



Charter Schools Institute
The State University of New York

BRONX PREPARATORY CHARTER SCHOOL

FINAL CHARTERED AGREEMENT
Sec. 2852(5) Submission to the Board of Regents

VOLUME 1 OF 3

REDACTED COPY



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ROBERT J. BELLAFIORI
EXECUTIVE DIRECTOR

February 4, 2000

Ms. Darlene Mengel
Associate
Office of Innovative Programs
State Education Department
464 EBA
Albany, NY 12234

Re: § 2852(5) submission to the Board of Regents
Dear Ms. Mengel:

Pursuant to subdivision 2852(5) of the Education Law, the Charter Schools Institute, acting on behalf of the Board of Trustees of the State University of New York, hereby makes its submission to the Board of Regents for the following fourteen proposed charter schools.

Amber Charter School
Bronx Preparatory Charter School
Central New York Charter School for Math and Science
Charter School for Science and Technology
Child Development of the Hamptons Charter School
Community Partnership Charter School
Eugenio Maria de Hostos Charter School
Harbor Science & Arts Charter School
International Charter School of Schenectady
King Center Charter School
Merrick Academy Charter School
Rochester Leadership Charter School
Roosevelt Children's Academy Charter School
South Buffalo Charter School

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The submission for each application, consistent with the practice of the State Education Department, consists of a binder and appended materials organized as follows:

1. An executed transmittal form, placed at the front of the binder.
2. Ten copies of the proposed charter; the application and supporting documentation. One copy of the proposed charter has been included at Tab 1 of the binder; the other nine copies are appended separately. The ten copies of each application were delivered to you under separate cover yesterday morning and should be included as part of the instant submission. Any revision to the application received after the application had been copied are set forth at Tab 2. Ten copies of the supporting material (which is identical for each application) are also provided; one copy of such material has been included in each submission binder at Tab 3.
3. Written comment that the Institute has received from the school district in which the charter school is proposed to be located is set forth at Tab 4. In the interest of completeness, pertinent responses, from the applicant or otherwise, are also provided.
4. Evidence of notification to the school district in which the charter school is proposed to be sited is set forth at Tab 5.
5. Evidence of notification to public and non-public schools in the geographic vicinity of the proposed charter school is set forth at Tab 6.

In addition to the above materials, it is State Education Department practice to request a determination from the charter entity that each submitted application does not involve the conversion of a private school. In this regard, please be advised that the Trustees, having considered the applicable statutory factors, set forth at subdivision 2852(3), and having conducted, or caused to be conducted, any necessary inquiry or investigation, are satisfied that none of the submitted applications involves the conversion of a private school.

Lastly, pursuant to subdivision 2852(4), fingerprint checks have been completed to the satisfaction of the Trustees for all applicants of the following applications:

Amber Charter School
Bronx Preparatory Charter School
Central New York Charter School for Math and Science

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Charter School for Science and Technology
Child Development of the Hamptons Charter School
Community Partnership Charter School¹
Eugenio Maria de Hostos Charter School
Harbor Science & Arts Charter School
Merrick Academy Charter School
Rochester Leadership Charter School
Roosevelt Children's Academy Charter School
South Buffalo Charter School²

Due to the extremely compressed time schedule imposed by the Charter Schools Act, and logistical difficulties resulting therefrom, fingerprint checks are still ongoing as to certain applicants for the Bronx Preparatory Charter School, International Charter School of Schenectady, and the King Center Charter School. We will update you on these two applications shortly.

Lastly, we look forward to working closely with the Board of Regents and the Education Department during this phase of the process. Please be assured that Institute staff will be made available to you at any time.

Most of all, we look forward to moving forth with a new class of charter schools that will help improve public education for all New York's school children.

Sincerely,



Robert J. Bellafiore

¹ Please note that Don Campbell and Elizabeth Shlala have withdrawn as applicants; accordingly they did not execute the proposed charter for the Community Partnership Charter School, and the Charter Schools Institute did not cause a fingerprint check to be conducted.

² Please note that Janene M. De Jesus has withdrawn as an applicant; accordingly she did not execute the proposed charter for the South Buffalo Charter School, and the Charter Schools Institute did not cause a fingerprint check to be conducted.

CHARTER SCHOOLS
TRANSMITTAL FORM FOR APPROVED CHARTER SCHOOL APPLICATIONS

Name of Charter School: **BRONX PREPARATORY CHARTER SCHOOL**

DIRECTIONS TO CHARTER ENTITIES

When submitting a proposed charter to the Board of Regents, please provide the following:

1. Ten copies of the proposed charter, the application, and supporting documentation.
2. Evidence that the entity has notified the school district of the application, the district's right to comment, and the district's right to hold a public hearing.
3. Comments the entity has received from the school district.
4. Evidence that the entity has notified public and nonpublic schools in the same geographic area as the proposed charter school.
5. Evidence that the entity has determined that the application does not involve the conversion of an existing private school.
6. Evidence that the entity has obtained a criminal records check based on the fingerprints of each individual applicant named in the charter school application.

ASSURANCES

- a. The charter school described in the application meets the requirements of Article 56 and all other applicable laws, rules, and regulations;
- b. The applicant has the ability to operate the school in an educationally and fiscally sound manner; and
- c. Granting the application is likely to improve student learning and achievement and materially further the purposes of §2850(2) of Article 56.

Robert J. Bellafiore
Print Name


Signature

Check one:

- ☐ President, Board of Education of _____
Print School District
- ☐ Chancellor, New York City Schools
- ☒ Chair, SUNY Board of Trustees (Designee)

Please complete this sheet and attach it as the transmittal page for an approved charter. Submit to:

Office of Innovative Programs
State Education Department
464 EBA
Albany, NY 12234

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 - d) Charter School Application Review and Approval Process
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- 5) Evidence of Notification to School Districts
 - a) October 25, 1999
 - b) November 30, 1999
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- 6) Evidence of Notification to Public and Non-Public Schools
 - a) December 22, 1999
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CHARTER

DATED AS OF FEBRUARY 1, 2000

BETWEEN

BOARD OF TRUSTEES OF THE
STATE UNIVERSITY OF NEW YORK

AND

APPLICANT(S) FOR THE
BRONX PREPARATORY CHARTER SCHOOL

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CHARTER

This agreement is executed on this 1st day of February, 2000 by and between the Board of Trustees of the State University of New York (the "**Trustees**") and Kristin Kearns Jordan, Roberto Garcia, Annee Kim, Jane Martinez, John M. Walderman, Franklin Sanchez, Eric Grannis, Richard Schubart, and Morton Ballen (the "**Applicant(s)**") to establish and operate the Bronx Preparatory Charter School (the "**School**"), an independent public school under the New York Charter Schools Act of 1998.

WITNESSETH:

WHEREAS, the State of New York enacted the New York Charter Schools Act of 1998 as Article 56 of the Education Law, effective December 18, 1998 (the "**Act**");

WHEREAS, pursuant to section 2852 of the Act, the Trustees have the authority to approve applications to establish charter schools in the State of New York and thereafter to enter into agreements with applicants setting forth the terms and conditions under which a charter school is to operate, such agreements until issued in final form to be known as proposed charters;

WHEREAS, the Applicant(s) submitted to the Trustees an application for establishment of a charter school pursuant to section 2851 of the Act (as modified and supplemented, the "**Application**");

WHEREAS, the Trustees have (i) determined that the Application satisfies the requirements set forth in subdivision 2852(2) of the Act and (ii) approved the Application, subject to the Applicant(s) meeting the conditions that are required by the Act and by the Charter Schools Institute acting for the Trustees through its President or Executive Director (the "**Institute**");

WHEREAS, pursuant to the Act, the Board of Regents (the "**Regents**") are authorized to issue a proposed charter as a provisional charter and incorporate an education corporation to establish and operate a charter school.

