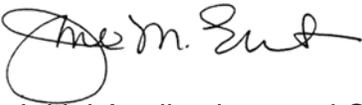




**TO:** P-12 Education Committee

**FROM:** Jhone M. Ebert 

**SUBJECT:** Charter Schools: Initial Applications and Charters  
Authorized by the Board of Regents

**DATE:** June 6, 2016

**AUTHORIZATION(S):** 

### **SUMMARY**

#### **Issue for Decision**

The Commissioner and Department staff recommend that the Board of Regents consider, approve, and issue an initial charter and provisional charter for each of the following proposed charter schools:

1. REACH Academy Charter School (Buffalo)
2. Brooklyn Laboratory Charter High School (proposed to locate in NYC CSD 13)
3. WHIN Music Community Charter School (proposed to locate in NYC CSD 6)

#### **Reason(s) for Consideration**

Required by New York State law.

#### **Proposed Handling**

This issue will be before the Board of Regents P-12 Education Committee and the full Board for action at the June 2016 Regents meeting.

## **Background Information**

The Commissioner and Department staff recommend that the Board of Regents issue an initial charter and provisional charter for the above listed new charter schools, which will add high quality seats for families in Buffalo and New York City, when the proposed schools are fully expanded, as follows:

- REACH Academy Charter School (Buffalo) – 480 high quality seats
- Brooklyn Laboratory Charter High School (New York City, Brooklyn CSD 13) – 799 high quality seats
- WHIN Music Community Charter School (New York City, Manhattan CSD 6) – 324 high quality seats

Additional details about each of the proposed charter schools and the Department staff application reviews are included in the attached *Summary, Findings and Recommendation*. The applications for these schools are available electronically on the Department's website: <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 law also designated 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 required that the two chartering entities create competitive Request for Proposals (RFP) processes for applications for the additional 260 charters. The law dictated the timetable for the RFPs that were issued in 2010, 2011, 2012, and 2013 and left the timetable for the release of RFPs in subsequent years to be determined by the Board of Regents and SUNY. The 2015 legislative amendment allows a charter that has been surrendered, revoked, terminated, or not renewed to be reissued by SUNY or the Board of Regents through an application process. There are 178 total charters available. Chapter 20 of the Laws of 2015 imposed a limit of fifty new charters in New York City. A Summary of the 2010-2015 charter school application cycles is included below as Attachment A.

The 2016 RFP time is as follows:

| <b>2016 Application Cycle</b>             |                             |                             |                       |
|---|-----------------------------|-----------------------------|-----------------------|
| <b>Submission Rounds</b>                  | <b>Letter of Intent Due</b> | <b>Full Application Due</b> | <b>Regents Action</b> |
| Round 1<br>Charter School<br>Applications | February 29                 | April 7                     | June 13-14            |
| Round 2<br>Charter School<br>Applications | June 28                     | August 16                   | November 14-15        |

- Phase I – Letter of Intent:  
Each applicant group must submit a letter of intent that provides a brief description of the school mission and design, the proposed student population (including plans to meet enrollment and retention targets), evidence of community outreach efforts and community support, a proposed school district and/or proposed facility, information about the founding group, and anticipated members of the initial board of trustees.
- Phase II – Full Application:  
Each applicant group must submit a written application that provides 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 Schools Act. Each accepted application is rigorously evaluated through a peer-review process by a three member expert panel including national consultants, reviewers who are current educators in public schools or universities within New York State and across the nation, and experienced Department staff.
- Phase III – Capacity Interviews:  
Each applicant group attends an interview to discuss the application and to demonstrate that they have the will, skill, knowledge, and capacity to successfully launch and operate the proposed school.
- Phase IV – Request for Modifications:  
Each applicant group makes technical modifications to their applications, as necessary and requested by the Department.

In addition to the above, throughout the chartering process, the Department reviews public comments provided through formal public hearings (required to be conducted by the school district of location for the proposed school) and through direct communication with the Department's Charter School Office. Recommendations to award new charters are made to the Board of Regents by the Commissioner. These recommendations are given to groups with a strong educational plan and a presentation that demonstrates their readiness to launch and operate a highly effective public school. Based on a synthesis of information gathered throughout all stages of the process, the Department presents its recommendations to the Board.

In Round 1 of the 2016 application and review process, the Charter School Office received:

- 11 applicant group Letters of Intent submitted by February 29, 2016;
- 11 applicant groups were invited to submit full applications by April 7, 2016;
- 6 applicant groups were invited to the Capacity Interview (held in May 2016); and

- 3 applicant groups are being recommended to the Board of Regents for approval at the June 2016 meeting.

### **Recommendation**

VOTED: That the Regents find that: (1) the proposed charter schools meet the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the application will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues a charter and provisional charter to the **REACH Academy Charter School**, for a term of five years in accordance with §2851(2)(p) of the Education Law.

VOTED: That the Regents find that: (1) the proposed charter schools meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the application will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues a charter and provisional charter to the **Brooklyn Laboratory Charter High School**, for a term of five years in accordance with §2851(2)(p) of the Education Law.

VOTED: That the Regents find that: (1) the proposed charter schools meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the application will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues a charter and provisional charter to the **WHIN Music Community Charter School** for a term of five years in accordance with §2851(2)(p) of the Education Law.

### **Timetable for Implementation**

The Regents action is effective immediately.

Attachments

## SUMMARY OF 2010-2016 CHARTER SCHOOL APPLICATION CYCLES

| Regents RFP Cycle | Letters of Intent Submitted | Full Applications Submitted   | Charters Issued By Regents (# in NYC) | Regents Charters Remaining under 2010 cap of 130 (# in NYC) |
|-------------------|-----------------------------|---|---------------------------------------|---|
| 2010              | 39                          | 35 prospectuses were submitted; 16 applicants were invited to submit full applications;<br><b>15 full applications were submitted</b>         | 7 (5)                                 | 123 (52)  |
| 2011              | 100                         | 80 prospectuses were submitted; 37 applicants were invited to submit full applications;<br><b>36 full applications were submitted</b>         | 9 (7)                                 | 114 (45)  |
| 2012 Round 1      | 30                          | 20 applicants were invited to submit full applications;<br><b>14 full applications were submitted</b>   | 3 (3)                                 | 111 (42)  |
| 2012 Round 2      | 54                          | 37 applicants were invited to submit full applications;<br><b>25 full applications were submitted</b>   | 10 (8)                                | 101 (34)  |
| 2012 Round 3      | 24                          | 24 applicants were invited to submit full applications;<br><b>12 full applications were submitted</b>   | 0(0)                                  | 101 (34)  |
| 2013              | 99                          | 60 applicants were invited to submit full applications;<br><b>55 full applications were submitted</b>   | 8 (6)                                 | 93 (28)   |
| 2014 Round 1      | 31                          | 15 applicants were invited to submit full applications in either Round 1 or Round 2;<br><b>11 full applications were submitted in Round 1</b> | 2 (1)                                 | 91 (27)   |
| 2014 Round 2      | 51                          | 18 applicants were invited to submit full applications<br><b>15 full applications were submitted</b>  | 3 (3)                                 | 88 (24)   |

| <b>Regents RFP Cycle</b> | <b>Letters of Intent Submitted</b> | <b>Full Applications Submitted</b>   | <b>Charters issued by BOR (# in NYC)<sup>1</sup></b> | <b>Charters remaining to be issued by SUNY or BOR (# in NYC)<sup>2</sup></b> |
|--------------------------|------------------------------------|--|--|--|
| 2015 Round 1             | 38                                 | 15 applicants were invited to submit full applications<br><b>15 full applications were submitted</b> | Regents: 0(0)<br>Total: 0(0)                         | 181(50)  |
| 2015 Round 2             | 51                                 | 17 applicants were invited to submit full applications<br><b>11 full applications were submitted</b> | Regents: 3(1)<br>Total: 3(1)                         | 178(48)  |
| 2015 Round 3             | —                                  | Letters of Intent Waived<br><b>15 full applications were submitted</b>                               | Regents: 1(0)<br>Total: 3(2)                         | (175)(45)  |
| 2016 Round 1             | 11                                 | 11 applicants were invited to submit full applications<br><b>11 full applications were submitted</b> | 3 Pending Regents Action                             | 3 Pending Regents Action   |

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<sup>1</sup> The 2015 legislative amendments to the Charter Schools Act takes the cap remaining under the 2007 and 2010 legislation (159) and provides for the reissuance of 22 charters, for a total of 181 charters to be used by either the Regents or SUNY. Chapter 20 of the Laws of 2015 imposed a limit of 50 new charters in New York City.

<sup>2</sup> See note 2, above.



