, letters were submitted from various stakeholder groups, including elected officials and organizations interested in future partnering opportunities. Organizations and individuals that expressed support for Newburgh Preparatory Charter School include Orange-Ulster BOCES, Mayor of Newburgh Judith Kennedy, Mount St. Mary College, The Greater Newburgh Partnership, Safe Harbors of Newburgh, St. Luke's Cornwall Hospital, Team Newburgh - a Substance Abuse Action Team, SUNY Orange, St. Christopher's Inc. and others. A letter of support from Ralph A. Pizzo, Superintendent of Newburgh Enlarged City School District, and Dawn FucHECK, Newburgh Board of Education President, is included with the application, though the support was later withdrawn (see "Public Hearing and Public Comments" below).

As required, a draft Admissions and Enrollment Policy was submitted with the application. The students targeted for attendance at the proposed school are over-aged and under-credited, defined as between the ages of 16 and 21, behind their four-year 9th grade cohort (peers with whom they started 9th grade), and either have already dropped out of high school, are in-school truants, or are behind grade level and struggling to remain in school. The majority of these students will be eligible for free or reduced-price lunch, will be English-language learners, and will have special learning needs. The founders estimate that the population of dropouts in Newburgh is 1200-1800 and is reaching out to this group in particular. There is a rigorous recruitment plan to reach the African-American and Latino communities in the City of Newburgh. The founding group anticipates that 90% of students enrolling in the school will be eligible for free and reduced-price lunch, 50% will be English language learners, and 20% will be students with disabilities. The group understands and anticipates that they will meet the enrollment and retention targets established by the Board of Regents for the school.

The lead applicant for Newburgh Preparatory Charter High School is Thomas Fitzgerald. The founding team for the school consists of ten individuals, of whom five will transition to the initial board of trustees, three will remain involved with the school on a volunteer basis, and two are proposed to become school employees. Four additional individuals who were not members of the planning group, have agreed to serve on the school's initial board of trustees. The overall founding group has a range of expertise in education, administration, finance, community outreach and engagement, real estate, higher education, alternative education and governance.

As required, the applicant has provided a set of draft by-laws and a draft code of ethics. Additionally, a School Trustee Background Information form, Statement of Assurance and resume or curriculum vitae is provided for each of the nine individuals who will compose the school's initial board of trustees.

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

- **James Kulisek** will chair the Internship Committee. After many years in the construction industry, he currently serves as a field superintendent for a local company. As a former county legislator, he has worked closely with community members and local government agencies.

- **Karen Mejia** is currently serving as a Deputy District Representative to a local Congressman as the liaison between diverse Orange and Sullivan County public, private and nonprofit constituents and key federal and state agencies. As a community organizer in the City of Newburgh, involved with a number of community groups and the parent of a school-age child in the district, Karen will serve the board as a liaison to the parents of the community, specifically the Latino community.
- **Phil Mehl** will serve the board as Chair of the Finance Committee. He is a NYS Certified Public Accountant with over eleven year of accounting experience. He currently owns and operates a growing accounting firm.
- **Joy Pittman** has extensive experience working with the youth of Newburgh and continues that work as Director, City of Newburgh Youth Bureau 21st Community Learning Center and will chair the Community Outreach Committee.
- **Judge Harold Ramsey**, with close to thirty years of experience, will lead the board on legal issues. He currently serves as Judge for the City of Newburgh Court. Past experiences include private practice law and college level teaching.
- **Mindy Ross** is the proposed Vice-Chair and will head up the College Readiness Committee. She currently serves as Vice-President of the Newburgh Campus of Orange County Community College. Mindy brings past experiences in alternative education and will be able to inform and support the success of the College Readiness Program. She is also affiliated with other colleges in the area including Mt. St. Mary College.
- **Danette Shepard** will serve as the chair of the Social Emotional Committee and is a social services consultant. Her expertise is in Positive Behavior Intervention System (PBIS) training and implementation.
- **Ramon Vega** is the proposed Board Chair and will chair the At-Risk Students Committee. He was a former special education teacher and administrator/supervisor for at-risk students. He has also been a supervisor for the NYS Department of Probation, working with the family court system and adult services providers. He is currently a local real estate agent and is involved in community outreach in the local Latino community.
- **Beverly Woods** will use her experience as an educator to chair the Curriculum Committee. As a middle school teacher and the former Principal of the Newburgh Enlarged City School District alternative school (now closed), Beverly brings extensive knowledge of the type of student Newburgh Prep will recruit, as well as knowledge of curriculum and learning styles of at-risk students. Her bilingual fluency will enable her to deal directly and effectively with all segments of the community.