NOW, THEREFORE, in consideration of the mutual covenants, representations, warranties and agreements contained herein, the parties hereby agree as follows:

SECTION 1. ESTABLISHMENT OF SCHOOL

1.1. Charter. Upon and subject to its issuance by the Regents, and pursuant to the terms and procedures set forth at subdivision 2852(5) of the Act, a provisional charter is hereby authorized and granted to the Applicant(s) on behalf and solely for the benefit of the education corporation to be incorporated by the Regents (the "**School Corporation**"), which,

pursuant thereto, will be authorized to establish, organize and operate the School in accordance with the Act and the terms and conditions of the provisional charter. This agreement, the Application, which is incorporated herein and attached hereto as Exhibit A, and the oversight plan, attached to this agreement as Exhibit B (the "Oversight Plan"), shall constitute, upon its issuance, the provisional charter (the "Charter") and shall be binding on the School Corporation.

1.2 Effective Date; Term. The Charter shall take effect upon its issuance by the Regents (the "Effective Date") subject, however, to any limitations imposed herein, and shall expire five (5) years from the Effective Date, unless earlier terminated or renewed pursuant to the terms hereof. Notwithstanding the above, it is understood that prior to the Effective Date, the Charter is subject to modification or abandonment pursuant to subdivision 2852(5-b) of the Act. It is further understood that prior to the Effective Date, modifications to the Charter, subject to the consent of the Applicant(s), may result as a consequence of comments received from the entities set forth in subdivision 2857(1) of the Act.

1.3 Prior Actions. Paragraph 1.2 hereof notwithstanding, the School Corporation shall not provide instruction to any student, and shall not be eligible to receive funds from the local school district as provided in section 2856 of the Act, until and unless the Trustees issue a written statement to the School, with a copy to the Regents, attesting to the School Corporation having completed all or substantially all of the Prior Actions set forth in Section I of the Oversight Plan (the "Prior Actions") to the satisfaction of the Trustees with such conditions as they may require. Upon such confirmation, the restrictions on the Charter School Corporation set forth in the immediately foregoing sentence shall be of no further force and effect. Notwithstanding the foregoing, in the event that the School Corporation is unable to take and complete the Prior Actions to the satisfaction of the Trustees prior to the 21st day of September of the year immediately succeeding the year in which the Charter becomes effective, the Charter shall be deemed to be void ab initio. Moreover, notwithstanding anything to the contrary in this paragraph, the Prior Actions are in addition to any other condition set forth in the Charter or the Act.

1.4. New Information. The School Corporation shall not provide instruction to any student and shall not be eligible to receive funds from the local school district as provided in section 2856 of the Act in the event that (A) the Trustees receive information after the date on which the Charter is executed which provides substantial reason to believe that either (i) the application contains material misstatements or omissions of fact or (ii) the School Corporation and/or any entity with which the School Corporation intends to contract to provide day-to-day management of the School, is unable to oversee and operate the School in a fiscally and educationally sound manner consistent with the terms of the Charter and the Act and all other applicable laws (the "New Information") and (B) the Trustees, acting on the New Information, issue in writing to the School Corporation a statement setting forth in particular the New Information and the reasons why the School Corporation shall not be permitted to provide instruction or receive the public funds contemplated under the Act. Upon appropriate showing by the School Corporation, the Trustees may withdraw such statement and permit the School Corporation to provide instruction to students and to receive public funds contemplated under the

Act. In the event that the Trustees issue the statement described by this paragraph prior to December 31 of the year that the Charter becomes effective, and such statement is not withdrawn by the Trustees on or before September 21 of the year immediately succeeding the year in which the Charter becomes effective, the Charter shall be deemed to be void ab initio. It shall be the ongoing obligation of the Applicant(s) (until the Effective Date) and the School Corporation (upon and after the Effective Date) to provide to the Trustees in writing any New Information of which it is in, or comes into, possession.

1.5 Location and Facility. The edifice in which the School is to be located shall be known as the school facility (the “**School Facility**”). At its inception the School Facility shall be at the address identified in the Application, or if no address is identified, in such other appropriate building within the New York City School District. Prior to June 15 of the year that the Charter becomes effective, the School Corporation shall have (A) entered into a lease, purchase agreement or other such agreement (the “**Facility Agreement**”) under which the School will have all rights and permission as are necessary to operate as a school in the School Facility according to the plan set forth in the Application, and (B) provided to the Trustees a copy of the Facility Agreement and a detailed schedule setting forth the steps necessary to make the School Facility ready for commencement of instruction and the dates upon which steps will be completed. The schedule shall indicate any and all permits and licenses required to be obtained prior to the School Corporation being legally able to operate the School in the School Facility (including but not limited to a certificate of occupancy) (collectively the “**Permits**”) with the dates on which each such Permit shall be obtained, a construction timeline (if applicable) and an updated budget for all costs associated with preparing the School Facility for occupancy. The School Corporation shall take such actions as are necessary to ensure that the Facility Agreement and Permits are valid and in force at all times that the Charter is in effect. In the event that a Facility Agreement is not in place by June 15 of the year of in which the Charter is to be first effective, the School Corporation may not commence instruction or receive the funds to which it is otherwise entitled under Section 2856 of the Act until June 15 of the succeeding year, subject, however, to having entered into a Facility Agreement by such date and having met all other conditions applicable under the Charter or the Act. Notwithstanding the immediately foregoing sentence, the Trustees may waive the restriction contained therein upon good cause shown and extend the date upon which the Facility Agreement would be otherwise due.

1.6 Change of Location. The School may change its physical location or obtain additional facilities within the same local school district provided that the School Corporation obtains the Permits as are required by paragraph 1.5, as well as satisfies the provisions of the Act, including but not limited to subdivision 2853(1)(b-1), and provided further that (A) the School Corporation notifies the Trustees and the Regents of the proposed change in location or addition of facilities not less than sixty (60) days prior to taking any final action in connection therewith; and (B) the Trustees do not issue a denial to the School Corporation within thirty (30) days of its receipt of such notification. The Trustees may issue a denial only for good cause. A failure to provide the Trustees and the Regents with the notice period required by this paragraph and all material terms regarding the lease and purchase of the new proposed facility sixty (60) days prior to executing such agreement shall constitute good cause.

SECTION 2. OPERATION OF SCHOOL

2.1 Mission Statement. The School Corporation shall operate under the mission statement set forth in the Application.

2.2 Age; Grade Range; Number of Students. The School Corporation shall provide instruction to pupils in such grades and numbers in each year of operation under the Charter as described in the Application, provided that the School Corporation, upon making all reasonable efforts to recruit students, may enroll a lesser or greater number of students in each grade without being deemed in material breach of the Charter. Notwithstanding the foregoing sentence, the School Corporation must obtain prior written approval from the Trustees prior to (A) enrolling any student, who, if enrolled, would cause the School's total enrollment to exceed the projected enrollment of the School for that academic year (as set forth in the Application) (the "Projected Enrollment") by more than fifteen percent (15%) or (B) commencing or continuing instruction where the total number of students enrolled is less than eighty-five percent (85%) of the Projected Enrollment or the total enrollment is less than fifty (50) students.