# 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 2016 Round 1 Request for  
Proposals to Establish Charter Schools Authorized by the Board of  
Regents to establish the proposed:

**REACH Academy Charter School**

June 2016

**Table 1: Summary of the Proposed School**  
REACH Academy Charter School

|   |  |
|---|--|
| <b>Name of Charter School</b>                                       | REACH Academy Charter School   |
| <b>Lead Applicant(s)</b>  | Dolores Prezyna Ed.D.  |
| <b>District of Location</b>   | Buffalo Public School District   |
| <b>Opening Date</b>   | September 2017   |
| <b>Projected Charter Term</b>                                       | September 2017 to June 2022  |
| <b>Management Company</b>   | None   |
| <b>Partners</b>   | None   |
| <b>Facility</b>   | Private space  |
| <b>Projected Enrollment and Grade Span during Charter Term</b>      | Year 1 (SY 2017-18): K-1, 160<br>Year 2 (SY 2018-19): K-2, 240<br>Year 3 (SY 2019-20): K-3, 320<br>Year 4 (SY 2020-21): K-4, 400<br>Year 5 (SY 2021-22): K-5, 480  |
| <b>Planned Grade Span (beyond Initial Charter Term)<sup>3</sup></b> | K-8, 720 students  |
| <b>Mission Statement</b>  | <i>The Mission of the REACH Academy Charter School is to ensure the achievement of high academic standards for City of Buffalo students through a hands-on authentic learning environment. Scholars of REACH Academy Charter School will learn the value of Service, Leadership, Character and Citizenship, along with effective Communication Skills as evident in reading, writing, mathematical and technological competencies. REACH Academy Charter School will provide the tools for scholars to rise above the limitations often posed by poverty, disability and the struggle to achieve English Language Proficiency.</i> |

The REACH Academy Charter School will ensure improved student learning and achievement by immersing children in authentic language experiences and strong literacy instruction aligned with the Common Core State Standards (CCSS). Authentic learning environments allow for all the needs of the individual child to be considered. Individual learning plans with high academic

<sup>3</sup> The charter school will need to request a subsequent material charter revision in order to serve grade levels beyond those authorized during their initial charter term.

goals and expectations will be created to ensure every child reaches their full potential. Teachers will use data to ensure students are making adequate progress; to tailor instruction and interventions; and to encourage students to take a more active role in their learning. Teachers and staff will be provided with rigorous and ongoing professional development training from nationally recognized educational consultants, authors, higher education faculty, professional developers, and curriculum specialists to support their capacity to meet the needs and improve the lives of children in the city of Buffalo.

## **Key Design Elements**

The key design elements for REACH Academy Charter School are:

- **Instructional Design** –The Six Point Plan to Increasing Student Achievement outlined below will improve student learning and achievement. This model encapsulates an effective way to ensure high student achievement by allowing for continuous evaluation of student progress and immediate modification to the student’s learning plan when needed. The six points are:
  1. Setting up a Culture of High Expectations;
  2. Articulating the Curriculum;
  3. Ensuring Best Instructional Practices;
  4. Administering Common Benchmark Assessments;
  5. Providing Interventions; and
  6. Monitoring Progress.
  
- **Authentic Classroom Learning Environments** –The Reach Academy Charter School classrooms will be designed as “mini” real world environments based on developmentally appropriate themes. Classroom themes aligned with the CCSS standards and content may include a setting of a supermarket or fairy tale for kindergarten students. As students get older the themes develop into broader, more sophisticated concepts such as: Types of Whales, Understanding Chemistry, and Physics in Action. As stated in the school’s mission, the classroom design is a hands-on, authentic learning environment intended to broaden the background experiences and vocabulary of students who live in poverty and expand learning opportunities for all students at risk of academic failure.
  
- **Balanced Literacy Approach - Literacy Focused** - Students will engage in multiple, focused, literacy experiences throughout their school day. Using Fountas and Pinnell’s model for Guided Reading and Lucy Calkin’s model for The Reader’s and Writer’s Workshop as the basic literacy curriculum, students will receive a highly personalized approach in literacy instruction. This approach will use best practices to improve student learning and achievement by providing scholars with an integrated and comprehensive standards-based literacy program using innovative teaching and learning methods. Through the use of mini-lessons, teachers will facilitate literacy standards through the context of ongoing, purposeful student work. The balanced literacy REACH Academy Charter School approach will provide a structure and support that will enable all students

to acquire the knowledge, skills, habits and dispositions needed to meet or exceed standards in reading, writing, listening and speaking.

- **Utilizing Technology to Enhance Instruction, Engagement and Learning** - Teachers will create situations or opportunities designed to encourage active student engagement to construct, dissect, analyze, compare, collaborate, contribute, create and reflect upon information and ideas through the use of technology based instructional methods. These opportunities will allow students to have choices on how they interact with content, and collaborate both within the classroom and across classrooms or the world.

## **Education Plan**

REACH will have an extended day four days per week. Once per week, students will be dismissed early in order for staff to attend professional development sessions. A free afterschool program will be made available for all students daily and on early dismissal days. The school calendar includes 192 days of instruction. There are four-full day professional development dates included in the school calendar.

Prior to the first year of operation, there will be a six week summer professional development program. Thereafter, the summer professional development program will be two or three weeks for returning and new staff respectively. After year one, struggling students will be invited to attend a four week summer session. Holiday Recess Labs will be offered to all students for enrichment and remedial support.

At REACH, curriculum will be developed around the NYS Learning Standards. Teachers will complete curriculum crosswalks to ensure alignment with the standards and develop lessons where needed. The key design element, The Six Point Plan to Increasing Student Achievement, will be used to inform this process. During the planning period and throughout the school year, REACH founders, key staff, and/or selected consultants who specialize in Curriculum Design, CCSS and Common Formative Assessments will work with teachers to develop the comprehensive scope and sequence of the curriculum for the school.

The school believes in a balanced literacy approach to language arts instruction. The following components as suggested by the Columbia's Teachers College Reading and Writing Project will be implemented; read-aloud, shared reading, phonics/word study, interactive writing, small group instruction (guided reading, strategy lessons, and interventions), reading workshop and writing workshop. The balanced literacy classroom will build on each student's individual literacy strengths and areas of need in the continuous development of listening, speaking, reading and writing skills. The workshop model will provide the needed scaffolding of instruction for both reading and writing. The reading of informational text as well as quality literature and academic vocabulary development will serve as a priority in alignment with the NYS CCLS. Common literary themes will be integrated into the curricula throughout the school day.

The mathematics curriculum will be developed by teachers through units of study derived from the Math Modules found on EngageNY and commercially available textbook series.

The teaching and learning of Social Studies and African-American history and culture will be guided by the NYS Learning Standards for Social Studies and CCLS for English Language Arts in the Content Areas. Utilizing the resource TCI's online *Social Studies Alive*, scholars at REACH will learn about the world around them.

Driven by the Next Generation Science Standards (NGSS), students will engage in an applied inquiry based science program called *Bring Science Alive!* by TCI. *Bring Science Alive!* takes a comprehensive approach to teaching science through hands-on investigations, online tutorials, reading, and assessments which all support and build off one another. *Bring Science Alive!* supports language arts instruction in the science curriculum with vocabulary development, reading strategies, a variety of writing activities, and numerous opportunities to develop speaking and listening skills. Other standards aligned courses include; music, art, physical education, health, technology and library.

Thematic grade-level units will be developed to ensure alignment both horizontally and vertically. They will be designed with a real world connection and/or application for students to be actively engaged learners in authentic learning environments right in their own classroom. Curriculum will be delivered in a hands-on authentic thematic learning environment built on rich language and learning experiences with a heavy emphasis on vocabulary development to ensure every student's success. The curriculum will be delivered using a multitude of instructional strategies such as; center-based learning, small guided group instruction, mini lessons, hands-on learning activities, experiential learning, and whole class.

The establishment of professional learning communities for staff through a multi-layered approach will ensure that teachers are provided with the tools needed to support student achievement. This approach allows for ongoing and embedded professional development while providing teachers and administrators, both new and experienced with the skills and knowledge needed to ensure student achievement as well as personal growth as an educator.

During the first year of operation, setting a school-wide culture of success will be a top priority. Driven by the core design element, *The Six Point Plan for Increasing Student Achievement*, the staff development plan for the school will be multi-dimensional and responsive to each aspect of the school's instructional model. At the end of each school year, the professional development plan will be assessed to ensure its positive impact on student learning. Teacher training takes place over the summer, weekly when students are dismissed early and during monthly scheduled staff meetings.

### **Assessment**

The school plans to use data strategically to drive curriculum development, best practices in instructional delivery and response to intervention plans. The assessments will document the growth and development of scholars' skills in meeting the NYS CCLS, the school's mission and objectives and educational priorities. The school plans to administer benchmark, formative and summative assessments, locally developed assessments and required New York State Tests. Data gathered will be analyzed to develop action plans and inform the Response to Intervention (RtI)

plan. The school plans to measure the educational performance and progress of individual students, grade level cohorts and the school as a whole.

### **School culture**

Included in the first key design element, *The Six Point Plan to Increasing Student Achievement*, is the establishment of a Culture of High Expectations. The focus will be on high expectations for student success. To consistently promote the school's mission, a strong focus on character, service, leadership and citizenship will be present and supported by REACH's core values. The school will implement a school-wide Positive Behavior Intervention and Supports (PBIS) system that will be the driving force behind positive behavior management and discipline.

### **Special Populations and Related Services**

In order to meet the needs of diverse learners, all aspects of the school's environment, including programming, curriculum, and instruction, will be inclusive and specially designed for all learners. The founders believe that scholars, regardless of demographics, language proficiency or disability can demonstrate high levels of academic growth through a structured, focused environment where expectations are clear and support is plentiful. They believe that a balanced literacy program will ensure that all English Language Learners (ELLs) and students with disabilities (SWDs) will become proficient readers and writers. Differentiation within the balanced literacy system will help meet students at their own level of language development.

REACH will feature an Integrated Co-Teaching model for students with disabilities. New York State certified special education teachers will be hired to provide support and instruction to students with disabilities. Additionally, the school will utilize a Director of Student Services to oversee the special education program and ensure compliance with state and federal regulations.

Special education programming will be inclusive with the intent to meet the needs of students within the general education classroom. The special education teacher and ELL teacher will both be involved in creating lessons with the classroom teacher and modifying lessons to meet specific needs. A Response to Intervention (RtI) program will be established and consist of three tiers of intervention ranging from differentiated support within the classroom to small group or individualized support outside of the classroom.