The additional members of the school's founding team and their proposed roles are described below:

- **Thomas J. Fitzgerald**, lead applicant, is the proposed Executive Director. He is a retired school and Central Office Administrator from the Newburgh Enlarged City School District. He is currently an educational consultant with the Center for Educational Innovation-Public Education Association (CEI-PEA).
- **Jack Caldwell** is a retired Newburgh Enlarged City School District teacher and administrator. As a volunteer to the school and in his current capacity as operations manager of Black Rock Forest Consortium in Cornwall, NY, he will assist in the area of internships.
- **Maryann Fitzgerald** is a retired teacher, who will support the school as a volunteer in the areas of reading and math basic skills instruction.
- **Neal Goldstein** is the proposed Director of Finance. He is a retired high school math teacher, with over twenty five years of experience in marketing and corporate finance. He brings to the school an ability to direct in the areas of accounting, purchasing, payroll, and human resources.
- **Runston Lewis**, a Newburgh Enlarged City School District (NECSD) Board of Education member for 22 years, will be the volunteer liaison between Newburgh Preparatory Charter High

School and the NECSD Board of Education. He will also provide outreach, particularly to the African-American community.

The organizational structure of Newburgh Preparatory Charter High School is designed to separate operational duties from academic responsibilities, and to allow instructional leaders to focus the majority of their time supporting instruction. The leadership team will be led by the Executive Director and will include the School Principal and the Director of Finance. The instructional team will include teachers with expertise in core subjects, special education, Spanish, English language learners, physical education/health, family/consumer science, college/career readiness, music and art. Social workers, counselors and teaching aides will also be hired. The leadership team will be focusing on pre-opening tasks during the planning year with the proposed Executive Director and Director of Finance, both of whom have served as part of the planning team for the school. A search for the School Principal will be initiated by the Board of Trustees.

The Executive Director will be responsible for the management and administration of all school activities, including management of day-to-day operations; resource allocation; oversight of budget preparation and implementation, including compliance with established financial controls and budgetary goals; facilities administration; pursuance of grants, strategic alliances, including business and community outreach; collaborating with education and human services programs and institutions; and connecting with cultural and civic organizations. Working closely with the leadership team, the Executive Director will provide the board with monthly reports on the progress and achievement levels of students based on assessment and other data disaggregated by grade, ethnicity, poverty level, special student populations, and other factors, as well as a report on the support services and financial status of the school.

The Principal will report to the Executive Director and have sole responsibility for all pedagogy, including the curriculum, educational programming, instruction, student admissions and enrollment, parent relations, implementation of strategies and initiatives to promote and facilitate parent involvement, hiring and evaluation of teachers, class scheduling, assessments, implementation of software tools, professional development, common planning time, professional learning communities and data-driven instruction. As an instructional leader, he/she will ensure that all curricula is mapped to the PerformancePlus system, that all teachers have lesson plans that are aligned to the curriculum, and that common assessments are developed. Additionally, the Principal will be responsible for oversight of support services, including the social workers/counselors, the Internship Program, the College/Career-Readiness Program, the Visual and Performing Arts Program, and the Advisory.

The Director of Finance reports to the Executive Director. Responsibilities include purchasing, accounting, payroll, and human resources. He/she will develop plans for diagnosing, prescribing, monitoring, and remedying financial matters. In addition, the Director of Finance will be responsible for facilities, health, safety, and data systems. He/she will work with an outside accounting agency that will be responsible for bookkeeping, reporting, and fiscal compliance to develop, policies and procedures around purchasing and the implementation of such.

The proposed founding board believes that hiring effective teachers is core to the success of the school. They plan to begin teacher recruitment shortly after charter approval. Newburgh Preparatory Charter School will initiate several recruitment campaigns including working with the Mt. St. Mary College and SUNY New Paltz Department of Education to identify prospective teachers, including student teachers.

In order to retain staff, the school plans to foster a professional learning community and has designed a career path for teachers. Each year teachers will create individual growth plans, of which a key component will be involvement in a professional learning community including daily common planning time and professional development opportunities. Teachers will be offered a competitive salary, with

differentiated compensation based on student performance. The PICCS Protocol for Teacher Assessment and Evaluation will be used to assess and evaluate teachers.

The founding team is working to secure facility space that will meet the needs of the program. They are currently considering a private facility in downtown Newburgh. An architect has drawn up possible floor plans and the founding group included budget projections and assumptions for the private space option in the application.

Projected Fiscal and Programmatic Impact on District of Location

The applicant provided an analysis of the fiscal and programmatic impact of the proposed school on public and non-public schools in the Newburgh Enlarged City School District. The applicant states that the fiscal impact of the proposed charter school on the district would be nominal since the target population is primarily students who are dropouts and for whom the district is not receiving state aid. As students are re-enrolled, the district would be able to draw aid to offset the charter school tuition. The impact on student enrollment of other district and charter public and non-public schools in the district is also expected to be minimal since the target population is students who have already dropped out or are at risk of dropping out.