2.3 Admission. Any child who is qualified under the laws of New York for admission to a public school is qualified for admission to the School. Admission of students to the School shall not be limited on the basis of intellectual ability, measures of achievement or aptitude, athletic ability, disability, race, creed, gender, national origin, religion, or ancestry, provided that nothing in the Charter shall be construed to prevent the establishment of a single-sex charter school or a charter school designed to provide expanded learning opportunities for students at-risk of academic failure, as may be provided for in the Application. If there are more eligible applicants for enrollment in a particular grade than there are spaces available, applicants for such spaces shall be selected for enrollment by a random selection process. Notwithstanding the above, an enrollment preference shall be provided to pupils returning to the Charter School in the second or any subsequent year of operation, unless expelled for cause, pupils residing in the school district where the School is located, and siblings of pupils enrolled in the School. The School Corporation may refuse admission to any student who has been expelled or suspended from a public school until such period of suspension or expulsion has expired, consistent with the requirements of due process. Additional admission policies and withdrawal procedures shall be implemented as set forth in the Application. The Trustees, upon a finding that the outreach and marketing measures taken by the School Corporation are inconsistent with such measures as are outlined in the Application or required by law; may require the School Corporation to take remedial action, including-but not limited to requiring the School Corporation to extend its enrollment period, delay or void its random selection process, and/or conduct further specified outreach and marketing steps.

2.4 Student Learning and Achievement. The School Corporation shall implement the educational programs set forth in the Application in order to allow the students to meet or exceed the performance standards set forth in the Application. The educational programs of the School shall be designed to meet or exceed the student performance standards adopted by the Regents.

2.5 Evaluation of Pupils. The School Corporation shall implement student assessment requirements applicable to other public schools, except as otherwise specifically provided in the Act and administer Regents examinations to the same extent such examinations are required of other public school students. In addition, the School shall supplement the above assessment tools with the other assessment tools, if any, set forth in the Application.

2.6 Curriculum. The curriculum established by the School shall be consistent with the model curriculum set forth in the Application and shall address all New York State achievement standards. The Charter School Corporation shall have the right to make reasonable modifications to such curriculum in order to permit the School to meet its educational goals and student achievement standards.

2.7 School Calendar, Hours of Operation. The days and hours of operation of the School shall be as set forth in the Application and in no event shall the School provide less instructional time during a school year than is required of other public schools.

2.8 Disciplinary Code. The School Corporation shall implement the rules and procedures for discipline, including guidelines for suspension and expulsion, set forth in the Application. The rules and procedures shall be consistent with the requirements of due process and with federal laws and regulations governing the placement of students with disabilities including but not limited to the Individuals with Disabilities Education Act and 34 C.F.R. 300.

2.9 Nonsectarian Status. The School shall be nonsectarian in its programs, admissions policies, employment practices and all other operations. The School Corporation shall insure that the School is not wholly or in part under the control or direction of any religious denomination and that no denominational tenet or doctrine shall be taught.

2.10 Code of Ethics. The School Corporation, its trustees, officers and employees shall be guided by the code of ethics of the School set forth in the Application, and the School Corporation shall disseminate the code in written form to its trustees, officers and employees.

2.11 Non-discrimination. The School Corporation shall not discriminate against any student, employee or any other person on the basis of ethnicity, national origin, gender, or disability or any other ground that would be unlawful if done by any other public school.

2.12 Governance. The School Corporation shall form a Board of Trustees of the School Corporation (the "School Board") which shall, during the one year period from the time that this Charter is declared effective, consist of the individuals specifically identified as proposed board members in the Application together with such other additional members that are duly elected and appointed. All individuals elected or appointed to the School Board shall possess the qualifications for such position as are set forth in the Application. The School Board shall operate pursuant to the by-laws (the "By-laws") and other rules and procedures as such are set forth in the Application, including but not limited to the term of office permitted, qualifications required of school trustees and the provisions for the election and appointment of new members. The School Board shall duly ratify the By-laws within fifteen days of the Effective Date. The School Board shall have final

authority for policy and operational decisions of the school though nothing shall prevent the School Board from delegating decision-making authority to officers and employees of the School Corporation. Notwithstanding any provision to the contrary in the Charter, in the event that the Applicant(s) has/have submitted the Application in conjunction with a college, university, museum, educational institution or not-for-profit corporation, then the School Board shall include voting members of whom at least twenty percent (not including remainders) are not directors, officers, employees, agents or otherwise affiliated with such entity; in the event that the Applicant(s) has/have submitted the Application in conjunction with a for-profit business or corporate entity, then directors, officers, employees, agents or individuals otherwise affiliated with such entity shall not comprise a majority of the members, voting and non-voting, of the School Board.

2.13 Partnership with a Management Company. To the extent that the Application contemplates entering into a contract with any entity (whether for-profit or not-for-profit), under which such entity will provide all or a substantial portion of the services necessary to manage and operate the School, then the School Corporation shall, by July 1, 2000, enter into a legally binding and enforceable agreement with such entity named in the Application (the "Management Company") in a form substantially similar to that contained in the Application ("the "Management Contract"). The Management Contract shall set forth with particularity *inter alia*, (A) the contingent obligations and responsibilities of each party in the event that the contract must be modified in order to maintain the School Corporation's status under federal law as a 501(c)(3) entity and (B) the extent of the Management Company's participation in the organization, operation and governance of the School. Ten (10) days prior to entering into the Management Contract, the School Corporation shall provide a copy of the Management Contract in final form to the Trustees for its review and comment. The School Corporation shall not enter into any contract for comprehensive school management services to be performed in substantial part by any other entity not identified as such in the Application without receiving prior written approval from the Trustees. To the extent that the application contemplates that the School Corporation was to be operated with the assistance of a Management Company under a Management Contract, the School Corporation shall obtain the prior written approval of the Trustees prior to operating the School without such Management Company's assistance.

2.14 Parental Involvement. The School Corporation shall take such steps and implement such processes as are described in the Application to promote parental and staff involvement in school governance.

2.15 Student Transportation. The School Corporation shall meet the transportation needs of students ineligible for transportation pursuant to section 3635 of the Education Law as provided in the Application. The School Corporation may contract with a school district for the provision of supplemental transportation services to the School. All transportation provided by the School Corporation shall comply with all safety laws and regulations applicable to other public schools. Notwithstanding the above, the School Corporation's failure to provide such supplemental transportation as is contemplated in the Application, where such transportation was to be provided by contract with the school district, shall not be deemed a material or substantial violation of the Charter, where the School Corporation has attempted to negotiate such contract in good faith with the applicable school district. In such event, the Trustees may require the School Corporation to

provide the contemplated supplemental transportation services by alternate means if such means would be reasonable under the circumstances.

2.16 Health Services. The School Corporation shall provide all such health services as are set forth in the Application or otherwise required by law.

2.17 Food Services. The School Corporation shall provide the food services set forth in the Application.

2.18 F.O.I.L. and Open Meetings Law. The School Corporation shall implement policies in order to ensure that it is in full compliance with Articles Six and Seven of the Public Officers Law.

2.19 Compliance with Other Applicable Laws. The School Corporation shall be in compliance with all applicable laws, rules and regulations.

SECTION 3. SPECIAL EDUCATION

3.1 Provision of Services. The School Corporation shall provide services and accommodation to students with disabilities as set forth in the Application and in accordance with the Individuals with Disabilities Education Act (20 U.S.C. §1401 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794), including providing services to attending students with a disability in accordance with the Individualized Education Program recommended by the committee or subcommittee on special education of the student's school district of residence. The School Corporation may elect to have such services provided by such school district of residence or by the School directly or by contract with another provider.

3.2 Funding of Services. The School Corporation is authorized to receive from a local school district direct payment of any federal or state aid attributable to a student with a disability attending the School in proportion to the level of services for such student with a disability that the School provides directly or indirectly.

SECTION 4. PERSONNEL

4.1 Status. The School Board shall employ and contract with necessary teachers, administrators and other school personnel as set forth in the Application.

4.2 Personnel Policies: staff responsibilities. The School Corporation shall make available in written form its hiring and personnel policies and procedures, including the qualifications required by the School in the hiring of teachers, school administrators and other school employees as well as a description of staff responsibilities. Such policies and procedures shall be consistent with those set forth in the Application.