The founders believe that developing a strong proficiency in English as soon as possible will enable all Limited English Proficiency (LEP) scholars to reach the academic goals established for all scholars. Therefore, they will provide Sheltered English instruction to improve a child's English proficiency. Teachers will use clear, direct, simple English and a wide array of scaffolding strategies to communicate meaningful input in the content areas to students. Learning activities will connect new content to students' prior knowledge and that spiral through curriculum material.

## **Recruitment**

REACH is committed to meet the high expectations of enrollment and retention targets established by the Board of Regents. They will work with various community organizations and parent groups to seek out, enroll and successfully retain a cross-section of students mirroring the demographics of the Buffalo Public School District, with particular attention to SWDs, ELLs, and students who qualify for the Free and Reduced Price Lunch Program. They will continue a media campaign to promote the school's mission, design, culture and curriculum. Brochures will be widely distributed around the community and several open houses will be hosted.

The founding group will work closely with agencies that provide preschool programs for students with special needs. Invitations for informational sessions will be set up, to specifically address how the program will meet the needs of students with special needs and for parents to tour and learn more about the services offered. Program administrators, social workers, district Committee on Preschool Special Education coordinators, special education teachers, parents and students will all be invited to learn more about REACH.

In order to recruit students who are ELLs, REACH will collaborate with the Catholic Charities of Western New York, which offers refugee and immigration assistance programs. This collaboration will provide these students with additional direction and guidance on recruiting students who are ELL's. REACH will visit these centers/community groups and offer presentations to their membership to invite prospective students to visit our school. Printed promotional materials will be distributed. Catholic Charities of Western New York also will work with the school to connect with the local refugee population as they do for other public schools.

## **Retention**

In order to retain students, the founders plan to adopt the strategies suggested by the National Alliance for Public Charter Schools. These strategies include:

- Adopting key instructional strategies to support all students;
- Identifying strategic partnerships and coalitions to help build bridges to special populations;
- Hire intentionally and well to support special populations; and
- Track, analyze and report data on the academic and socioemotional wellbeing of students.

Additional strategies the school will implement to retain scholars includes: hiring staff that share similar backgrounds as children from the community, on-going professional development for staff, backpacking program activities for home use, inviting parents to be volunteers in classrooms, a free after-school program, and implementing summer and school break sessions for both remediation and enrichment.

## **Community Outreach**

The decision to apply for and establish a new charter school in the city of Buffalo is informed by the demand and need for high quality educational alternatives in the district.

REACH has engaged with local stakeholders, including representatives of local universities, companies, religious institutions, parents and families, elected officials, school leaders, and members of community organizations beginning in 2014 to the present. At these public sessions, REACH team members have collected surveys from the various stakeholders to solicit feedback regarding the proposed school and discussed the school’s vision, curriculum, and design. During the course of conducting outreach, Buffalo parents expressed unhappiness with the scarcity of schools in good standing and the limited chances their children have to securing a seat in these schools. The parents expressed interest in the mission, vision and offerings; focus on literacy; parent engagement; a longer school day; longer school calendar; unique classroom design; effective intervention strategies; and after-school activities which are limited in district schools.

**School Governance and Leadership**

The Board will have no fewer than 5 and no more than 11 members at any time. The founding board members will serve staggered initial terms of 1, 2 or 3 years. The Founding Board of Trustees, upon the receipt of a school charter, will identify additional candidates to further diversify the Board of Trustees and fill all remaining seats. The Board will engage in professional development. Board meetings will be conducted in accordance with the Open Meetings Law and the school’s bylaws. Parents and the public will be welcome to attend Board meetings, which will provide the opportunity for public comment and an opportunity to directly address the Board with concerns.

The Board of Trustees includes the following individuals:

| <b>Proposed Board Member</b> | <b>Proposed Role on Board</b>     |
|------------------------------|-----------------------------------|
| Dr. Dolores Prezyna          | Trustee, President                |
| Michael Olsen                | Trustee, Vice-President           |
| Christine Mann               | Trustee                           |
| Ryan E. Caster               | Trustee, Treasurer                |
| Leslie Scott                 | Trustee Secretary                 |
| William Yelder               | Trustee, Community Representative |
| Parent Representative        | Trustee                           |

## **School Staffing Plan**

During year one of operation, the leadership team will include a Head of School who reports directly to the Board. Reporting to the Head of School will be the Director of Operations/Students and the Director of Facilities/Director of Technology. As the school grows, additional leadership positions will be added.

At full capacity, the school will employ the following staff:

- Head of School—to oversee the budget development, board communication, fiscal oversight and instructional and programmatic leadership
- Director of Instruction—assist the Head of School in carrying out the instructional and programmatic model
- Director of Operations—overseeing the details of the daily operations including managing the front office staff, personnel and human resources, school events and routine emergency preparedness
- Director of Student Services—oversight of the Special Education Department, RtI services, the After-School Program and the Athletic Department
- Dean of Students—handle discipline and ensure a safe and orderly school environment, lead the school in developing a positive culture with high expectations using the PBIS system

REACH will recruit locally and nationally to seek a diverse teaching staff. Founders have developed a recruitment, interview, and vetting process in order to ensure to the highest degree possible that new hires demonstrate that they have certification credentials to teach in NYS, are willing and able to support the educational and developmental needs of a diverse student population. Successful candidates should have a proven track record of high achievement in the classroom or other applicable settings and a commitment to accountability, along with a belief in the school's core values and educational philosophy.

## **Facility**

REACH Academy CS seeks a private facility on the East Side of the City of Buffalo and identified several existing buildings suitable for the proposed school. One facility located at 115 Ash Street is currently vacant and the site of a former charter school.

## Technical Modification

The applicant group provided a technical modification to the application, in order to bring the first charter term grade configuration into alignment with Board of Regents policy. The proposed school will serve elementary grades K through 5 and a maximum of 480 students in the first charter term. The applicant group will maintain small class sizes but has eliminated an absolute cap of 20 students per class. Additionally, the applicant group has redefined its relationship with Catholic Charities of Buffalo and affirmed that the proposed school and Catholic Charities of Buffalo are working in collaboration.

## 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 Buffalo CSD, indicating that the fiscal impact of the REACH Academy CS on the Buffalo CSD public schools is expected to be nominal.

The New York State Education Department also conducted additional analysis on the projected fiscal impact of the School on its district of residence, the Buffalo CSD, which is summarized below.

**Table 2: Projected Fiscal Impact Upon District of Location, 2017-18 to 2021-22<sup>4</sup>**

| Year    | Number of Students Enrolled in Charter School Per Year <sup>5</sup> | Charter School Basic Tuition Rate <sup>6</sup> | Total Charter School Basic Tuition | Estimated District Special Education Payment <sup>7</sup> | Total District General Fund Budget <sup>8</sup> | Percent of District Budget |
|---------|---|--|------------------------------------|---|---|----------------------------|
| 2017-18 | 160   | \$13,954                                       | \$2,232,640                        | \$310,337   | \$543,792,510                                   | 0.468%                     |
| 2018-19 | 240   | \$14,363                                       | \$3,447,120                        | \$479,150   | \$543,792,510                                   | 0.722%                     |
| 2019-20 | 320   | \$14,772                                       | \$4,727,040                        | \$657,059   | \$543,792,510                                   | 0.990%                     |
| 2020-21 | 400   | \$15,182                                       | \$6,072,800                        | \$844,119   | \$543,792,510                                   | 1.272%                     |
| 2021-22 | 480   | \$15,591                                       | \$7,483,680                        | \$1,040,232   | \$543,792,510                                   | 1.567%                     |

The calculations above assume charter school basic tuition rates in the charter period (2017-18 through 2021-22) based on a trend analysis calculated by the Charter School Office and approved 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 Buffalo CSD budget during the duration of the school's charter.<sup>9</sup>

<sup>4</sup> In order to conservatively estimate the fiscal impact upon the district of location, maximum enrollment figures for each year were used.

<sup>5</sup> Source: REACH Academy CS Application

<sup>6</sup> Source: Education Law §2856(1)(a)(iii) and NYS Education Department Office of State Aid Charter School Basic Tuition Rate Analysis

<sup>7</sup> Based on 2013-14 calculated special education classification rate for the district of location, as collected by NYSED Information and Report Services

<sup>8</sup> Source: Buffalo City 2016 Executive Budget

<sup>9</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

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 fluctuation 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 district of location; 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.

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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 as a result of students attending nonpublic schools located in the school district.

**Table 3: 2014-15 Demographic Detail for Proposed District of Location:  
Buffalo CSD<sup>10</sup>**

|                            | Total District<br>Enrollment: Buffalo |     |
|----------------------------|---------------------------------------|-----|
| All Students               | 32,165                                |     |
| Economically Disadvantaged | 25,512                                | 79% |
| Limited English Proficient | 4,450                                 | 14% |
| Students with Disabilities | 6,936                                 | 22% |

**Table 4: 2014-15 Elementary/Middle School Academic Proficiency Rates on NYS  
Assessments Based on Grade Configurations for Proposed School<sup>11</sup>**

| Assessments                      | Buffalo CSD<br>Proficiency | NYS<br>Proficiency |
|----------------------------------|----------------------------|--------------------|
| <i>ELA Grades 3-5 Aggregate</i>  | 12%                        | 31%                |
| <i>Grade 3 ELA</i>               | 12%                        | 31%                |
| <i>Grade 4 ELA</i>               | 14%                        | 33%                |
| <i>Grade 5 ELA</i>               | 11%                        | 30%                |
| <i>Math Grades 3-5 Aggregate</i> | 18%                        | 43%                |
| <i>Grade 3 Math</i>              | 17%                        | 42%                |
| <i>Grade 4 Math</i>              | 18%                        | 43%                |
| <i>Grade 5 Math</i>              | 18%                        | 43%                |

### **Public Hearing and Public Comment**

As required by the Charter Schools Act, the Buffalo Board of Education conducted a public hearing on May 11, 2016, to solicit comments from the community concerning the proposed REACH Academy Charter School. Eight members of the community were present, and eight individuals commented at the hearing or wrote letters in support of the proposed application. Comments in favor focused on the academic and social-emotional supports that the proposed school would provide students. No comments in opposition were received.