The New York State Education Department (“Department”) also conducted additional analysis on the projected fiscal impact of the Newburgh Preparatory Charter High School on its district of residence, the Newburgh Enlarged City School District, which 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
2013-14	105	\$16,342	\$1,715,910	\$201,965	\$228,476,702	0.84%
2017-18	305	\$19,625	\$5,985,625	\$586,661	\$228,476,702	2.88%

The calculations above assume charter school basic tuition rates in the charter period (2013-14 thru 2017-18) based on a trend analysis provided by the Department’s State Aid Office. In order to conservatively avoid underestimating the fiscal impact that the charter school will have on the district going forward, the Department is assuming no growth in the Newburgh Enlarged City School District budget during the duration of the school’s charter. 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, given the unique target population of the charter school, it is likely that the Newburgh Enlarged City School District may be paid additional state aid due to students who may not currently be accounted for in the district’s foundation

¹ Source: Newburgh Preparatory Charter School 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 Source: Newburgh Enlarged City School District 2012-2013 Fiscal Year Budget: <http://newburghschools.org/subpages/boe/agendas/5.16.12CanvassOfVotes.pdf>

enrollment; the analysis above does not incorporate any additional state aid that may be due to the district. Additionally, the analysis does not account for any transitional aid that may be due to the district, nor does it provide for district per-pupil expense and overall resource savings that may result from a reduction in the number of students attending district public schools.

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 the Newburgh Enlarged City School District, and all students will attend school every day for a 1.0 FTE.

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.

Below, for your reference, please find additional data on Newburgh Enlarged City School District.⁴

Newburgh Enlarged City School District

Enrollment Data	SD
Total District Enrollment:	11,227
Grade 9 through 12 Enrollment:	3,440
White:	27%
Black/African-American:	28%
Hispanic/Latino:	42%
American Indian/Alaskan Native:	0%
Asian/Native Hawaiian/Pacific Islander:	2%
Free/Reduced Priced Lunch:	65%
English Language Learners:	15%
Students with Disabilities:⁵	13.2%
Graduation Rate	SD
2007 Graduation Rate:	69%

Grades 9-12 (2007 cohort) State Assessments (% proficient)	
English Language Arts	73%
Mathematics	75%

Public Hearing and Public Comment

As required by the Charter Schools Act, the Newburgh Enlarged City School District held a hearing on Thursday, September 27, 2012 to solicit comments from the community concerning Newburgh Preparatory Charter High School. At the hearing, the district’s Assistant Superintendent for Finance presented information about the anticipated impact on district taxpayers of the proposed school over the charter term. Seventeen people spoke at the hearing: two spoke against the proposed school citing the loss of funding to the district, four spoke of their dissatisfaction with the district’s student achievement outcomes and the implications for the community. Eleven spoke in support of the charter application; two of the speakers are associated with the charter application. The remaining ten spoke in favor of the proposal based on the needs of district students and community at large.

The Department directly contacted the Superintendent of the Newburgh Enlarged City School District, as well as public and private schools in the region, to inform them of the charter school application and

⁴ Source: 2010-2011 New York State School Report Card (<https://reportcards.nysed.gov/view.php?schedist=district&county=none&year=2011>); 2011-2012 state assessment data for Grades 3 through 8 English language arts and mathematics (<http://www.p12.nysed.gov/irs/ela-math/>); 2007 cohort graduation rates (<http://www.p12.nysed.gov/irs/pressRelease/20120611/home.html>).

⁵ Source: Special Education School District Data Profile for 2010-11 <http://eservices.nysed.gov/sepubrep/>. 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).

issued an open call for written public comment via the State Education Department Charter School Office website. The Superintendent of Newburgh Enlarged City School District was invited to comment directly to Department senior officials. In a letter dated October 25, 2012, the Superintendent described the severe hardship that the financial requirements of charter school will cause to the district, and included details about eliminated programs and 3 years' worth of budget reductions that the district has faced due to no increases in state aid and the mandated property tax cap. The Superintendent asks the Commissioner to "not allow this charter school proposition to come to fruition," signaling a withdrawal of the support of the charter school proposal previously submitted. No additional public comments have been received.

Application Review Process

On January 3, 2012, as required by the New York State Charter Schools Act, the New York State Education Department (the "Department") released the 2012 Request for Proposals ("RFP") to Establish Charter Schools Authorized by the Board of Regents. The charter school application process utilized by the Board of Regents and the Department during the 2012 RFP cycle is multi-staged and designed to ensure that any charter school applicant presented to the Board of Regents for possible approval demonstrates a detailed and complete school design plan that:

- includes a clear plan to meet or exceed enrollment and retention targets 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;
- provides evidence of public outreach that conforms to the process prescribed by the Regents for the purpose of soliciting and incorporating community input regarding the proposed charter school;
- meets all requirements set forth in the Charter Schools Act as well as all other applicable laws, rules, regulations;
- demonstrates the ability to operate the school in an educationally and fiscally sound manner;
- is likely to improve student learning and achievement and materially further the purposes of the Act; and
- would have a significant educational benefit to the students expected to attend the proposed charter school.

In addition, the applicant group and founding board of trustees must demonstrate appropriate knowledge, capacity, and abilities to effectively create, maintain, and oversee a high-quality charter school.