4.3 Instructional Providers. The School Corporation shall employ or otherwise utilize in instructional positions only those individuals who are certified in accordance with the

requirements applicable to other public schools, or who are otherwise qualified to teach under clauses (i)-(iv) of subdivision 2854(3)(a-1) of the Act. For purposes of this section, "instructional positions" means all those positions involving duties and responsibilities that, if otherwise undertaken in the New York Public Schools, would require teacher certification. Teachers excepted from certification under clauses (i)-(iv) of subdivision 2854(3)(a-1) of the Act shall not in total comprise more than thirty percent (30%) of the instructional employees of the School, or five (5) teachers, whichever is less. A teacher certified or otherwise approved by the Commissioner of Education of the State of New York (the "Commissioner") shall not be counted against these numerical limits.

4.4 Background Checks. The School Corporation shall establish procedures for conducting background checks (including a check for a criminal record) of all employees (whether part or full time) of the School, as well as any individual who has regular access to the students enrolled in the school (including but not limited to school volunteers and employees and agents of any company or organization which is a party to a contract to provide services to the School) in the same manner and to the same extent as is required of public schools in the district in which the School is located, to the extent permitted by law, provided that oversight of such checks and procedures shall rest with the School Board and the Trustees.

4.5 Collective Bargaining. In the event that (A) student enrollment at the School on the first day on which the School commences instruction does not exceed two hundred fifty (250) or the average daily student enrollment of the School does not exceed two hundred fifty (250) at any point during the first year after the school commences instruction, or (B) the Trustees have granted to the School Corporation a waiver pursuant to paragraph b-1 of subdivision 3 of section 2854 of the Act, then employees of the School Corporation shall not be deemed members of any existing collective bargaining unit representing employees of the school district in which the School is located, and the School and its employees shall not be subject to any existing collective bargaining agreement between the school district and its employees. The School Corporation may, in its sole discretion, choose whether or not to offer the terms of any existing collective bargaining to school employees. If employees of the School Corporation are not represented by an existing collective bargaining unit, the School Corporation shall afford reasonable access to any employee organization during the reasonable proximate period before any representation question is raised. If the employee organization is a challenging organization, reasonable access shall be provided to any organization seeking to represent employees beginning with a date reasonably proximate to a challenge period.

4.6 Pension payments. The employees of the School Corporation may be deemed employees of the local school district for the purpose of providing retirement benefits, including membership in the teachers' retirement system and other retirement systems open to employees of public schools. The financial contributions for such benefits shall be the responsibility of the School Corporation and its employees. Notwithstanding any contrary provision of the Charter, the parties shall abide by further regulations promulgated by the Commissioner, in consultation with the New York State Comptroller, to implement the provisions of this paragraph, including 8 NYCRR §119.2

SECTION 5. FINANCIAL OPERATIONS OF SCHOOL

5.1 Management and Financial Controls. The School Corporation shall at all times maintain appropriate governance and managerial procedures and financial controls. The School Corporation shall retain an independent certified public accountant or independent certified public accounting firm licensed in New York State which shall perform a review of the School Corporation's management and financial controls and who shall provide a statement to the School Board no later than October 15, 2000, concerning the status of such controls (the "Initial Statement"). The Initial Statement must address whether the School Corporation has the following in place: (A) generally accepted accounting procedures; (B) adequate payroll procedures; and (C) procedures for the creation and review of quarterly financial statements, which procedures shall specifically identify the individual who will be responsible for preparing such financial statements. In the event that the Initial Statement reveals that any of the above controls is not in place, the School Corporation shall remedy such deficiency no later than forty-five (45) days from the date the Initial Statement was received by the School Board. The School Board shall provide the Initial Statement to the Trustees upon its receipt and forward to the Trustees any remedial plans undertaken as a result of any deficiencies identified in the Initial Statement and upon remediation, a statement that the deficiencies have been corrected.

5.2 Financial Statements; Interim Reports; The financial statements which the School Corporation is required to prepare shall be in accordance with generally accepted accounting principles then in effect for not-for-profit corporations. During its first year of operation, the School Corporation shall prepare and submit to the Trustees within forty-five (45) days of the end of each quarter of its fiscal year an unaudited statement of income and expenses for that preceding quarter in a form agreed upon by the Trustees and the School Corporation. The Trustees may by written request require submission of such statements in future years of the School's operation.

5.3 Audits. The School Corporation shall retain an independent certified public accountant or certified public accounting firm licensed in New York State to perform an audit of the School Corporation's annual financial statements. The independent audit of the school's financial statements must be performed in accordance with generally accepted government auditing standards issued by the Comptroller General of the United States, if applicable. The audited financial statements must be submitted to the Trustees within one hundred twenty (120) days of the School Corporation's fiscal year end. In addition, and pursuant to the same timetable, the School Corporation must require its independent certified public accountant or certified public accounting firm to issue a report on compliance with laws, regulations, contracts and grants and on internal controls over financial reporting, based on their audit of the financial statements. The School Corporation must submit this report along with a corrective action plan addressing any weaknesses or problems identified in the report. The School Corporation shall also conduct programmatic audits at least once annually, with such audit being comparable in scope to those required of other public schools.

5.4 Fiscal Year. The fiscal year of the School Corporation shall begin on July 1 of each calendar year of the term of this Charter and shall end on June 30 of the subsequent calendar year.

5.5 Annual Budget and Cash Flow Projections. The School Corporation shall prepare and provide to the Trustees a copy of its annual budget and cash flow projection for each fiscal year by no later than May 15 of the immediately preceding fiscal year. The School Corporation shall provide its annual budget and cash flow projection for the first fiscal year 2000-2001 not later than August 1, 2000 if such budget or projection differs in any material respect from that set forth in the Application.

5.6 Funding Procedure. The School Corporation shall maintain accurate enrollment data and daily records of student attendance and shall report enrollment to school districts of residence of its students in a timely manner. Pursuant to subdivision 2856(1) of the Act, payments by the districts of residence shall be made in six substantially equal installments each year, the first on the first business day of July and every two months thereafter, such amounts to be calculated as set forth at 8 NYCRR §119.1.

5.7 Exemption from Taxation. The School Corporation shall be exempt to the same extent as other public schools from all taxation, fees, assessments or special ad valorem levies on its earnings and its property, including property leased by the School Corporation. Instruments of conveyance to or from the School Corporation and any bonds or notes issued by the School Corporation, together with income therefrom, shall at all times be exempt from taxation.

5.8 Collateral for Debt. The School Corporation may pledge, assign, or encumber its assets to be used as collateral for loans or extensions of credit. However, the School Corporation shall not pledge or assign monies provided pursuant to subdivision 2856(1) of the Act in connection with the purchase or construction, acquisition, reconstruction, rehabilitation, or improvement of a school facility.

5.9 Tuition and Fees. The School and School Corporation shall not charge tuition or fees to any student, provided that the School may require the payment of fees on the same basis and to the same extent as other public schools.

5.10 Outside Funding. The School Board may accept gifts, donations or grants of any kind made to the School Corporation and to expend or use such gifts, donations, or grants in accordance with the conditions prescribed by the donor. However, no gift, donation or grant may be accepted if subject to a condition that is contrary to any provision of law or term of the Charter.

5.11 Maintenance of Corporate Status: Tax Exemptions. The School Corporation shall maintain its status as an education corporation. The School Board shall obtain federal tax-exempt status no later than one (1) year following the Effective Date. The School Corporation shall provide the Trustees with copies of all applications and filings relating to its seeking and maintaining its 501(c)(3) exempt status.