<sup>10</sup> Source: Student Information Repository System (SIRS) 2014-15 Report 303 BEDS Day Enrollment Verification Report by Location of Enrollment & Student Subgroup

<sup>11</sup> Source: Student Information Repository System (SIRS) 2014-15 Report 101 High School Accountability Data Verification Report; 2014-15 Report 102 Elementary/Middle-Level Accountability Data Verification Report

## 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>12</sup> This finding is based on the following, among other things:
  - The applicant has included in the application 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,<sup>13</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 §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.<sup>14</sup> This finding is based on the following, among other things:
  - i. 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.
  - ii. 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.
  - iii. 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,

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<sup>12</sup> Education Law §2852(2)(a).

<sup>13</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.

<sup>14</sup> Education Law §2852(2)(b).

- food and transportation services; family and community involvement; financial management; budget and cash flow; pre-opening plan; and dissolution plan.
- iv. 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>15</sup> and will have a significant educational benefit to the students expected to attend the charter school.<sup>16</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, the New York State Education Department recommends that the New York State Board of Regents approve the proposal to establish the REACH Academy Charter School to open in 2017 in the city of Buffalo, New York.

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<sup>15</sup> Education Law §2852(2)(c).

<sup>16</sup> As applicable pursuant to Education Law §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 2016 Round 1 Request for  
Proposals to Establish Charter Schools Authorized by the Board of  
Regents to establish the proposed:

**Brooklyn Laboratory Charter High School**

June 2016

**Table 1: Summary of the Proposed School**  
 Brooklyn Laboratory Charter High School

|   |   |
|---|---|
| Name of Charter School                                  | Brooklyn Laboratory Charter High School   |
| Lead Applicant(s)                                       | Eric Tucker   |
| District of Location                                    | New York City, Brooklyn, CSD 13   |
| Opening Date  | September 2017  |
| Projected Charter Term                                  | September 2017 to June 2022   |
| Management Company                                      | None  |
| Partners  | InnovateEDU   |
| Facility  | Private or public co-location space   |
| Projected Enrollment and Grade Span during Charter Term | Year 1 (SY 2017-18): 9, 117<br>Year 2 (SY 2018-19): 9-10, 249<br>Year 3 (SY 2019-20): 9-11, 473<br>Year 4 (SY 2020-21): 9-12, 692<br>Year 5 (SY 2021-22): 9-12, 799   |
| Planned Grade Span (beyond Initial Charter Term)        | Grades 9-12   |
| Mission Statement                                       | <i>Brooklyn Laboratory Charter High School (BLCHS) prepares students— including students with disabilities, English language learners, and over-age, under-credited students—with the academic, applied science, and leadership skills necessary to excel in college and professional life as they grow as ethical leaders.</i> |

Brooklyn Laboratory Charter High School is dedicated to serving Brooklyn’s highest need students regardless of academic level, English language proficiency, or disability with the goal of admission to, and success in selective four year colleges. BLCHS will employ a personalized, mastery-based, Common Core Learning Standard (CCLS)-aligned approach designed to dramatically improve academic success. They plan to foster intellectual curiosity and competence by:

- Using research and evidence-based writing and close reading of foundational works of literature, poetry, philosophy, history, economics, mathematics, and science;
- Developing mathematical understanding, computational thinking, and the ability to apply these skills to solve problems in everyday life, society, and the workplace;
- Ensuring that every graduate is prepared for, and admitted to, a selective four-year college;
- Guiding every graduate on a pathway to postsecondary and career success;
- Inspiring scholars to take responsibility for, and find joy in, their own education;
- Facilitating entrepreneurial learning and cultivating dispositions for lifelong learning; and
- Fostering leadership, a commitment to social justice, and compassion.

## Key Design Elements

The key design elements for their program are:

1. **Rigorous, college-prep curriculum that develops habits of success:** Math, English, science, and social studies programs are aligned to CCLS and back mapped from the skills, knowledge, and habits necessary to succeed on Advanced Placement exams (APs), in college, and beyond. BLCHS will help students learn independently, think critically, and communicate proficiently by setting clear expectations for high-quality work and foster metacognition. BLCHS will build student knowledge through content-rich nonfiction and engagement with foundational texts and global conversations to allow students to learn academic vocabulary, gain command of evidence, conduct text analysis across disciplines, and study problems grounded in real-world contexts. BLCHS will emphasize independent, college-level assignments and providing feedback to encourage student self-correction of their work.
2. **Entrepreneurial learning:** The exponential rate of digital innovation is reordering the contours of knowledge and work, and BLCHS must prepare students to succeed in jobs and industries hardly imagined. Working with industry partners and entrepreneurs, BLCHS will cultivate entrepreneurial learners by providing scholars with experiences and opportunities that foster inquiry-driven learning and instill in students a sense of curiosity in the face of challenge.
3. **Warm/demanding culture of high expectations:** BLCHS rejects the idea that circumstances limit student potential. BLCHS will uphold uncompromising standards for attendance, coursework, and participation. BLCHS will train faculty and leaders to create a joyful and engaging learning environment that celebrates effort and achievement that respects and nurtures students.
4. **Accelerated learning powered by innovative human capital:** BLCHS is designed to support and motivate students with a range of learning needs and levels of mastery to ensure that students who are behind reach grade level and students who are ahead receive additional challenges. Through the LAB Fellowship Program, BLCHS will contract with InnovateEDU to provide small group tutoring to BCLHS students during time set aside for intervention and acceleration. With this approach, students will receive both grade

level content delivered through direct instruction and differentiated content delivered by Fellows in small groups.

5. **Extended and personalized learning:** BLCHS will use Cortex, a web-based learning system, to extend personalized learning time in and out of school. Cortex allows students to access learning opportunities anywhere and generates Personal Learning Plans to meet the wide range of student skills and ensure that every student achieves breakthroughs in learning.
6. **Harnessing the assets of our community:** BLCHS values partnerships with its student's families and will communicate with families regularly on academic and behavioral progress. BLCHS will provide opportunities for families to engage and provide input, including family nights, conferences, and through a parent leadership council. Local business and institutions of higher learning also present opportunities for collaboration, organizations, and colleges. For example, 12th grade students will intern with local companies, and 11th and 12th grade students will enroll in credit-bearing courses to ease their academic and financial transition into college.
7. **A focus on argumentation across the curriculum:** Argumentation ensures rigor by asking students to support their thinking with evidence, to subject their thinking to counterargument, to rise to the challenge of refuting opposing views, and to evaluate competing claims. Argument centered instruction builds cohesion across disciplines, connecting all content areas by asking students to employ argumentation to demonstrate comprehension.
8. **Next generation assessment and data-driven instruction:** BLCHS will invest in recruiting, training, retaining, and supporting effective teachers. BLCHS faculty will have a relentless improvement ethic and employ varied, real-time diagnostic data to inform practice and academic outcomes. Teachers will use Cortex playlists and diagnostics to bolster lessons, enhance interventions, and tailor learning to fit student needs. As playlist activities are completed, embedded assessments will track progress and give real-time feedback to motivate students and encourage a sense of ownership.

## Education Plan

The BLCHS schedule is designed to maximize the time students spend learning and mastering rigorous content and skills, including learning to work collaboratively on long assignments that require critical thinking and self-management. The school calendar and schedule are built around three core principles:

- **Extended school day and year** is designed to provide time for rigorous instruction at least 185 days each year with support during school breaks and weekends. The extended school day and year provides flexibility to plan the day holistically.
- **Extended core requirements and opportunities for specialization** mandates that all students take four years of Reading, Math, History and a set of additional courses within

the area of their specialization -- Humanities or Applied Science (e.g. four years of writing seminar for humanities-focused scholars or four years of science for STEM-focused scholars). All scholars will take a college-prep course called Foundations of Leadership. Scholars who need more support or want to accelerate their studies have additional flex periods built into their schedule, and access to a diverse range of academic, extracurricular electives, and internships designed to improve test scores, self-confidence, and positive social behaviors.

- **Optimize time on target** refers to time students spend mastering skills, competencies, and content. Each student will have two flexible time periods built into their grade 9 schedule that can be used in whatever way data indicates would be most useful for that scholar (e.g.: personalized tutoring). Teachers will also have sufficient time for data analysis and professional development to focus on the use assessment data to inform instruction and curate learning experiences for each student.

BLCHS strives to ensure that all scholars—particularly students with disabilities (SWD), English Language Learners (ELL), under-credited students, and students at risk of academic failure—graduate from high school with the skills, knowledge, and habits they need to succeed in a selective four-year college and beyond. BLCHS’s academic program is designed to help students develop investment in their coursework by creating coherent performance-based units that provide authentic opportunities for application and exhibition.

These units will encompass the skills and knowledge that scholars need in order to perform well on assessments indicating academic readiness for college (e.g.: Regents, SAT, ACT, and AP exams). Day-to-day instruction will be based on curriculum aligned with the Common Core Learning Standards (CCLS) with educator support to recuperate academic gaps, accelerate mastery of core content, and cultivate academic habits critical for post-secondary success.