During 2012 Round 2, 54 letters of intent were received in June 2012 and, after an initial review process, 37 applicants were invited to submit full applications. The Department received 25 full applications, including the application for Newburgh Preparatory Charter High School.

To assess whether to recommend approval or denial of the charter application to the Board of Regents, the Department established multi-person review panels to thoroughly evaluate each full application. Each of these panels was comprised of professional expert consultants, peer reviewers who are school leaders and educators active in charter and public schools in New York, as well as qualified Department staff members. The review panel members reviewed, rated, and commented on each section of the application according to the criteria published in the Application Kit.

Department staff conducted a two-hour capacity interview with six initial board members of the proposed school and six additional founding group members on Friday, September 21, 2012. Questions posed to the proposed initial trustees included general questions around New York State Charter School Law, roles and responsibilities of the school community and the board to the community and various stakeholder groups as well to as the Board of Regents as authorizer. To fully understand the proposed academic

program, governance role and fiscal viability of the proposed school, targeted questions were asked to clarify information provided in the full application.

The responses demonstrated adequate knowledge and grasp of key areas. Members of the applicant group as a whole and individually demonstrated knowledge of the charter school application and the proposed school. Structures, systems, protocols and procedures are in place to permit the board to effectively govern the school. The applicants addressed questions posed with specific and detailed information that presented a clear, realistic picture of how the school expects to operate.

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.⁶ This finding is based on the following (among other things):
 - the application included the information required by Education Law §2851(2)
 - the proposed charter school would meet or exceed enrollment and retention targets, as prescribed by the NYS Board of Regents,⁷ of students with disabilities, English language learners, and students who are eligible applicants for the federal free or reduced price lunch program as required by Education Law §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 §2852(9-a)(b)(ii).

2. The applicant has demonstrated the ability to operate the proposed charter school in an educationally and fiscally sound manner.⁸ This finding is based on the following (among other things):
 - The presentation in the application of a sound description of key features that are core to the school's overall design, and which rigorously addresses the criteria outlined in the Department's RFP in the areas of mission; key design elements; enrollment, recruitment and retention;, and community to be served.
 - The presentation in the application of a sound educational plan, which rigorously addresses the criteria outlined in the Department's RFP in the areas of achievement goals; school schedule and calendar; curriculum and instruction; assessment; school culture and climate; and special student populations and related services.
 - The presentation in the application of a sound organizational and fiscal plan, which rigorously addresses the criteria outlined in the Department's RFP in the areas of founding group capacity; board of trustees and governance; management and staffing; evaluation; professional development; facilities; insurance; health, food and transportation services;

⁶ Education Law §2852(2)(a).

⁷ 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 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.

⁸ Education Law §2852(2)(b).

- family and community involvement; financial management; budget and cash flow; pre-opening plan; and dissolution 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 Act⁹ and will have a significant educational benefit to the students expected to attend the charter school.¹⁰ 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 Newburgh Preparatory Charter High School to open in 2013 in Newburgh, New York.

⁹ Education Law §2852(2)(c).

¹⁰ As applicable pursuant to §2852(2)(d).



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 2012 Request for Proposals to
Establish Charter Schools Authorized by the Board of Regents
to establish the proposed:*

Utica Academy of Science Charter School

October 2012

Summary of the Proposed Utica Academy of Science Charter School

Name of Charter School	Utica Academy of Science Charter School
Lead Applicant(s)	Fehmi Damkaci
District of Location	Utica City School District
Opening Date	Summer/Fall 2013
Projected Charter Term	November 5, 2012 - June 30, 2018
Management Company	None
Partners	None
Facility	Proposed lease with private landlord
Projected Enrollment and Grade Span during Charter Term	Opening with 176 students in grades 6 through 9 in 2013-2014; and growing to 462 students in grades 6 through 12 in 2017-2018
Projected Maximum Enrollment and Grade Span	462 students in grades 6 through 12
Mission Statement	<i>“Utica Academy of Science Charter School will provide support, challenges and opportunities for its students, and it will instill the necessary skills and knowledge in math, science, and technology to empower students, through high intellectual standards, preparing them for college, career, and citizenship. The school seeks to graduate students who can think critically and creatively, who are committed to a lifetime of learning and civic involvement, and who are conscious of local, global, and environmental issues.”</i>

The vision for Utica Academy of Science Charter School is to “instill the necessary skills and knowledge in math, science, and technology to empower students for college, career, and citizenship.” This will be accomplished by cultivating a competition-based science and math program, implementing high intellectual standards, and drawing upon the academic, fiscal and organizational structure of Syracuse Academy of Science Charter School. It is the goal of the design team to provide Utica Academy students with the same high-quality STEM-focused curriculum that is being offered to students at Syracuse Academy of Science Charter School. Students will be expected to complete additional math and science requirements beyond minimum requirements for graduation, which, in turn, will result in higher college acceptance rates. In addition, students will be given opportunities to take part in summer science research programs, expanded math and science course offerings, smaller class size, longer school day, higher graduation requirements, youth leadership opportunities, environmental education, and international field trips.

