



# New York State Education Department Charter School Office

## **Charter School Application Summary, Findings, and Recommendation**

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

The New American Academy Charter School

October 2012

**Summary of the Proposed The New American Academy Charter School**

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

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

Key Design Elements:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Founding team members include:

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

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

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

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

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

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

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

### **Projected Fiscal and Programmatic Impact on District of Location**

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

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

Year	Number of Students Enrolled in Charter Schools Per Year <sup>1</sup>	Charter School Basic Tuition Rate <sup>2</sup>	Total Charter School Basic Tuition Only	Estimated District Special Education Payment <sup>1</sup>	Total District General Fund Budget <sup>3</sup>	Percent of District Budget
2013-14	130	\$15,089	\$1,961,570	\$155,850	\$19,724,841,088	0.011%
2017-18	370	\$17,903	\$6,624,110	\$436,380	\$19,724,841,088	0.036%

The calculations above assume charter school basic tuition rates in the charter period (2013-14 thru 2017-18) based on a trend analysis provided by the Department's State Aid Office. In order to conservatively avoid underestimating the fiscal impact that the charter school will have on the district going forward, the Department is assuming no growth in the NYCSD budget during the duration of the school's charter.<sup>4</sup>

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

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

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<sup>1</sup> Source: The New American Academy Charter School Application

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

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

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



Below, for your reference, please find additional data on New York City Community School District 19.<sup>5</sup>

**New York City Community School District 19 Data**

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

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

**Public Hearing and Public Comment**

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

The Department directly notified the Chancellor of the NYCDOE, as well as public and private schools in the region, of the charter school application and issued an open call for written public comment via the State Education Department Charter School Office website. The Chancellor was contacted by letter and invited to comment directly. Chancellor Walcott submitted a letter in support of The New American

<sup>5</sup> 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>).

<sup>6</sup> Source: Special Education School District Data Profile for 2010-11 <http://eservices.nysed.gov/sepubrep/>. This figure is the available city-wide classification rate: the ratio of the count of school-age students with disabilities (ages 4-21) to the total enrollment of all school-age students in the school district, including students who are parentally placed in nonpublic schools located in the school district. The numerator includes all school-age students for whom a district has Committee on Special Education (CSE) responsibility to ensure the provision of special education services. The denominator includes all school-age students who reside in the district. In the case of parentally placed students in nonpublic schools, it includes the number of students who attend the nonpublic schools located in the school district. Source data are drawn from the Student Information Repository System (SIRS) and from the Basic Education Data System (BEDS).

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

### **Application Review Process**

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

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

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

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

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

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

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

### **Findings**

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

1. The charter school described in the application meets the requirements of Article 56 of the Education Law (as amended) and other applicable laws, rules, and regulations.<sup>7</sup> This finding is based on the following (among other things):
  - the applicant has included in the application the information required by §2851(2)
  - the proposed charter school would meet or exceed enrollment and retention targets, as prescribed by the NYS Board of Regents,<sup>8</sup> of students with disabilities, English language learners, and students who are eligible applicants for the federal free and reduced price lunch program as required by Education Law subdivision 2852(9-a)(b)(i)
  - the applicant has conducted public outreach to solicit community input regarding the proposed charter school and to address comments received from the impacted community concerning the educational and programmatic needs of students in conformity with Education Law subdivision 2852(9-a)(b)(ii).
  
2. The applicant has demonstrated the ability to operate the proposed charter school in an educationally and fiscally sound manner.<sup>9</sup> This finding is based on the following (among other things):
  - The presentation in the application of a sound description of key features that are core to the school's overall design, and which rigorously addresses the criteria outlined in the Department's RFP in the areas of mission; key design elements; enrollment, recruitment and retention; and community to be served.
  - The presentation in the application of a sound educational plan, which rigorously addresses the criteria outlined in the Department's RFP in the areas of achievement goals; school schedule and calendar; curriculum and instruction; assessment; school culture and climate; and special student populations and related services.
  - The presentation in the application of a sound organizational and fiscal plan, which rigorously addresses the criteria outlined in the Department's RFP in the areas of founding group capacity; board of trustees and governance; management and staffing; evaluation; professional development; facilities; insurance; health, food and transportation services; family and community involvement; financial management; budget and cash flow; pre-opening plan; and dissolution plan.

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

<sup>8</sup> Note, the data upon which to base the enrollment and retention targets mandated by the amendments to the Act was not available at the time the statute mandated the RFP be issued. As a result, the Department evaluated the plans for student enrollment, recruitment, and retention plans of each class of student referenced in the amendments to the Act such that the Department could make the determination that the applicant would meet or exceed the enrollment and retention targets when developed. During the first year of the charter term, the Department will develop such targets and incorporate these targets into the school's charter agreement performance expectations.

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

- An understanding of the New York State Charter Schools Act, and the skill, will and capacity to successfully launch and operate a high quality public charter school.
3. Granting the proposed charter is likely to improve student learning and achievement, will materially further the purposes of the Act<sup>10</sup> and will have a significant educational benefit to the students expected to attend the charter school.<sup>11</sup> This finding is based on the totality of the information presented in the application and during the application review process, as summarized in this document.

### **Recommendation**

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

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

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