



New York State Education Department Charter School Office

Charter School Application Summary, Findings, and Recommendation

*Application in response to the
New York State Education Department 2012 Request for Proposals to
Establish Charter Schools Authorized by the Board of Regents
to establish the proposed:*

Utica Academy of Science Charter School

October 2012

Summary of the Proposed Utica Academy of Science Charter School

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

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

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

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

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

Key elements of the school's design include:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Projected Fiscal and Programmatic Impact on District of Location

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

The New York State Education Department ("Department") also conducted additional analysis on the projected fiscal impact of the Utica Academy of Science Charter School on its district of residence, the Utica City School District, summarized below.

Year	Number of Students Enrolled in Charter Schools Per Year ¹	Charter School Basic Tuition Rate ²	Total Charter School Basic Tuition Only	Estimated District Special Education Payment ¹	Total District General Fund Budget ³	Percent of District Budget
2013-14	176	\$10,046	\$1,768,096	\$52,159	\$137,297,447	1.33%
2017-18	462	\$11,616	\$5,366,592	\$158,314	\$137,297,447	4.02%

The calculations above assume charter school basic tuition rates in the charter period (2013-14 thru 2017-18) based on a trend analysis provided by the Department's State Aid Office. In order to conservatively avoid underestimating the fiscal impact that the charter school will have on the district going forward, the Department is assuming no growth in the Utica City School District budget during the duration of the school's charter. While the school has included other federal grants and/or funds that may flow through the district to be received by the school in its proposed budget, this analysis does not account for these sources of potential revenue, nor does it include the value of certain services (e.g., transportation) that the district is required to provide the charter school. However, the analysis also does not account for transitional aid that may be due to the district, nor does it provide for district per-pupil expense and overall resource savings that are likely to result from a reduction in the number of students attending district public schools.

It should be noted that, given the nature of district-based per-pupil funding, the estimates made by the Department in conducting this analysis are subject to unpredictable financial fluctuations. For forecasting purposes, the fiscal impact of this charter school on the district in which it will be located assumes that: there will be no fluctuations in the grade levels served by existing charter schools over the course of the charter term; the charter school will be able to meet its projected maximum enrollment; all students will come from Utica City School District; and, all students will attend every day for a 1.0 FTE.

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

¹ Source: Utica Academy of Science Charter School Application

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

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

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

Utica City School District

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

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

Public Hearing and Public Comment

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

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

⁵ Source: Special Education School District Data Profile for 2010-11 <http://eservices.nysed.gov/sepuprep/>. This figure is the available city-wide classification rate: the ratio of the count of school-age students with disabilities (ages 4-21) to the total enrollment of all school-age students in the school district, including students who are parentally placed in nonpublic schools located in the school district. The numerator includes all school-age students for whom a district has Committee on Special Education (CSE) responsibility to ensure the provision of special education services. The denominator includes all school-age students who reside in the district. In the case of parentally placed students in nonpublic schools, it includes the number of students who attend the nonpublic schools located in the school district. Source data are drawn from the Student Information Repository System (SIRS) and from the Basic Education Data System (BEDS).

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

Application Review Process

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

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

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

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

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

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

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

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

Findings

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

1. The charter school described in the application meets the requirements of Article 56 of the Education Law (as amended) and other applicable laws, rules, and regulations.⁶ This finding is based on the following (among other things):
 - the applicant has included in the application the information required by §2851(2)
 - the proposed charter school would meet or exceed enrollment and retention targets, as prescribed by the NYS Board of Regents,⁷ of students with disabilities, English language learners, and students who are eligible applicants for the federal free and reduced price lunch program as required by Education Law subdivision 2852(9-a)(b)(i)
 - the applicant has conducted public outreach to solicit community input regarding the proposed charter school and to address comments received from the impacted community concerning the educational and programmatic needs of students in conformity with Education Law subdivision 2852(9-a)(b)(ii).

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

⁶ Education Law §2852(2)(a).

⁷ Note, the data upon which to base the enrollment and retention targets mandated by the amendments to the Act was not available at the time the statute mandated the RFP be issued. As a result, the Department evaluated the plans for student enrollment, recruitment, and retention plans of each class of student referenced in the amendments to the Act such that the Department could make the determination that the applicant would meet or exceed the enrollment and retention targets when developed. During the first year of the charter term, the Department will develop such targets and incorporate these targets into the school's charter agreement performance expectations.

⁸ Education Law §2852(2)(b).

- family and community involvement; financial management; budget and cash flow; pre-opening plan; and dissolution plan.
- An understanding of the New York State Charter Schools Act, and the skill, will and capacity to successfully launch and operate a high quality public charter school.
3. Granting the proposed charter is likely to improve student learning and achievement, will materially further the purposes of the Act⁹ and will have a significant educational benefit to the students expected to attend the charter school.¹⁰ This finding is based on the totality of the information presented in the application and during the application review process, as summarized in this document.

Recommendation

Based on the Department's review and findings, Commissioner John B. King, Jr. recommends that the New York State Board of Regents approve the proposal to establish the Utica Academy of Science Charter School to open in 2013 in Utica, New York.

⁹ Education Law §2852(2)(c).

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