Utica Academy of Science Charter School will be located in Utica, which is one of the most diverse cities in upstate New York. Utica has a high concentration of immigrant and refugee populations, representing a variety of eastern European countries including Bosnia, Belarus, Russia, and Italy. The founders state that they have conducted extensive community outreach in Utica, Syracuse, and nearby communities. They contend that through door-to-door canvassing they have surveyed over 500 residents, 95% of whom express an interest in Utica Academy of Science Charter School and would consider enrolling their children in the school if approved. The applicant provides letters of support from U.S. Congresswoman

Ann Mary Buerkle; Utica Councilman Jerome McKinsey; and Mohawk Valley EDGE (Economic Development Growth Enterprises Corporation), along with a dozen other community and business organizations.

The draft Admissions and Enrollment Policies submitted with the application establish enrollment preferences in accordance with the NYS Charter Schools Act. Utica Academy of Science Charter School will give a preference to students residing in the district of location and siblings of student enrolled in the school and a weighted preference for at-risk children (defined as eligible for the federal free and reduced price lunch program). The founding group understands and is committed to meet required enrollment and retention targets for special student populations and will use strategic recruitment to assure that the school attracts a diverse and representative population. They intend to monitor the enrollment data carefully and will consider incorporating additional preferences or changes to the academic program, if necessary, in order to meet student needs. In order to develop a solid educational environment, for the first two years, the Utica Academy of Science Charter School design team will keep the school small. Therefore, sixth, seventh, eighth, and ninth grades will start with only two sections of classes, resulting in 44 students per grade level. The school intends to add a grade each year, culminating in three sections of classes per grade level, in year five.

Key elements of the school's design include:

- **A college-bound culture** by providing an extensive college readiness curriculum that includes collaborations with SUNYIT, Utica College, Mohawk Valley Community College, and Hamilton College. In addition, school programs will include Science Olympiad, Saturday SAT classes, monthly advisory, MathCounts, SUNY Oswego Summer Science Immersion, and Saturday IVY League.
- **Focus on STEM** with high expectations for achievement in science, technology, engineering, and math. Students will be taught that mastery of STEM subjects is a necessary foundation for college entrance and careers in technical fields. To further engage students in the STEM curriculum programs such as robotics, math competitions, science fairs, a state-of-the-art Advanced Placement-level chemistry and biology laboratory will be built.
- **Environmental education** will encourage students to be environmentally aware. Environmental chemistry will be embedded into the curricula and school culture.
- **“Glocal” education** will focus on the importance of thinking globally while acting locally. The school will provide local and international interactions through visits by local and international leaders and members of local and international institutions and organizations, to improve student appreciation and understanding of other cultures and viewpoints.
- **Character education** will focus on teaching and incorporating universally recognized values, such as honesty, stewardship, kindness, generosity, courage, freedom, justice, equality and respect. Adventure-based education will engage students in small group settings to develop leadership skills, positive self-image, personality, interpersonal skills, and academic achievement.
- **Extended learning opportunities** will include extended school day as well as one-on-one after-school tutoring, enrichment programs and Saturday Academy as well as Saturday IVY League.
- **High levels of parental involvement** will be accomplished, in part, by giving parents access to the school database, which allows them to monitor assignments, teacher comments, test scores and attendance. The database will be available via smartphone and computer platforms for easy access. The home-school communication strategy will also require that teachers contact a minimum of ten parents per week and perform four home-visits to each student's family each school year.
- **A performance-based accountability system** will be implemented to monitor school, teacher, organizational, and financial performance. Student data will be monitored using Northwest

Evaluation Association - Measures of Academic Process (NWEA-MAP), AP tests, benchmark exams via ExamView software and full-length practice tests for state assessments. Where needed, action plans will be created to improve student achievement.

The proposed school calendar includes 185 days of instruction. The daily student schedule is structured to offer a longer school day, beginning at 8:45 a.m. and ending at 4:00 p.m. The weekly schedule includes 400 minutes for English language arts instruction and 400 minutes for mathematics instruction. Students who need supplemental instruction or students who want to excel will be encouraged to attend after-school tutoring and enrichment activities from 4:00 p.m. to 5:00 p.m. The teacher schedule is from 8:00 a.m. through 5:00 p.m. daily and teachers are expected to make home visits between 5:00 p.m. and 6:00 p.m. to reach their target home visits. Prior to the start of the school year, all staff members will be provided with 120 hours (15 days) of professional development. Throughout the school year, teachers will receive the equivalent of two additional professional development days, not including seminars or training opportunities.

