



# New York State Education Department Charter School Office

## Charter School Application Summary, Findings, and Recommendation

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*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**

<b>Name of Charter School</b>	Unity Preparatory Charter School of Brooklyn
<b>Lead Applicant(s)</b>	Joshua Beauregard
<b>District of Location</b>	Brooklyn, CSD 13
<b>Opening Date</b>	Summer/Fall 2013
<b>Projected Charter Term</b>	November 5, 2012 - June 30, 2018
<b>Management Company</b>	None
<b>Partners</b>	None
<b>Facility</b>	Seeking public co-location space and/or proposed lease with private landlord
<b>Projected Enrollment and Grade Span during Charter Term</b>	Opening with 128 students in grade 6 in 2013-14; growing up to 640 students in grades 6 through 10 in 2017-18.
<b>Projected Maximum Enrollment and Grade Span</b>	819 students in grades 6 through 12
<b>Mission Statement</b>	<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 Commerciales*) 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 <sup>1</sup>	Charter School Basic Tuition Rate <sup>2</sup>	Total Charter School Basic Tuition Only	Estimated District Special Education Payment <sup>1</sup>	Total District General Fund Budget <sup>3</sup>	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

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<sup>1</sup> Source: Unity Preparatory Charter School Application

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

<sup>3</sup> 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.<sup>4</sup>

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.<sup>5</sup>

### **New York City Community School District 13**

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

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<sup>4</sup> 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.

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

<sup>6</sup> Source: Special Education School District Data Profile for 2010-11 <http://eservices.nysesd.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.<sup>7</sup> 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,<sup>8</sup> 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)

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<sup>7</sup> Education Law §2852(2)(a).

<sup>8</sup> 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.<sup>9</sup> 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 Act<sup>10</sup> and will have a significant educational benefit to the students expected to attend the charter school.<sup>11</sup> 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.

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<sup>9</sup> Education Law §2852(2)(b).

<sup>10</sup> Education Law §2852(2)(c).

<sup>11</sup> As applicable pursuant to §2852(2)(d).