5.12. Insurance. The School Corporation shall, at its own expense, purchase and maintain the insurance coverage for liability, property loss, and the personal injury of students as is described in the Application together with any other additional insurance that the School

Corporation deems necessary. Such insurance policies shall be in effect by July 30 of the year in which the Charter is first effective, and, in the case of liability insurance, by such date or upon the first date that the School Corporation contracts with any employee, whichever date is earlier. The School Corporation shall provide the Trustees with certificates of insurance or other satisfactory proof evidencing coverage within five days of the commencement of each such policy. All such insurance policies shall contain a provision requiring notice to the Trustees, at least (thirty) 30 days in advance, of any material change, nonrenewal or termination. Notwithstanding any provision to the contrary, the School Corporation shall take all steps necessary to comply with any additional regulations promulgated by the Commissioner and Superintendent of Insurance to implement subdivision 2851(2)(o) of the Act.

SECTION 6. REPORTS

6.1 Annual Reports. No later than August 1 of each year, beginning August 1 of the year immediately succeeding the year upon which the Charter is first effective, the School Corporation, pursuant to subdivision 2857(2), shall submit to the Trustees and the Regents an annual report (the "**Annual Report**") setting forth the academic program and performance of the School for the preceding school year. The Annual Report shall be in such form as shall be prescribed by the Commissioner and shall include at least the following components:

(A) a report card, which shall include measures of the comparative academic and fiscal performance of the school. Such measures shall include, but not be limited to, graduation rates, dropout rates, performance of students on standardized tests, college entry rates, total spending per pupil and administrative spending per pupil;

(B) a discussion of the progress made towards achievement of the goals set forth in this Charter and the Application; and

(C) a certified financial statement setting forth, by appropriate categories, the revenues and expenditures for the preceding school year, including a copy of the most recent independent fiscal audit of the School Corporation.

In addition, the School Corporation shall provide the following information:

(D) the school calendar for the following school year, setting forth the days and hours of operation for the regular school session as well as the summer session, if any is to be provided; and

(E) a statement that all applicable leases, certificates and approvals necessary to operate the School at the School Facility are in full force and effect.

At its reasonable discretion, the Trustees may elect to require the School Corporation to provide other necessary supplements to the Annual Report.

6.2 Oversight Plan. The School Corporation and the School Board acknowledge that the Trustees, or their authorized agents, have the right to oversee the School's operations in all respects, including the right to visit, examine into and inspect the School and its records. To permit the Trustees to fulfill this oversight function under the Act and ensure that the School is in compliance with all applicable laws and regulations, and the terms and conditions of this Charter, the School Corporation agrees to abide by and implement the Oversight Plan, appended to this Charter as Exhibit B. The Oversight Plan consists of three elements.

(A) A checklist of the Prior Actions required to be completed to the satisfaction of the Trustees before the School is permitted to provide instruction and receive public funds pursuant to Paragraph 1.3 hereof. The checklist is set forth at section I of Exhibit B.

(B) An accountability plan (the "Accountability Plan") which the School Corporation, in furtherance of its educational goals and objectives, and its assessment standards, agrees to conceive and implement. The Accountability Plan shall not provide for less stringent assessment standards or educational goals and objectives than those set forth in the Application. Notwithstanding the foregoing, if the Accountability Plan in its final form contains assessment standards or educational goals or objectives, which are less stringent in any material respect, then the Accountability Plan shall be deemed a revision of the Charter and shall be subject to the Trustees' approval and review and comment by the Regents as provided in subdivision 2852(7) of the Act. The terms outlining the form of the Accountability Plan are set forth at section II of Exhibit B.

(C) A monitoring plan that the Institute will implement (the "Monitoring Plan"), the requirements of which are set forth at section III of Exhibit B. It is understood that the Monitoring Plan is preliminary in nature and that the Institute, in consultation with the School Corporation, may from time to time make amendments and revisions to such plan.

If the Trustees determine that the School Corporation is not progressing toward one or more of the performance or education goals set forth in the Charter, that the quality of the School's educational program is not satisfactory, or that the School Corporation is not in compliance with the terms and conditions of the Monitoring Plan, then the Trustees, in consultation with the School Corporation, may develop and implement a corrective action plan. Nothing contained herein shall be in derogation of the Trustees' or the Regents' ability to revoke the Charter, place the School Corporation on probationary status, or initiate mandatory remedial action in accordance with the Act and section 8.4 of this Charter.

SECTION 7. OTHER COVENANTS AND WARRANTIES

7.1 Compliance with Laws and Regulations. The School and School Corporation shall operate at all times in accordance with the Act and shall meet the same health and safety, civil rights, and student assessment requirements, as applicable to other schools.

7.2 Transactions with Affiliates. The School Corporation shall not, directly or indirectly enter into or permit to exist any transaction (including the purchase, sale, lease or

exchange of any property or the rendering of any service) with any affiliate of the School Corporation, any member of the School Board or any employee of the School Corporation unless the terms of such transaction (considering all the facts and circumstances) are no less favorable to the School Corporation than those that could be obtained at the time from a person that is not such an affiliate, member or employee.

SECTION 8. RENEWAL AND TERMINATION

8.1 Renewal Notice. No later than the thirtieth of December in the year prior to expiration of the Charter, the School Corporation may provide to the Trustees an application to renew the Charter in accordance with subdivision 2851(4) of the Act (the "Renewal Application"). The Renewal Application shall contain (A) a report of the progress of the School in achieving the educational objectives set forth in the charter and (B) a detailed financial statement disclosing the cost of administration, instruction, and other spending categories for the School that will allow a comparison of such costs to other schools, both public and private; (C) copies of each of the annual reports of the School, including the School report cards and the certified financial statements; and (iv) evidence of parent and student satisfaction.

8.2 Approval or Denial of Renewal. Within one hundred twenty (120) days from the time the Renewal Application is received by the Trustees (or by December 31 if the application is received by the thirtieth day of the immediately preceding September), the Trustees shall either approve or deny the application. In the event that renewal is not approved, then the parties to the Charter shall fulfill their respective obligations hereunder to the end of the term of this Charter, and the School shall follow the procedures for dissolution as set forth in subdivision 2851(2)(t) of the Act as supplemented by section 8.5 of this Charter. In the event that the Renewal Application is granted, the Trustees, pursuant to subdivision 2851(4) and section 2852 of the Act, shall enter into a proposed charter with the School Corporation and forward the proposed charter and Renewal Application to the Regents. Nothing herein shall obligate the Trustees to approve a Renewal Application.

8.3 Grounds for Termination or Revocation. This Charter may be terminated and revoked:

- (A) by the Trustees or the Regents in accordance with section 2855 of the Act; or
- (B) by mutual agreement of the parties hereto.

8.4 Notice and Procedures. Should the Trustees determine that one of the grounds for termination or revocation of the Charter has occurred or is occurring, the Trustees may, at their discretion, elect as follows:

- (A) to terminate the Charter; or

- (B) to place the School on probationary status and prepare and cause the School to implement a remedial action plan the terms and conditions of which the School must agree to abide by in all respects.

Should the Trustees elect to terminate the Charter, notice of such shall be provided to the School Board at least thirty days prior to the effective date of the proposed termination. Such notice shall include a statement of reasons for the proposed termination. Prior to termination of this Charter, the School shall be provided an opportunity to be heard and present evidence in opposition to termination. Should the Trustees elect to place the School on probationary status, such probation shall be effective upon notice to the School Corporation. In the event that the School is placed on probationary status, and does not abide by the terms and conditions of the remedial action plan to the satisfaction of the Trustees, or refuses to implement such plan, the Trustees may declare the Charter terminated with notice of such decision to be given to the School Board at least five (5) days prior to the termination date set by the Trustees.