The Utica Academy of Science Charter School will focus on mathematics and science and will use a balanced literacy instructional and curricular framework to differentiate instruction and better accommodate different student learning styles. The Utica Academy of Science Charter School will employ a variety of instructional strategies to instill the necessary skills and knowledge in math, science, and technology. The school will focus on the upper levels of Bloom's Taxonomy within lessons and units (analyze, synthesize, and evaluate); will differentiate lessons, assignments, and assessments; will engage students with pairing, group work, project-based learning; will offer technology-driven instruction projects, and will use classroom techniques such as "No Opt Out," "Stretch It," "Cold Call," "Everybody Writes," and "Right is Right." Each of these techniques accomplishes a specific instructional objective by either checking for understanding, increasing pace for covering material, distributing work more evenly, showing teacher confidence in student knowledge, engaging students more, improving the quality of ideas and writing, and/or providing more authoritative instruction.

As part of its college preparatory mission, Utica Academy of Science Charter School will implement a target-oriented curriculum to prepare students to matriculate at four-year colleges. Modeled after the Syracuse Academy of Science Charter School, Utica Academy of Science Charter School will make provisions for highly motivated students who are willing to take on the additional challenge of beginning Regents level courses in 8th grade, or completing Advanced Placement courses in English, social studies, math, science, and computer science. Students will also have the opportunity to finish freshman-level college coursework while still enrolled in high school. By the end of the first charter term, the Utica Academy of Science Charter School design team intends to start a college credit program through Mohawk Valley Community College. This partnership program will resemble the partnership program currently in place between Syracuse Academy of Science Charter School and Onondaga Community College and SUNY College of Environmental Science and Forestry.

Performance-based accountability is a key design element of the overall school program and the team will implement a comprehensive assessment system to drive all curriculum and instruction decisions. The assessment system will use both internal and external assessments, including teacher-developed benchmark tests as well as standardized assessments, MAP tests, PSAT, SAT, and Advanced Placement tests. In the classroom, internal assessments will provide detailed information about student mastery of the subject matter. Performance on course-based interim and benchmark tests will continuously aid in the identification of services and timely interventions. School administrators and teachers will review the results of benchmark tests, and these results will serve as the basis for creating a student action plan as well as assessing teacher, programmatic, and curricular effectiveness. The formative and summative assessments will guide school administrators to work with teachers to create and implement action plans for

lessons that address student deficiencies. In addition, based on the results action plan, school leaders may spend more time observing and mentoring teachers whose students appear to be struggling with mastery.

The founding group for Utica Academy of Science Charter School consists of seven individuals, all of whom will transition to the initial board of trustees. The lead applicant is Dr. Fehmi Damkaci, currently the Board President of Syracuse Academy of Science Charter School. Four other Syracuse Academy of Science Charter School trustees will become members of the initial board of trustees for Utica Academy of Science Charter School. They will be joined by two other individuals.

The group has a broad range of expertise in post-secondary STEM education, administration, finance, not-for profit governance/management, community engagement, family involvement, charter school start-up and governance. As required, the applicant has provided a set of draft by-laws and a draft code of ethics. Additionally, a School Trustee Background Information form, Statement of Assurance and resume or curriculum vitae is provided for each of the seven individuals who will compose the school's initial board of trustees.

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

- **Dr. Fehmi Damkaci**, lead applicant, is a Professor of Chemistry and Associate Dean of Graduate Studies and Research at SUNY Oswego. He has three years of high school chemistry teaching experience, and recently received Management and Leadership Development Certificate from Harvard University. He was one of the founding members of a successful secondary level charter school in Boston, MA. He has been a board member of the Syracuse Academy of Science Charter School since 2006, and has served as the board president since 2010. He will be a founding board member and will oversee the school's educational leadership and science/technology and environment related curricular and extra-curricular activities.
- **Dr. Yildiray Yildirim** is Professor and Chair of Department of Finance at the Whitman School of Management, Syracuse University. Dr. Yildiray engages in research on real estate and risk management. He was a founding board member of the Syracuse Academy of Science Charter School and still serves on the board of trustees. He will be a founding board member and will oversee the school's financial operations, operational quality, and real-estate issues.
- **Rev. Sherman Dunmore** is a community leader in Utica and a chaplain at the Marcy Correctional Facility. He has been an active leader in inner city youth programs and a parent board member at the Syracuse Academy of Science Charter School since 2006. He will be a founding board member and will oversee the school's civic engagement, community outreach activities, and parental involvement.
- **Ms. Patricia Coban** is a certified social studies teacher. She served for two years as the Frank Foundation's Child Assistance International's Reach coordinator and educator for Southern Cayuga. She was a founding board member of Syracuse Academy of Science Charter School in 2003 and has been a board member since then. She will be a founding board member and will oversee the school's educational activities.
- **Dr. Ahmet Ay** is a Professor of Math and Biology at Colgate University in Hamilton, NY. Dr. Ay teaches undergraduate courses in both math and biology, and engages students in his research. He is a newly elected board member at the Syracuse Academy of Science Charter School. He will be a founding board member and will oversee the STEM-related educational activities and university relations.
- **Mr. Muris Hadzic** is a research associate and Ph.D. candidate in finance at Syracuse University. He has been actively helping Syracuse Academy of Science Charter School students in mentoring and tutoring. He is a Utica resident and active in the Bosnian community. He will be a founding board member and will be active in community outreach activities and student mentoring programs.