The Curriculum Team (CT) will develop innovative “home grown” curricular maps aligned to rigorous performance assessments, units, and lessons for core subjects by identifying, evaluating, and curating research-based and validated resources. Prior to launch, the CT will consist of design staff, including the Executive Director, School Design Leader, Mastery Learning Specialist, Data Scientist, and School Director, along with consultants who specialize in the curricular mapping and instructional delivery of curricula aligned to CCLS. In summer 2017, our founding team—including science, social studies, Math, ELA, special education, and specialty teachers—will join the CT.

In considering resources, the CT will address two questions:

1. *What content-/grade-appropriate thematic connections can the resources make across the disciplines to support coherence and synthesis of ideas?*
2. *What performance-based assessments or exhibitions will students work toward, in order to demonstrate mastery of essential skills and content in a high-stakes context?*

The BLCHS curriculum is geared toward college and career readiness, ensuring that all scholars graduate with a Regents Diploma. Some scholars may also earn an AP Capstone Diploma or an AP Seminar & Research Certificate. Students will receive a shared core college prep curriculum and then concentrate in Humanities or the Applied Sciences. The Humanities Concentration engages students in cross-curricular lessons exploring the complexities of academic and real-world topics. Students learn to synthesize information from multiple sources, develop their own perspectives in research based written essays, and design and deliver oral and visual presentations, both individually and as part of a team. The Humanities concentration aims to equip students to analyze and evaluate information with accuracy and precision in order to craft and communicate evidence-based arguments. The Applied Sciences Concentration provides a four course sequence that includes Computer Science, Software Engineering, and Robotics. The concentration culminates in AP Comp Science A or AP Comp Science Principles.

At BLCHS, English focuses on reading, analyzing and writing about imaginative literatures, rhetorical analysis of nonfiction texts, and the development and revision of evidence-centered analytic and argumentative writing. Students will take English I in grade 9 and English II in grade 10, courses focusing on literary and rhetorical analysis. In grade 11, all students will take AP English Language and Composition. In grade 12, students who demonstrate interest and readiness will take AP English Literature and Composition.

Mathematics instruction will follow an integrated sequence. Students will learn algebra, geometry, and statistics every year. BLCHS will leverage CCLS aligned resources, generating lesson plans from the Math Visions Project and EngageNY. The core 9-12 curriculum will consist of Math I, II, and III and at least one additional year-long math course, generally Pre-Calculus or AP Statistics/Calculus for students ready for advanced math.

Science at BLCHS includes a focus on deeper understanding and application of content and integrating science, engineering, and technology. Through exposure to disciplinary practices in biology, chemistry/environmental science, physics, and the applied sciences -- students learn to use representations and models to communicate about and solve scientific problems; plan and implement data collection in relation to a particular scientific question; perform data analysis and evaluation; and connect and relate knowledge across various scales, concepts, and representations. Significant time is devoted to hands-on laboratory and project-based investigations culminating in lab reports that require students to ask questions, make observations and predictions, design experiments, analyze data, and construct arguments in a collaborative setting. All students take Physics in grade 9 and Biology/AP Biology in grade 11. Applied Science concentrators pursue Chemistry in grade 10 and AP Biology in grade 11 and AP Physics/AP Chemistry in grade 12 with additional electives in applied sciences. Humanities

students take Environmental Science in grade 10 and use the space in their schedule in grade 12 for offsite and/or AP aligned work.

***Social Studies:*** The history curriculum at BLCHS focuses on the development of the historical thinking skills the College Board defines as readiness for college-level work: Analysis of Historical Sources & Evidence, Making Historical Connections, Chronological Reasoning, and Creating & Supporting a Historical Argument through the exploration and interpretation of a rich array of primary sources and secondary texts. In grade 9, students will take World History I, followed by either World History II or AP World History in grade 10. In grade 11, students will take AP US History, unless US History is more appropriate. In grade 12, all students will take a Government and Economics courses with Humanities concentrators learning this content within the framework of AP Research -- which allows students to explore a topic, problem, or issue of individual interest, and to conduct a year-long investigation of a research question.

The history curriculum at BLCHS focuses on the development of the historical thinking skills the College Board defines as readiness for college-level work: Analysis of Historical Sources & Evidence, Making Historical Connections, Chronological Reasoning, and Creating & Supporting a Historical Argument through the exploration and interpretation of a rich array of primary sources and secondary texts. In grade 9, students will take World History I, followed by either World History II or AP World History in grade 10. In grade 11, students will take AP US History, unless US History is more appropriate. In grade 12, all students will take a Government and Economics course. Non-core courses include: Language other than English (LOTE), Physical education, Arts, Advisory, and Foundations of Leadership.

Instructional practices to be implemented include:

- High-dosage academic tutoring by LAB Fellows, full-time tutors completing a year of service who focus on diagnosing gaps by analyzing student work and asking students to explain themselves; Pushing the heavy lifting (including work organization) on students; and providing practice and skill building (e.g. essay revision, text analysis, data analysis).
- Structured, consistent whole group instruction in all classrooms with consistent routines and expectations of both teachers and students. Lessons will be delivered by the following formats; seminar, laboratory investigation, workshop model, guided discovery, college-style lecture and Close reading.
- Co-teaching model with general education and student support staff collaborating
- Personalized and self-driven learning through blended learning.

### **Special Populations and Related Services**

BLCHS is committed to ensuring that *all* students make transformative academic gains and are prepared for success in college. They plan to provide referral-based services for select students and schoolwide programs that are available for all. The school's Response-to-Intervention (RtI) framework is designed for students in the bottom quartile of academic performance and behavior.

During weekly professional development (PD) and data days, faculty will examine data to identify students who need more support. Data analysis occurs at multiple levels, including whole school, content team, and specialist team. Data Days focus on MAP, ACT Aspire, mock assessments, and mid-terms

The Student Services Coordinator will be a certified special education teacher and will co-manage the RtI process with the Dean of Students. Intervention teams (e.g. SST, Special Education teams, grade level teams, etc.) will examine data and responses to programs and develop plans that will be carried out by teachers and Fellows (Tiers 1 and 2) and specialists (Tiers 2 and 3). All students will receive at least two small group sessions with a Fellow or specialist each day.

Students with disabilities will be served in an inclusive model. BLCHS's materials and activities will be accessible for individuals with wide differences in their abilities to see, hear, speak, move, read, write, organize, engage, and understand. To the maximum extent appropriate, BLCHS will educate students with disabilities in the least restrictive environment. BLCHS will hire experienced, NYS-certified Special Education Teachers. We aim to hire educators who are certified in a content area as well as in special education.

BLCHS will work with ELLs in an inclusive Structured English Immersion (SEI) program that provides extra support without segregating ELLs from their English-speaking peers. The SEI program will comply with all applicable laws and legal precedents related to ELLs. To ensure that ELLs master English expeditiously, the school will provide trained staff, specialized curricular materials, extra time, tutoring, and in-class services for students in need of extra support. All teachers and fellows will receive PD in communicating with ELLs, understanding cultural heritage, and applying appropriate instructional methodology. A TESOL-certified teacher will be available to help communicate with students and their families, in addition to providing written notices in parents'/guardians' native languages whenever possible.

## **Recruitment**

BLCHS will continue to conduct public outreach and student recruitment activities to reach other goals of serving the highest need students in CSD 13 and of recruiting students of diverse racial, ethnic, and linguistic groups. Their ongoing recruitment and outreach will include visiting local middle schools, after-school programs, and youth centers; organizing open houses and information sessions at feeder middle schools, the Boys and Girls Club, the Brooklyn Public Library, the YMCA, new immigrant centers, and other local non-profits; canvassing door-to-door; reaching out to counselors, social workers, parents, and special education coordinators at public schools within CSDs 13, 14, and 16; posting flyers in the community and promoting the school via social media.

BLCHS plans to recruit students at risk for academic failure and expect a significant number of their students to enter 9th grade with skill gaps. One outreach strategy is to emphasize how BLCHS's high-dosage tutoring program and experiential learning and internship program are designed to serve ELLs, students with special needs, and low-income students. BLCHS will recruit into the pre-lottery pool an equal or greater percentage of FRPL eligible students as the

sending district. BLCHS is intent on recruiting an equal or higher proportion of ELLs and students with disabilities than CSD 13.

The school plans to use a weighted lottery as needed. To recruit ELLs and students with disabilities, BLCHS will conduct outreach to special education and ELL coordinators in CSD 13; recruit families with ELL students or students with disabilities on charter waitlists; assign extra staff time to recruit special education and ELL students; recruit students from local houses of worship for non/limited-English speaking families including working with community agencies such as Catholic migration services; reach out through special education advocates and communities, ELL advocates, therapists, immigrant centers, and other social service providers; and emphasize that they work with all students regardless of their previous academic achievement. BLCHS will provide translation services for materials and in-person meetings.

## **Retention**

BLCHS is focused on preventing students from dropping out and maximizing the number of students who successfully complete all school requirements. BLCHS's academic plan involves high-dosage tutoring, which has proven effective for low-income students. The focus on frequent assessment and continual, data-driven improvement will ensure that teachers, tutors, and administrators are providing the best possible curriculum and learning environment. Together, these design elements ensure all students receive the support they need to succeed. Key retention activities include:

- ***Opportunities for students to excel in the classroom and be college ready:*** They offer students a multitude of activities that allow students unique access to learning and acceleration including AP classes, dual credit college classes, college visits and a dedicated team focused on college counseling and readiness.
- ***Opportunities for students to be successful outside of the classroom:*** Students in 11th and 12th grades will be expected to participate in experiential internships at local companies and organizations. BLCHS will create elective courses in computer science, design and fine art, music, physical education, public speaking, graphic design, and video game design.
- ***Tracking academic and character development progress:*** BLCHS will track each student's progress through a developmentally appropriate merit/demerit system, allowing teachers to make daily comments highlighting a student's progress on character development and behavior. Interim assessments will also identify which students are struggling and how. This allows staff to create more effective interventions so students do not fall behind in either academic or behavioral development. Merited behavior will qualify students for benefits and rewards, such as participation in supplemental school trips and academic awards.