8.5 Dissolution. In the event of termination of the Charter (whether prematurely or otherwise), the School Corporation shall follow the procedures set forth in the Application, as required by subdivision 2851(2)(t) of the Act, for the transfer of students and student records to the school district in which the School is located and for the disposition of the School Corporation's assets to the school district in which the School is located or another charter school located within the school district. In addition, in case of such an event, the School Corporation will follow any additional procedures required by the Trustees or the Regents to ensure an orderly dissolution process.

SECTION 9. MISCELLANEOUS

9.1 Disclaimer of Liability. The parties acknowledge that the School Corporation is not operating as the agent, or under the direction and control, of the Institute, the Trustees or the Regents except as required by law or this Charter, and that none of the Institute, the Trustees or the Regents assumes any liability for any loss or injury resulting from: (A) the acts and omissions of the School Corporation, its directors, trustees, agents or employees; (B) the use and occupancy of the building or buildings, occupied by the School Corporation, or any matter in connection with the condition of such building or buildings; or (C) any debt or contractual obligation incurred by the School Corporation. The School Corporation acknowledges that it is without authority to extend the faith and credit of the Institute, the Trustees, the Regents or the public schools to any third party.

9.2 Governing Law. This Charter shall be governed by, subject to and construed under the laws of the State of New York without regard to its conflicts of laws provisions.

9.3 Waiver. No waiver of any breach of this Charter shall be held as a waiver of any other or subsequent breach.

9.4 Counterparts: Signature by Facsimile. This Charter may be signed in counterparts, which shall together constitute the original Charter. Signatures received by facsimile by either of the parties shall have the same effect as original signatures.

9.5 Terms and Conditions of Application. The parties hereto expressly agree that the Application sets forth the overall goals, standards and general operational policies of the School, and that the Application is not a complete statement of each detail of the School's operation. To the extent that the School Corporation desires to implement specific policies, procedures or other specific terms of operation that supplement or otherwise differ from those set forth in the Application, the School Corporation shall be permitted to implement such policies, procedures, and specific terms of operation, provided that such policies, procedures and terms of operation are (i) not otherwise prohibited or circumscribed by the Act or the Charter, and (ii) are not materially different from those set forth in the Charter.

9.6 Revision. This Charter may be revised only by written consent of the parties hereto and, in the case of material revisions, only pursuant to the section 2852(7) of the Act.

9.7 Assignment. This Charter may not be assigned or delegated by the Applicant(s) under any circumstances, it being expressly understood that the Charter granted hereby runs solely and exclusively to the benefit of the School Corporation.

9.8. Notices. Any notice, demand, request or submission from one party to any other party or parties hereunder shall be deemed to have been sufficiently given or served for all purposes if and as of the date, it is delivered by hand, overnight courier, facsimile (with confirmation) or within three (3) business days of being sent by registered or certified mail, postage prepaid, to the parties at the following addresses:

If to the School Corporation:

With a copy to:

If to the Trustees:

Compliance Desk
Charter Schools Institute
735 Anderson Hill Road
SUNY-Purchase
Purchase, New York 10577

9.9 Severability. In the event that any provision of this Charter or the Application thereof to any person or in any circumstances shall be determined to be invalid, unlawful, or unenforceable to any extent, the remainder of this Charter and the application of such

provision to persons or circumstances other than those as to which it is determined to be invalid, unlawful or unenforceable, shall not be affected thereby, and each remaining provision of this Charter shall continue to be valid and may be enforced to the fullest extent permitted by law.

9.10 Entire Charter. This Charter supersedes and replaces any and all prior agreements and understandings between the Trustees and the Applicant(s). To the extent that any conflict or incompatibility exists between the Application and the other terms of this Charter, such other terms of this Charter shall control.

9.11 Construction. This Charter shall be construed fairly as to both parties and not in favor of or against either party, regardless of which party prepared the Charter.

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BOARD OF TRUSTEES OF THE
STATE UNIVERSITY OF NEW YORK

Robert J. Bellafiore 2/1/00
Date

By: Robert J. Bellafiore, acting for the Board of
Trustees of the State University

Title: Executive Director, Charter Schools Institute,
State University of New York

APPLICANT

Kristin Kearns Jordan Date

APPLICANT

Franklin Sanchez Date

APPLICANT

Roberto Garcia Date

APPLICANT

Eric Grannis Date

APPLICANT

Année Kim Date

APPLICANT

Richard Schubart Date

APPLICANT

Jane Martínez Date

APPLICANT

Morton Ballen Date

APPLICANT

John M. Walderman Date

Bronx Prep Signature

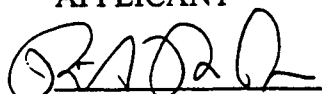
BOARD OF TRUSTEES OF THE
STATE UNIVERSITY OF NEW YORK

Date

By: Robert J. Bellafiore, acting for the Board of
Trustees of the State University

Title: Executive Director, Charter Schools Institute,
State University of New York

APPLICANT

 1/28/00

Kristin Kearns Jordan Date

APPLICANT

Franklin Sanchez Date

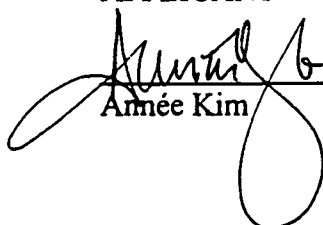
APPLICANT

Roberto Garcia Date

APPLICANT

Eric Grannis Date

APPLICANT

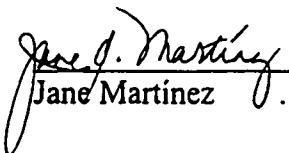
 1/28/00

Année Kim Date

APPLICANT

Richard Schubart Date

APPLICANT

 1/28/00

Jane Martinez Date

APPLICANT

Morton Ballen Date

APPLICANT

 1/28/00

John M. Walderman Date

Brooks Prep Signature

BOARD OF TRUSTEES OF THE
STATE UNIVERSITY OF NEW YORK

Date

By: Robert J. Bellafiore, acting for the Board of
Trustees of the State University

Title: Executive Director, Charter Schools Institute,
State University of New York

APPLICANT

Kristin Kearns Jordan 1/25/00
Date

APPLICANT

Franklin Sanchez _____
Date

APPLICANT

Roberto Garcia 1/25/00
Date

APPLICANT

Eric Grannis _____
Date

APPLICANT

Amée Kim 1/25/00
Date

APPLICANT

Richard Schubart _____
Date

APPLICANT

Jane Martinez 1/25/00
Date

APPLICANT

Morton Ballen _____
Date

APPLICANT

John M. Walderman 1/25/00
Date

Small Print Signature

BOARD OF TRUSTEES OF THE
STATE UNIVERSITY OF NEW YORK

Date

By: Robert J. Bellafiore, acting for the Board of
Trustees of the State University

Title: Executive Director, Charter Schools Institute,
State University of New York

APPLICANT

Kristin Kearns Jordan 1/28/00
Date

APPLICANT

Franklin S. Schuchman 1/28/00
Date

APPLICANT

Roberto Garcia _____
Date

APPLICANT

Eric Grannis _____
Date

APPLICANT

Annee Kim _____
Date

APPLICANT

Richard Schubart _____
Date

APPLICANT

Jane Martinez 1/28/00
Date

APPLICANT

Morton Ballen _____
Date

APPLICANT

John M. Walderman _____
Date

Date

BOARD OF TRUSTEES OF THE
STATE UNIVERSITY OF NEW YORK

DateBy: Robert J. Bellafiore, acting for the Board of
Trustees of the State UniversityTitle: Executive Director, Charter Schools Institute,
State University of New York

APPLICANT


Kristin Kearns Jordan 1/28/00
Date

APPLICANT

Franklin Sanchez Date

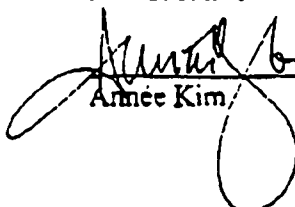
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Roberto Garcia Date