- **Dr. Ednita Wright** is a Professor of Human Services and Teacher Education at SUNY, Onondaga Community College, and licensed clinical social worker. She holds a Ph.D. in interdisciplinary social Science from the Maxwell School of Citizenship at Syracuse University. She has been an active parent of a student with special educational needs at Syracuse Academy of Science Charter School for four years. She will be a founding board member and will oversee and parental involvement and staff development.

Utica Academy of Science Charter School has an organizational structure that, in its conception, was intended to work in partnership with Syracuse Academy of Science Charter School. Both campuses will coordinate under a single board of trustees with a Superintendent who will be responsible for effective operation of both schools and report back to the board on the condition of each school's educational, organizational and fiscal soundness. Each individual campus will have a School Director who will function as the instructional leader, implementing the policies of the board. The Director will assume administrative responsibilities for planning, operation, supervision, and evaluation of the educational programs, services, facilities as well as annual evaluations of the instructional and non-instructional staff. The remainder of the leadership team will consist of Dean of Academics, Dean of Students, Operations Manager, and Curriculum Coordinator. The school will open with thirteen teachers and will increase to a faculty of thirty-five when the school is fully developed. Each teacher will receive continuous evaluations by the School Directors and Curriculum Coordinators, including at least ten class visits per year. Teachers will receive additional stipends and honorariums in exchange for their commitments to after-school activities and their success at regional, national, and/or international fairs. Teacher retention strategies include providing teachers with access to participate in Summer Institute training and preparation and staff development programming throughout the year.

The founding group has identified an empty office building in Utica; it is accessible from Interstate 90 and I-70 and is in close proximity to a private school that has an extensive sport facility, which the Utica Academy of Science Charter School design team hopes to use. The building has 80,000 SF of useable space and the design team has plans to convert a portion of the space into the 35 needed classrooms, auditorium, labs and offices and other instructional spaces.

Projected Fiscal and Programmatic Impact on District of Location

The applicant provided an analysis of the fiscal and programmatic impact of the proposed school on public and non-public schools in Utica City School District, indicating that the fiscal impact of the Utica Academy of Science Charter School on Utica City School District public schools is expected to be nominal (less than 3% of the total Utica City School District budget). The applicant states that intended programmatic impact of Utica Academy of Science Charter School on the public schools is to be a model of quality public education.

The New York State Education Department ("Department") also conducted additional analysis on the projected fiscal impact of the Utica Academy of Science Charter School on its district of residence, the Utica City School District, 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
2013-14	176	\$10,046	\$1,768,096	\$52,159	\$137,297,447	1.33%
2017-18	462	\$11,616	\$5,366,592	\$158,314	\$137,297,447	4.02%

The calculations above assume charter school basic tuition rates in the charter period (2013-14 thru 2017-18) based on a trend analysis provided by the Department’s State Aid Office. In order to conservatively avoid underestimating the fiscal impact that the charter school will have on the district going forward, the Department is assuming no growth in the Utica City School District budget during the duration of the school’s charter. 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 transitional aid that may be due to the district, nor does it provide for district per-pupil expense and overall resource savings that are likely to result from a reduction in the number of students attending district public schools.

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 Utica City School District; and, all students will attend every day for a 1.0 FTE.

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: Utica Academy of Science Charter School Application

² Source: Education Law §2856(1)(a)(iii) and NYS Education Department Office of State Aid Charter School Basic Tuition Rate Analysis, October 2012.

³ Source: Utica City School District Audited 2012-2013 Budget:
http://www.uticacsd.org/group_profile_view.aspx?id=b436926d-ff65-4db3-8ee4-baacca1e5b2c

Below, for your reference, please find additional data on Utica City School District.⁴

Utica City School District

Enrollment Data	SD 13
Total District Enrollment:	9,481
Grade 6 through 12 Enrollment:	5,956
White:	44%
Black/African-American:	27%
Hispanic/Latino:	16%
American Indian/Alaskan Native:	0%
Asian/Native Hawaiian/Pacific Islander:	12%
Free/Reduced Priced Lunch:	76%
English Language Learners:	14%
Students with Disabilities:⁵	16.6%
Graduation Rate	SD
2007 Graduation Rate:	58%

State Assessments (% proficient)		
Grade Level	English Language Arts	Mathematics
6	36%	41%
7	31%	41%
8	33%	43%
9-12 (2007 cohort)	65%	65%

Public Hearing and Public Comment

As required by the Charter Schools Act, the Utica City School District held a hearing on Tuesday, September 25, 2012 to solicit comments from the community concerning Utica Academy of Science Charter School. District officials presented information about the anticipated fiscal impact on the district of two pending new charter school applications. Seven individuals spoke in support of the Utica Academy of Science Charter School at the hearing and one spoke in opposition.