## Community Outreach

BLCHS has engaged with local stakeholders, including representatives of local universities, companies, religious institutions, families, elected officials, school leaders, and members of community organizations. Additionally, outreach has been conducted at seven public housing projects. From January 2015 to date, BLCHS has conducted over 20 public information sessions in downtown Brooklyn. At these public sessions, BLCHS team members met with families, students, educators, and community leaders in CSD 13 to solicit feedback regarding the proposed school and discussed the school's vision, curriculum, and design. Parents have provided feedback on critical aspects of BLCHS's model, including discipline, curriculum, student recruitment, tutoring, school day length, meals and snacks, arts and sports, family involvement, student voice and youth development, and extracurricular activities and internships

## School Governance and Leadership

The Board will have no fewer than five and no more than 17 members at any time. The Board will hold meetings monthly that adhere to the Open Meetings Law and the school's by-laws. Parents and staff are welcome to attend Board meetings, which will provide opportunities for public comment. The Board will proactively evaluate Board composition and screen candidates relative to stated capacity and diversity goals. The proposed Board includes the following individuals:

| <b>Proposed Board Member</b> | <b>Proposed Role on Board</b> |
|------------------------------|-------------------------------|
| Kevin Heffel                 | Trustee, Board Chair          |
| Dr. Jeff Wetzler             | Trustee                       |
| Nadine Augusta               | Trustee                       |
| Sanda Balaban                | Trustee                       |
| Rosalyn Curato               | Trustee                       |
| Martin Elling                | Trustee                       |
| Lindsay Malanga              | Trustee                       |
| Dr. Michael Preston          | Trustee                       |
| Tokumbo Shobowale            | Trustee                       |

The leadership team for the school includes an Executive Director (ED), who currently oversees Brooklyn Laboratory Charter School (Grades 6-8), will also oversee the Brooklyn Laboratory Charter High School (Grades 9-12) and report directly to the board. A High School Director who reports to the ED will be responsible for the day-to-day life at the school and supervise a site-based management team.

## School Staffing Plan

Brooklyn Laboratory Charter will employ an Executive Director, a High School Director, a Director of Operations, a Dean of Students, a Dean of the LAB Fellowship Program, a School Social Worker, a School Counselor, five General Education Teachers and four Special Education Teachers beginning in Year 1 of operation. Beginning in Year 2 and Year 3 respectively, a

Summer Experience Coordinator and Director of College Readiness will join the staff. At full capacity, the school will have the following staff:

- The Executive Director (ED) position will lead and supervise the leadership team at the new charter high school and the existing Brooklyn Laboratory Charter School<sup>17</sup> which is middle school. He/she will report to and work with the Board and staff to ensure the effectiveness of internal management systems, so that everyone understands his/her role and moves the school and mission forward. The ED oversees BLCHS's operations, including compliance management, data analysis and data-driven instruction, financial management, governance, legal matters, personnel and certification, transportation, food services, health and safety, systems thinking, and technology management.
- The High School Director will serve as instructional leader, supervising academic programs, evaluating lesson plans, and observing classes on a regular basis to ensure alignment with the NYLS through coaching and teacher professional development. He/she will ultimately be accountable for student achievement results at BLCHS. He/she will hold primary responsibility for the ongoing development, implementation, and assessment of the school in collaboration with the ED and the Director of School Operations.
- The Director of School Operations (DSO) will report to the ED and is responsible for nonacademic operations, including the business operations, finances, and compliance with its charter and all laws and regulations. He/she is responsible for the school's budget, accounting, and financial reporting; enrollment and student records; human resources, payroll, and credential management; meals programs and receipts; the physical facility; health services; information technology; procurement; security and school safety programs; regulatory compliance; and supervising the non-academic staff at the school.
- The Dean of Students will report to the High School Director and lead the school's core behavior and character education programs. He/she will supervise the consistent, fair administration and tracking of student conduct and discipline, as well as coach teachers on classroom behavior management techniques. He/she will assist the leadership team in the design and execution of a culture of entrepreneurial learning. He/she will serve as the main contact with families of students to facilitate parent education and involvement.
- The Director of College Readiness (DCR) will report to the High School Director and serve as the lead for the foundations program and ensuring all students have the academic and social and emotional skills to be on a pathway to college readiness.
- The Dean of the LAB Fellowship will report to the ED and manage the high-dosage tutoring program. He/she will be supported by a second Dean of LAB Fellowship in Year 3 (Y3). He/she will ensure the proper training and development of the LAB Fellows. He/she will supervise the on-boarding process of Fellows, and assess their progress via

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<sup>17</sup> Brooklyn Laboratory Charter School is a Board of Regents authorized middle school chartered to serve grades 6-8 in CSD 13.

small group observations, ongoing coaching and student interviews. He/she will serve as the primary liaison to InnovateEDU.

- Summer Experience Coordinator will report to the DCR and manage internships, partnerships and experiential learning for scholars to ensure experiences generate learning.
- College Counselors will report to the DCR and provide a comprehensive competency based counseling program focused on the learning, personal/social, and career/vocational needs of all students. They consult with students, parents, and school staff to assist students with academic/career planning. They will meet individually with all students within his/her cohorts to assist students with scholarship, college entrance, and financial aid applications.

## **Facility**

BLCHS seeks to co-locate in a NYC DOE public school building in downtown Brooklyn, CSD 13, given the rapidly expanding tech industry in that area. A downtown location will allow for rich partnerships and the enhancement of STEM classes and internship programs. If public space is not available, BLCHS has a contingency plan to secure a private facility. The BLCHS financial plan assumes location in a private facility in downtown Brooklyn.

BLCHS has identified three private facilities spaces that will accommodate the needs of the proposed school. Neither of facility has adequate space for physical education; however, BLCHS has budgeted for an arrangement with the Boys and Girls Club at the Navy Yard to access their facilities during hours when they are not in use.

## **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 New York City Public Schools, indicating that the fiscal impact of the Brooklyn Laboratory Charter High School on the New York City public schools is expected to be nominal.

The New York State Education Department also conducted additional analysis on the projected fiscal impact of the School on its district of residence, New York City Public Schools, which is summarized below.

**Table 2: Projected Fiscal Impact Upon District of Location, 2017-18 to 2021-22<sup>18</sup>**

| Year    | Number of Students Enrolled in Charter School Per Year <sup>19</sup> | Charter School Basic Tuition Rate <sup>20</sup> | Total Charter School Basic Tuition | Estimated District Special Education Payment <sup>21</sup> | Total District General Fund Budget <sup>22</sup> | Percent of District Budget |
|---------|--|---|------------------------------------|--|--|----------------------------|
| 2017-18 | 117  | \$16,421  | \$1,921,257                        | \$267,055  | \$543,792,510                                    | 0.402%                     |
| 2018-19 | 249  | \$17,126  | \$4,264,374                        | \$592,748  | \$543,792,510                                    | 0.893%                     |
| 2019-20 | 473  | \$17,830  | \$8,433,590                        | \$1,172,269  | \$543,792,510                                    | 1.766%                     |
| 2020-21 | 690  | \$18,535  | \$12,789,150                       | \$1,777,692  | \$543,792,510                                    | 2.679%                     |
| 2021-22 | 799  | \$19,239  | \$15,371,961                       | \$2,136,703  | \$543,792,510                                    | 3.220%                     |

The calculations above assume charter school basic tuition rates in the charter period (2017-18 through 2021-22) based on a trend analysis calculated by the Charter School Office and approved 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 New York City Public Schools budget during the duration of the school’s charter.<sup>23</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 fluctuation 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 district of location; 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

<sup>18</sup> In order to conservatively estimate the fiscal impact upon the district of location, maximum enrollment figures for each year were used. -

<sup>19</sup> Source: Brooklyn Laboratory Charter High School Application

<sup>20</sup> Source: Education Law §2856(1)(a)(iii) and NYS Education Department Office of State Aid Charter School Basic Tuition Rate Analysis

<sup>21</sup> Based on 2013-14 calculated special education classification rate for the district of location, as collected by NYSED Information and Report Services

<sup>22</sup> Source: NYC 2016 Executive Budget

<sup>23</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 as a result of students attending nonpublic schools located in the school district.

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.

**Table 3: 2014-15 Demographic Detail for Proposed District of Location:  
NYC District 13<sup>24</sup>**

|                            | Total District<br>Enrollment: NYC #13 |     |
|----------------------------|---------------------------------------|-----|
| All Students               | 20,701                                |     |
| Economically Disadvantaged | 14,356                                | 69% |
| Limited English Proficient | 908                                   | 4%  |
| Students with Disabilities | 2,935                                 | 14% |

**Table 4: 2014-15 High School Cohort Academic and Graduation Rates Based on Grade  
Configurations for Proposed School<sup>25</sup>**

| Cohort Results                 | NYC District<br>13 | NYS |
|--------------------------------|--------------------|-----|
| <i>ELA Cohort Proficiency</i>  | 88%                | 84% |
| <i>Math Cohort Proficiency</i> | 87%                | 86% |
| <i>Cohort Graduation Rate</i>  | 82%                | 80% |

### Public Hearing and Public Comment

As required by the Charter Schools Act, the NYC Department of Education (NYCDOE) conducted a public hearing on May 19, 2016 to solicit comments from the community concerning the proposed Brooklyn Laboratory Charter High School. Sixty members of the community were present, and 32 individuals commented in support of the proposed application. No members of the public expressed comments in opposition to the proposed new school-

<sup>24</sup> Source: Student Information Repository System (SIRS) 2014-15 Report 303 BEDS Day Enrollment Verification Report by Location of Enrollment & Student Subgroup

<sup>25</sup> Source: Student Information Repository System (SIRS) 2014-15 Report 101 High School Accountability Data Verification Report; 2014-15 Report 102 Elementary/Middle-Level Accountability Data Verification Report

## 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>26</sup> This finding is based on the following, among other things:
  - The applicant has included in the application 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,<sup>27</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 §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.<sup>28</sup> This finding is based on the following, among other things:
  - v. 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.
  - vi. 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.
  - vii. 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,

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<sup>26</sup> Education Law §2852(2)(a).