APPLICANT


Eric Grannis 1/30/00
Date

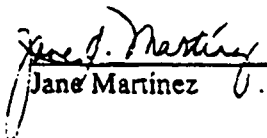
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Arnee Kim 1/28/00
Date

APPLICANT

Richard Schubart Date

APPLICANT


Jane Martinez 1/28/00
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APPLICANT

Morton Ballen Date

APPLICANT


John M. Walderman 1/28/00
Date

Bona Fide Signature

JAN-31-2000 10:52

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**BOARD OF TRUSTEES OF THE
STATE UNIVERSITY OF NEW YORK**

Date

By: Robert J. Bellafiore, acting for the Board of
Trustees of the State University

Title: Executive Director, Charter Schools Institute,
State University of New York

APPLICANT

Kristin Kearns Jordan Date**APPLICANT**

Roberto Garcia Date**APPLICANT**

Année Kim Date**APPLICANT**

Jane Martinez Date**APPLICANT**

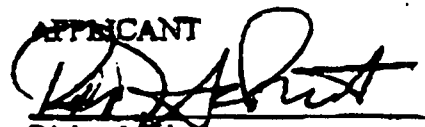
John M. Walderman Date

Print Day Signature

APPLICANT

Franklin Sanohez Date**APPLICANT**

Eric Grannis Date**APPLICANT**

 1/31/2000
Richard Schubart Date**APPLICANT**

Morton Ballen Date

BOARD OF TRUSTEES OF THE
STATE UNIVERSITY OF NEW YORK

Date

By: Robert J. Bellafiore, acting for the Board of
Trustees of the State University

Title: Executive Director, Charter Schools Institute,
State University of New York

APPLICANT

 1/28/00

Kristin Kearns Jordan Date

APPLICANT

Franklin Sanchez Date

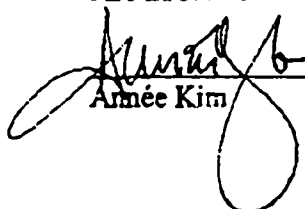
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Roberto Garcia Date

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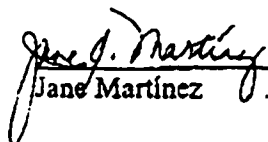
 1/28/00

Armée Kim Date

APPLICANT


Richard Schubart Date

APPLICANT

 1/28/00

Jane Martinez Date

APPLICANT

 1/28/00

Morton Ballen Date

APPLICANT

 1/28/00

John M. Walderman Date

Break Page Signature

EXHIBIT A**APPLICATION**

[Application to be inserted]

EXHIBIT B**OVERSIGHT PLAN**

SECTION I

Prior Actions

Prior to the Trustees authorizing the School Corporation to commence operations, the School Corporation must demonstrate that it has completed the Prior Actions required of it. As set forth at paragraph 1.3, the Prior Actions are in addition to any other requirements imposed by the Act or the Charter. A checklist of the Prior Actions that need to be taken by the School Corporation are set forth below (the "Prior Action Checklist").

By or before August 1 of the year in which the School Corporation is first scheduled to commence instruction, the School Corporation shall provide to the Trustees for each item on the Prior Action Checklist an indication of whether such item has been completed as of such date. For each item not then completed, the School Corporation shall provide a status report and indicate the date on which such item shall have been completed.

The Trustees will visit the School Building for an inspection and review prior to the time that the School is scheduled to commence instruction (the "Pre-Opening Review"). The Pre-Opening Review will occur, at the earliest, fifteen days prior to such date. The Pre-Opening Review will be structured according to the checklist set forth below. The School Corporation shall have available for review by the Trustees all documents necessary to confirm the completion of each item required.

PRIOR ACTION CHECKLIST

 School Name

 Evaluator's Name

Governance and Management

Satisfactorily Completed	Item	Comments	Date Completed
<input type="checkbox"/>	The Board of Trustees has been established.		
<input type="checkbox"/>	A permanent head of school has been named.		
<input type="checkbox"/>	Other key leadership roles in the school are filled, or adequately covered.		
<input type="checkbox"/>	By-laws ratified.		
<input type="checkbox"/>	Management contract executed.		

Staffing

Satisfactorily Completed	Item	Comments	Date Completed
<input type="checkbox"/>	The number of teachers is adequate and their assignments match the staffing plan.		
<input type="checkbox"/>	There is documentation that required background checks for all staff have been completed		

Curriculum and Instruction

Satisfactorily Completed	Item	Comments	Date Completed
<input type="checkbox"/>	Needed instructional materials and supplies have been distributed to classrooms at every grade level.		
<input type="checkbox"/>	A school calendar and class schedules exist and provisions have been made for them to be available to every student and every family.		
<input type="checkbox"/>	Provisions have been made for assessing and serving students with special needs.		

Students and Parents

Satisfactorily Completed	Item	Comments	Date Completed
<input type="checkbox"/>	Parent and student orientation is completed or scheduled.		
<input type="checkbox"/>	Student enrollment procedures have been documented and a student roster is available to teachers.		
<input type="checkbox"/>	Student records have been received or requested and are/will be available to teachers for planning.		
<input type="checkbox"/>	A preliminary count of students with special needs is available.		

Students and Parents (continued)

Satisfactorily Completed	Item	Comments	Date Completed
<input type="checkbox"/>	Student policies (including suspension and expulsion policies) have been established and are available to students and parents in written form.		
<input type="checkbox"/>	Procedures, including security procedures, are in place for creating, storing and using student academic, attendance, and discipline records.		

Operations

Satisfactorily Completed	Item	Comments	Date Completed
<input type="checkbox"/>	Arrangements have been made for food service.		
<input type="checkbox"/>	Provisions have been made for health services and immunization, if appropriate.		
<input type="checkbox"/>	Provisions have been made for supplemental transportation of students if any are to be provided.		
<input type="checkbox"/>	There are written plans for such life safety procedures as fire drills and emergency evacuation.		

Finance

Satisfactorily Completed	Item	Comments	Date Completed
<input type="checkbox"/>	There is evidence of an accounting system with internal controls and fiscal policies.		
<input type="checkbox"/>	A payroll system has been established.		
<input type="checkbox"/>	Existing available funds, plus anticipated September and October revenues, are sufficient to carry the school until the first per-pupil payment arrives in October.		

Facilities, Furnishings and Equipment

Satisfactorily Completed	Item	Comments	Date Completed
<input type="checkbox"/>	Available space (including classrooms, restrooms, and special purpose space) meets the requirements of the program and the number of students enrolled.		
<input type="checkbox"/>	Space is accessible, clean, and well-lighted.		
<input type="checkbox"/>	A certificate of occupancy is on file.		
<input type="checkbox"/>	Certificates of insurance are on file, meeting at least the minimum levels required by the Charter Schools Act.		

Accountability

Satisfactorily Completed	Item	Comments	Date Completed
<input type="checkbox"/>	There is a staff person who is assigned the responsibility for accountability.		

Other

Satisfactorily Completed	Item	Comments	Date Completed
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

SECTION II

Accountability Plan

By May 1 of the year immediately succeeding the year in which the School Corporation commences instruction, the School Corporation shall prepare and submit to the Trustees an Accountability Plan. The purpose of this plan is to detail the manner in which the School will be held accountable for academic results. The Accountability Plan is meant to supplement the relevant information in the Application by incorporating the experience and knowledge gained during the School's first year of operation, thus permitting the School to tailor its education goals, curriculum and assessment standards more specifically to the needs of the School's students. Because the Accountability Plan is a supplement to the relevant sections of the Application, and not a replacement, the Accountability Plan should differ from the former only when there is a demonstrated need and shall be in conformance with paragraph 6.2 of the Charter.