⁴ Source: 2010-2011 New York State School Report Card (<https://reportcards.nysed.gov/view.php?schedist=district&county=none&year=2011>); 2011-2012 state assessment data for Grades 3 through 8 English language arts and mathematics (<http://www.p12.nysed.gov/irs/ela-math/>); 2007 cohort graduation rates (<http://www.p12.nysed.gov/irs/pressRelease/20120611/home.html>).

⁵ Source: Special Education School District Data Profile for 2010-11 <http://eservices.nysed.gov/sepuprep/>. 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).

The Department directly notified the Superintendent of the Utica City School District, 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. The Utica City School District Superintendent was contacted by letter and invited to comment directly. On October 5, 2012, Superintendent Bruce J. Karam submitted a letter in opposition to the Utica Academy of Science Charter School, noting that if the charter school were approved, the resulting loss of aid to the Utica City School District would jeopardize a significant number of staff and teaching positions, as well as key programs such as full day Kindergarten, foreign language instruction, music, art, technology, AP courses and Project Lead the Way, and could contribute to a decision to close two district school buildings.

Application Review Process

On January 3, 2012, as required by the New York State Charter Schools Act, the New York State Education Department (the “Department”) released the 2012 *Request for Proposals (“RFP”) to Establish Charter Schools Authorized by the Board of Regents*. The charter school application process utilized by the Board of Regents and the Department during the 2012 RFP cycle is multi-stage and designed to ensure that any charter school applicant presented to the Board of Regents for possible approval demonstrates a detailed and complete school design plan that:

- includes a clear plan to meet or exceed enrollment and retention targets 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;
- provides evidence of public outreach that conforms to the process prescribed by the Regents for the purpose of soliciting and incorporating community input regarding the proposed charter school;
- meets all requirements set forth in the Charter Schools Act as well as all other applicable laws, rules, regulations;
- demonstrates the ability to operate the school in an educationally and fiscally sound manner;
- is likely to improve student learning and achievement and materially further the purposes of the Act; and
- would have a significant educational benefit to the students expected to attend the proposed charter school.

In addition, the applicant group and founding board of trustees must demonstrate appropriate knowledge, capacity, and abilities to effectively create, maintain, and oversee a high-quality charter school.

During 2012 Round 2, 54 letters of intent were received in June 2012 and, after an initial review process, 37 applicants were invited to submit full applications. The Department received 25 full applications, including the application for Utica Academy of Science Charter School.

To assess whether to recommend approval or denial of the charter application to the Board of Regents, the Department established multi-person review panels to thoroughly evaluate each full application. Each of these panels was comprised of professional expert consultants, peer reviewers who are school leaders and educators active in charter and public schools in New York, as well as qualified Department staff members. The review panel members reviewed, rated, and commented on each section of the application according to the criteria published in the Application Kit.

Department staff conducted a two-hour capacity interview with the seven initial board members of the proposed school, on Monday, September 17, 2012. Questions posed to the proposed initial trustees included general questions around New York State Charter School Law, roles and responsibilities of the school community and the board to the community and various stakeholder groups as well to as the Board

of Regents as authorizer. To fully understand the proposed academic program, governance role and fiscal viability of the proposed school, targeted questions were asked to clarify information provided in the full application.

The responses demonstrated adequate knowledge and grasp of key areas. Members of the applicant group as a whole and individually demonstrated knowledge of the charter school application and the proposed school. Structures, systems, protocols and procedures are in place to permit the board to effectively govern the school. The applicants addressed questions posed with specific and detailed information that presented a clear, realistic picture of how the school expects to operate.

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.⁶ 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,⁷ 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 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 manner.⁸ This finding is based on the following (among other things):
 - The presentation in the application of a sound description of key features that are core to the school's overall design, and which rigorously addresses the criteria outlined in the Department's RFP in the areas of mission; key design elements; enrollment, recruitment and retention;, and community to be served.
 - The presentation in the application of a sound educational plan, which rigorously addresses the criteria outlined in the Department's RFP in the areas of achievement goals; school schedule and calendar; curriculum and instruction; assessment; school culture and climate; and special student populations and related services.
 - The presentation in the application of a sound organizational and fiscal plan, which rigorously addresses the criteria outlined in the Department's RFP in the areas of founding group capacity; board of trustees and governance; management and staffing; evaluation; professional development; facilities; insurance; health, food and transportation services;

⁶ Education Law §2852(2)(a).

⁷ 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 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.

⁸ Education Law §2852(2)(b).

- family and community involvement; financial management; budget and cash flow; pre-opening plan; and dissolution 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 Act⁹ and will have a significant educational benefit to the students expected to attend the charter school.¹⁰ 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 Utica Academy of Science Charter School to open in 2013 in Utica, New York.

⁹ Education Law §2852(2)(c).

¹⁰ As applicable pursuant to §2852(2)(d).