<sup>27</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.

<sup>28</sup> Education Law §2852(2)(b).

- food and transportation services; family and community involvement; financial management; budget and cash flow; pre-opening plan; and dissolution plan.
- viii. 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>29</sup> and will have a significant educational benefit to the students expected to attend the charter school.<sup>30</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, the New York State Education Department recommends that the New York State Board of Regents approve the proposal to establish the Brooklyn Laboratory Charter High School to open in 2017 in New York City.

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<sup>29</sup> Education Law §2852(2)(c).

<sup>30</sup> As applicable pursuant to Education Law §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 2016 Round 1 Request for  
Proposals to Establish Charter Schools Authorized by the Board of  
Regents to establish the proposed:

**WHIN Music Community Charter School**

June 2016

**Table 1: Summary of the Proposed School**  
 WHIN Music Community Charter School

|   |   |
|---|---|
| Name of Charter School                                  | <b><u>WHIN Music Community Charter School</u></b>   |
| Lead Applicant(s)                                       | Gregory David   |
| District of Location                                    | New York City, Manhattan, CSD 6   |
| Opening Date  | September 2017  |
| Projected Charter Term                                  | September 2017 to June 2022   |
| Management Company                                      | None  |
| Partners  | None  |
| Facility  | Private or co-located district space  |
| Projected Enrollment and Grade Span during Charter Term | Year 1 (SY 2017-18): K-1, 108<br>Year 2 (SY 2018-19): K-2, 162<br>Year 3 (SY 2019-20): K-3, 216<br>Year 4 (SY 2020-21): K-4, 270<br>Year 5 (SY 2021-22): K-5, 324   |
| Planned Grade Span (beyond Initial Charter Term)        | K-5   |
| Mission Statement                                       | <i>“The WHIN Music Community Charter School (“WHIN”) will provide our diverse student population with a rigorous academic instruction, intensive music education and a positive learning environment so that every student can thrive academically and personally.”</i> |

WHIN Music Community Charter School will offer a music centered interdisciplinary common core aligned curriculum enriched by El Sistema music instruction, which is a forty-year-old social intervention program.

## Key Design Elements

The key design elements for their program are:

- **Rigorous, inquiry-driven, project-based, academic curriculum aligned with the Common Core Learning Standards.** WHIN teachers will use the inquiry and project-based Expeditionary Learning (EL) framework for teaching and learning to challenge their students to be critical thinkers and take an active role in their classrooms and community.
- **Music-infused curriculum and El Sistema music education.** Music will be integrated with core content areas using the Learning Through Music Five Processes Framework which include Questioning, Listening, Creating, Performing, and Reflecting. El Sistema is based on group learning, peer teaching, and a commitment to keeping the joy and fun in learning music and music making.
- **Strategic use of time and scheduling.** The school offers an extended school day four days per week providing students in early grades with more time for literacy and math instruction.
- **Looping.** Students will loop with their classmates and teachers for two school years (K-1, 2-3, 4-5).
- **Co-teaching model.** Classrooms will be staffed with two certified teachers, including at least one with special education and/or English as a Second Language credentials.
- **Inclusionary model of instruction.** WHIN will employ the Sheltered Instruction Observation Protocol (SIOP) model to support ELL students inside and outside of the classroom. Special education teachers will follow a multi-tiered Response to Intervention (RtI) model.
- **Responsive Classroom.** Teachers will be trained to work with students and help them develop strategies for resolving conflicts.

## Education Plan

The WHIN school day will have an extended day four days a week. Each Friday students will be dismissed early for teacher participation in professional development and school wide staff meetings. The school year includes a 180-day school calendar with a three-week summer retreat for teachers and the administrative team.

The founding group believes that students learn best when presented with a cross curricular, rigorous, inquiry-driven, data-driven learning experience that is differentiated to meet each learner's unique needs. As such, they will use a school wide, sequential, and cross-curricular Understanding by Design (UbD) framework. Curriculum development, which will be Common Core aligned, will be overseen by the Director of Curriculum and Instruction and developed in partnership with the school's teachers. WHIN will also draw upon the curriculum of the academically successful Conservatory Lab Charter School in Massachusetts.

The founders espouse a Constructivist, project-based, inquiry-focused, interdisciplinary approach for literacy, math, social studies, and science through Expeditionary Learning and Learning through Music approaches. El Sistema and Responsive Classroom will round out the program for the whole child through incorporating music instruction, and social-emotional curriculum complemented by a physical education curriculum.

The Lucy Calkins' Reading and Writing Workshop model informs the philosophy of language arts instruction. Published resources that will be used include *Words Their Way* and *Fountas and Pinnel Phonics*. A multi-sensory program, Preventing Academic Failure, will be implemented to teach phonological awareness, phonics, decoding, and spelling skills to meet the diverse needs of all students.

Singapore Math and inquiry-based instruction, as emphasized by the National Council of Teachers of Mathematics (NCTM) Standards, will be used to structure the Mathematics instruction. Instructional methods include a workshop approach, cooperative learning structures and computer based instruction to meet individual needs.

Classroom science and social studies instruction will include the project-based instructional philosophy of Expeditionary Learning as the main mechanism and model. Discovery-based lessons will be the primary type of instruction to deliver the curriculum.

Based on Conservatory Lab Charter School's Learning through Music model, teachers and teaching artists will work together to integrate music within many of the science and social studies projects. Students will have opportunities to explore, experience, and reflect on academic concepts through musical activities.

The El Sistema music curriculum will encourage students to develop their artistry and unique personal voice in music, build their technical and expressive skill, develop music language and experience the expressive power of music. Teaching artists, NYS certified and trained in El Sistema will work with students two hours per day with the exception of Fridays. Students will experience a wide range of instruction which includes choir, music theory, movement and instrument instruction.

The professional development plan focuses on several key components beginning with a three-week summer retreat. The leadership team will lead the faculty and staff in activities/workshops focused on school mission and vision, school culture, co-teaching, Expeditionary Learning, assessment systems, Learning through Music, El Sistema music instruction, Responsive Classroom, and Effective Teaching Strategies for English Language Learners and Students with

Disabilities to ensure an inclusive learning environment. Teachers also will work in looping teams (K-1, 2-3, 4-5) to analyze and understand the curricular trajectory for WHIN students prior to cohort transitions.

During the school year, teachers will be involved in Personal Learning Communities (PLC). Each PLC will consist of 17.5 hours per academic year of targeted professional development conducted by high-quality internal and external partners. Each teacher is required to select two PLC's (35 hours total) and can join up to three. An additional component is Friday PD days which is when students have an earlier dismissal time. There will be 2.5 hours of whole staff professional development, including a weekly staff meeting to discuss subjects that concern the entire school community followed by grade-level breakout planning sessions with instructional coaches and support providers. Following these sessions, staff members will engage in various PD activities as per their pre-determined PLC. The school wide schedule includes ample time and opportunity for individual planning or co-planning.

The founders have developed a holistic approach to developing a data assessment system that supports both students and teachers and is connected to curriculum, instruction and professional development. Instructional leaders, coaches, and teachers will be involved in the assessment process to create a high-performing professional learning community that focuses on student improvement. The Directors of Curriculum and Instruction (DCI) will be responsible for ensuring that all assessments are aligned to Common Core State Standards.

The Dean of Special Programs will work with the special education and ELL teachers to ensure that all students are appropriately assessed, receive individual accommodations, and fully participate in the school. Teachers will implement a variety of benchmark, formative, and summative assessments throughout the year to obtain timely, accurate information about how students are growing.

The Directors of Curriculum and Instruction will lead weekly Instructional Data Team meetings working with coaches and teachers to analyze data, discuss which students need support and determine instructional changes, Response to Intervention strategies or professional development sessions need to be implemented. The Child Study Team will also meet to discuss student needs. Data collected will be used to inform school wide instructional decisions.

WHIN will use the evidence-based practices for fostering socio-emotional skill development of Responsive Classroom to develop a school-wide school culture heavily drawing upon the following three core values of El Sistema: “1) Every child can learn to experience and express music and art deeply, can receive its many benefits, and can make different critical life choices as a result of this learning; 2) Effective education is based on love, approval, joy and consistently successful experiences within a high- functioning, aspiring, nurturing community, and 3) Every child has limitless possibilities and the ability to strive for excellence; overcoming poverty and adversity is best done by strengthening the spirit, creating, and investing that affluence as a valued asset in a community endeavor to create excellence and beauty in music.”

The motto of El Sistema is “Tocar y Luchar,” meaning “To play and to strive.” WHIN aims to develop citizen scholars who can imagine and work towards great futures.

## **Special Populations and Related Services**

Integrated co-teaching is a key design element of the school. This model will allow teachers the flexibility to ensure differentiation occurs for all students in the general education classroom. Classrooms will be staffed by two certified teachers; one in general education and the second certified in either special education or English language learner. Each classroom will have a general education teacher and either a certified special education teacher or certified English language learner teacher. This model will be supported by a team of special education specialists as well as related service providers providing push-in support as appropriate. In order to support English language learners a full inclusion model will be employed.

Staff assigned to support special student populations include: a Dean of Special Programs, learning specialists, school psychologist, special education teachers, and ELL teachers.

Special education programming will be inclusive with the intent to meet the needs of students within the general education classroom. It will consist of a variety of support levels for students. These include Integrated Co-Teaching (ICT) one class per grade, learning specialists who will provide Special Education Teacher Support Services (SETSS) for students who are mandated for intensive small group instruction by a certified special education teacher, and opportunities for peer collaboration. Related service providers will meet weekly with classroom teachers to share student progress on IEP benchmarks as well as strategies that classroom teachers can use to support students.

A Response to Intervention (RtI) program will be established and consist of three tiers of intervention ranging from differentiated support within the classroom to small group or individualized support outside of the classroom. Academic data will be used to inform the placement of students in the tiers.

## **Recruitment**

WHIN will use a broad-reaching recruitment strategy to attract a diverse student population reflective of CSD 6 by building on the efforts begun by the WHIN Music Project that serves over 200 families and has fostered community partnerships in the targeted area.

To recruit students with disabilities, founders will promote the school's inclusion model, special education services, staffing plan, and share with parents the benefits of a music education. In order to recruit ELLs, WHIN will translate all materials and promote the ELL program as described in the application. They will work with the WHIN Music families connected to the greater Latino community. To recruit students eligible for free and reduced lunch the school will work with community organizations that serve low-income families, targeted outreach to public housing projects, and highlight the potential use of the NYSED weighted lottery generator.

## **Retention**

To retain students, the school plans to develop a close, supportive community among students, staff, and families through regular communication and events such as open houses, conferences, parent workshops and a parent organization. They plan to work with families by providing early interventions for truancy/absenteeism before problems or patterns arise. Their third strategy is to provide all students with the academic and social emotional supports needed to be successful.

## **Community Outreach**

The founders continue to build upon the community support they have gathered for the past three years. Their outreach plan has targeted different stakeholders in the community such as: families, preschools, daycare and Early Childhood programs, Community Boards 9 and 12, elective officials, community-based arts organizations, education leaders, and media and social media outreach. Feedback was solicited and helped to shape the school model.

## **School Governance and Leadership**

The initial Board of Trustees consists of no less than 5 and no more than 15. The current trustees have a broad set of skills with which to govern the school, including knowledge of education, finance, and law. The initial trustees are:

| <b>Proposed Board Trustee</b> | <b>Proposed Role on Board</b> |
|-------------------------------|-------------------------------|
| Gregory David                 | Board Chair                   |
| Anne Cohen                    | Trustee                       |
| Robert Green                  | Trustee                       |
| Kenneth Grover                | Trustee                       |
| Ivonne Norman                 | Trustee                       |
| Carmel Owen                   | Trustee                       |
| Andrea Profili                | Trustee                       |
| Melissa Randazzo-Wagner       | Trustee                       |

The leadership team for the school includes an Executive Director (ED) who reports directly to the board. The Director of Operations, Directors of Curriculum and Instruction and the Director of Finance (report to the Executive Director).

## **School Staffing Plan**

In Year 1 of operation, WHIN will have eighteen staff including the Executive Director, Director of Curriculum and Instruction, Director of Operations, Dean of Music, Dean of Special Programs, Business Manager, Office Manager, a part-time Learning Specialist, School Psychologist, four General Education Teachers, two Special Education Co-Teachers, two English Language Learner Co-Teachers, a part-time Instructional Coach, a Music Teaching

Artist and a part-time Physical Education Teacher. At full capacity with 46 members, the school will have the following additional staff:

- Two Directors of Curriculum and Instruction (one for K-2 and the other for 3-5), to supervise their respective classroom teachers and associate teachers;
- A Director of Finance to handle all fiscal operations such as creating the annual budget, assisting with audits, and managing day-to-day finances.

### **Facility**

WHIN Music Community Charter School will request public co-located space in CSD 6 from NYC Department of Education (DOE). If space is unavailable, the school will secure private space that fits the needs of their school and students. Two options for private space include the: (1) Convent Baptist Church Administrative Building on 145th Street, a vacant space that is available for rent; and (2) Broadway Temple on 175th Street and Broadway has been used in the past as an incubator for charter and district schools.

### **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 New York City Public Schools, indicating that the fiscal impact of the WHIN Music Community Charter School on the New York City public schools is expected to be nominal.

The New York State Education Department also conducted additional analysis on the projected fiscal impact of the School on its district of residence, New York City Public Schools, which is summarized below.

**Table 2: Projected Fiscal Impact Upon District of Location, 2017-18 to 2021-22<sup>31</sup>**

| Year    | Number of Students Enrolled in Charter School Per Year <sup>32</sup> | Charter School Basic Tuition Rate <sup>33</sup> | Total Charter School Basic Tuition | Estimated District Special Education Payment <sup>34</sup> | Total District General Fund Budget <sup>35</sup> | Percent of District Budget |
|---------|--|---|------------------------------------|--|--|----------------------------|
| 2017-18 | 108  | \$16,421  | \$1,773,468                        | \$246,512  | \$543,792,510                                    | 0.371%                     |
| 2018-19 | 162  | \$17,126  | \$2,774,412                        | \$385,643  | \$543,792,510                                    | 0.581%                     |
| 2019-20 | 216  | \$17,830  | \$3,851,280                        | \$535,328  | \$543,792,510                                    | 0.807%                     |
| 2020-21 | 270  | \$18,535  | \$5,004,450                        | \$695,619  | \$543,792,510                                    | 1.048%                     |
| 2021-22 | 324  | \$19,239  | \$6,233,436                        | \$866,448  | \$543,792,510                                    | 1.306%                     |

The calculations above assume charter school basic tuition rates in the charter period (2017-18 through 2021-22) based on a trend analysis calculated by the Charter School Office and approved 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 New York City Public Schools budget during the duration of the school’s charter.<sup>36</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 fluctuation 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 district of location; 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

<sup>31</sup> In order to conservatively estimate the fiscal impact upon the district of location, maximum enrollment figures for each year were used.

<sup>32</sup> Source: WHIN Music Community Charter School Application

<sup>33</sup> Source: Education Law §2856(1)(a)(iii) and NYS Education Department Office of State Aid Charter School Basic Tuition Rate Analysis

<sup>34</sup> Based on 2013-14 calculated special education classification rate for the district of location, as collected by NYSED Information and Report Services

<sup>35</sup> Source: NYC 2016 Executive Budget

<sup>36</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 as a result of students attending nonpublic schools located in the school district.

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.

**Table 3: 2014-15 Demographic Detail for Proposed District of Location:  
NYC District 6<sup>37</sup>**

|                            | Total District<br>Enrollment: CSD #6 |     |
|----------------------------|--------------------------------------|-----|
| All Students               | 22,728                               |     |
| Economically Disadvantaged | 19,358                               | 85% |
| Limited English Proficient | 7,014                                | 31% |
| Students with Disabilities | 4,239                                | 19% |

**Table 4: 2014-15 Elementary/Middle School Academic Proficiency Rates on NYS  
Assessments Based on Grade Configurations for Proposed School<sup>38</sup>**

| Assessments                      | NYC #6<br>Proficiency | NYS<br>Proficiency |
|----------------------------------|-----------------------|--------------------|
| <i>ELA Grades 3-5 Aggregate</i>  | 19%                   | 31%                |
| <i>Grade 3 ELA</i>               | 20%                   | 31%                |
| <i>Grade 4 ELA</i>               | 19%                   | 33%                |
| <i>Grade 5 ELA</i>               | 19%                   | 30%                |
| <i>Math Grades 3-5 Aggregate</i> | 27%                   | 43%                |
| <i>Grade 3 Math</i>              | 26%                   | 42%                |
| <i>Grade 4 Math</i>              | 27%                   | 43%                |
| <i>Grade 5 Math</i>              | 28%                   | 43%                |

### Public Hearing and Public Comment

As required by the Charter Schools Act, the NYC Department of Education (NYCDOE) conducted a public hearing on June 2, 2016, to solicit comments from the community concerning the proposed WHIN Music Community Charter School.

<sup>37</sup> Source: Student Information Repository System (SIRS) 2014-15 Report 303 BEDS Day Enrollment Verification Report by Location of Enrollment & Student Subgroup

<sup>38</sup> Source: Student Information Repository System (SIRS) 2014-15 Report 101 High School Accountability Data Verification Report; 2014-15 Report 102 Elementary/Middle-Level Accountability Data Verification Report

## 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>39</sup> This finding is based on the following, among other things:
  - The applicant has included in the application 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,<sup>40</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 §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.<sup>41</sup> This finding is based on the following, among other things:
  - ix. 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.
  - x. 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.
  - xi. 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,

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<sup>39</sup> Education Law §2852(2)(a).

<sup>40</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.

<sup>41</sup> Education Law §2852(2)(b).

- food and transportation services; family and community involvement; financial management; budget and cash flow; pre-opening plan; and dissolution plan.
- xii. 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>42</sup> and will have a significant educational benefit to the students expected to attend the charter school.<sup>43</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, the New York State Education Department recommends that the New York State Board of Regents approve the proposal to establish the WHIN Music Community Charter School to open in 2017 in New York City.

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<sup>42</sup> Education Law §2852(2)(c).

<sup>43</sup> As applicable pursuant to Education Law §2852(2)(d).