The Accountability Plan shall be prepared in a format to be determined by the Trustees and shall provide the following information:

- (i) specific performance goals for the School;
- (ii) methods to measure the School's progress toward the goals;
- (iii) specific annual and long-term performance targets related to such goals;
- (iv) procedures for taking action when the School's performance falls below its targets; and
- (v) strategies for reporting the School's performance and progress to students, parents, the community, and the Trustees.

Upon approval by the Trustees, and, where necessary, review and comment by the Regents, the Accountability Plan shall be attached to the Charter and shall become part thereof and binding upon the School Corporation.

While the School's Accountability Plan may reflect the school's unique mission, it must include the following minimum provisions:

- (i) standards that meet or exceed those established by the Regents for all public schools in New York; and
- (ii) provisions for the School to administer Regents examinations; and
- (iii) annual testing of all students using, if any, the recognized standardized test set forth in the Application.

To provide a basis for judging progress over time, the School shall obtain baseline data on its students' performance on the assessments it selects, including the standardized test, as soon as possible after the School's initial opening, but not later than the end of the School's first academic year.

SECTION III

Monitoring Plan

As provided in Paragraph 6.2 of the Charter, the School Corporation agrees to abide by a Monitoring Plan, the general components of which are set forth below. The requirements of the Monitoring Plan are in addition to any notification, record-keeping, or reporting requirements set forth in the Charter, including any obligation to receive the written approval of the Trustees and/or to seek approval for revision of the Charter pursuant to subdivision 2852(7) of the Act.

- A. The School Corporation shall provide written notice to the Trustees fifteen days prior to the occurrence of any of the following:
 - 1. A material change being made to the Accountability Plan
 - 2. A material change in the School's disciplinary policies, including policies regarding student suspension or expulsion
 - 3. A material change in the School's curriculum or instructional approach
 - 4. A material change in the School Corporation's by-laws
 - 5. A material change in the School Corporation's code of ethics
 - 6. A material change in the insurance coverage acquired by the School Corporation
 - 7. A material change in any Management Contract to which the School Corporation is a party, including termination of such contract by either party.

- B. The School Corporation shall provide written notice to the Trustees within five business days of the occurrence of any of the following:
 - 1. Additions to or removals of members of the School Board.
 - 2. Hiring or dismissal of the director/principal of the School.
 - 3. Execution of contracts or incurring of debt in excess of \$25,000.
 - 4. Receipt of a summons and/or complaint in which either the School Corporation or any member of the School Board (acting in his or her capacity as a member of the School Board) is a named party to the action.

- C. The School Corporation shall provide written notice to the Trustees on an annual basis of the following:
1. Expulsions of students
 2. Suspensions of student for more than five school days
- D. The School Corporation shall maintain the following records in its offices for inspection by the Trustees and the Regents.
1. Records concerning the enrollment and admissions process including all applications received and documents concerning the lottery process if conducted.
 2. Student academic and health records
 3. Attendance records for students including withdrawals of students from the school
 4. Individual Education Programs for children with disabilities enrolled in the School
 5. Staff rosters, including records of hiring and termination of employees of the School Corporation
 6. Evidence of credentials for all teachers
 7. Evidence that required background checks, if any, have been conducted
 8. Certificates of occupancy
 9. Other facility-related certifications or permits
 10. Lease agreements
 11. Deeds
 12. Loan documents
 13. Contracts in excess of \$1,000
 14. School policies in areas such as financial management, personnel, student discipline (including suspension and expulsion), health and safety, student privacy and transportation
 15. Grievances made by students, parents, teachers, and other employees of the School Corporation, including, but not limited to, complaints received by the School Board pursuant to subdivision 2855(4), together with documentation of all actions taken in response

16. Inventory of all assets of the School Corporation that have been purchased with public funds
 17. All records regarding the events and occurrences set forth in subsections A-C of the Monitoring Plan.
- E. To corroborate information submitted by the School Corporation to the Trustees, and in order to ensure the School Corporation's full compliance with the Act and the Charter, the Trustees will:
1. Make quarterly visits to the School in its first year of operation. Such visits may include an inspection of the physical plant, all categories of records set forth in subsection D of the Monitoring Plan, interviews with director of the school and other personnel, and observation of instructional methods. Where appropriate, such visits will decrease in frequency after the first year of operation.
 2. Make unannounced visits to the School.
 3. Attend meetings of the School Board
 4. Require the School to make available necessary information in response to the Institute's inquiries, including information necessary for the Institute to prepare annual or semi-annual evaluations of the school's financial operations, academic program, future outlook and other areas.
 5. Conduct internal investigations as appropriate in response to (i) concerns raised by students, parents, employees, local school districts and other individuals or groups, including but not limited to, complaints brought pursuant to subdivision 2855(4) of the Act, and (ii) material changes in the items set forth at subsections A or the occurrence of items set forth at subsection B this Monitoring Plan. Where appropriate, the Trustees shall issue remedial orders as permitted by subdivision 2855(4) of the Act.
 6. Review the school's operations to determine whether any changes in such operations require formal revision of the charter pursuant to subdivision 2852(7) and, if so, determine whether such revision should be recommended for approval.
 7. Encourage relevant officers, employees and agents of the School Corporation to attend conferences, seminars and training sessions identified or sponsored by the Institute and which are designed to assist the School Corporation to fulfill its mission.

*Friends of Bronx Preparatory Charter School, Inc.
c/o Kristin Kearns Jordan*

New York, NY

51
cc: Purnell
Alb...

September 29, 1999

Mr. Scott W. Steffey
President
Charter Schools Institute
State University of New York
735 Anderson Hill Road
Purchase, NY 10577-1400

Dear Scott:

I am writing to report additional fund-raising and Board membership commitments to the proposed Bronx Preparatory Charter School, whose application was submitted to the Charter Schools Institute earlier this week. These commitments had not yet happened when we submitted the application to you.

New start-up commitments made in the last two days include a \$35,000 grant from the Tiger Foundation, a \$25,000 personal commitment from Brian Olson, a managing director at Viking Global Investors, and a \$50,000 personal commitment from Thomas Tisch of FLF Associates. These commitments are in addition to the \$50,000 commitment from Bruce Kovner, the \$25,000 commitment from the Pumpkin Foundation, and the other pledges mentioned in the charter application where the donors have not yet determined specific amounts.

In addition, we are joined by one final member on the founding Board of Trustees, Joseph Wilson. His professional biography is attached, and his involvement in the education of at-risk students has included several years of service on the Board of Directors of the Student/Sponsor Partnership.

Please accept our apologies for any inconvenience caused by our submitting this information at this late date and under separate cover from the full application. Thank you again for your consideration of the Bronx Preparatory Charter School's request for a charter.

Sincerely yours,



Kristin Kearns Jordan
Lead Applicant

REDACTED

Joseph T. Wilson Jr.

Vice President

Fixed Income

Mr. Wilson is currently a Vice President in the Loan Sales and Trading Group. Loan Sales and Trading is part of [REDACTED] High Yield business.

Mr. Wilson joined [REDACTED] in August 1986. Upon completion of the firm's Management Training Program he joined the Corporate Finance Department. In 1990, he transferred to the Corporate Banking Group where he structured priced and marketed bank loan transactions. From 1995 to the present, Mr. Wilson has worked in the High Yield Department selling and trading distressed debt (bank loans, public bonds and equity) and performing leveraged bank loans.

Mr. Wilson received a Bachelor of Science degree in Accounting from North Carolina A&T State University in 1982 and a Master of Business Administration from The Johnson Graduate School of Management at Cornell in 1986. He is a CPA and has passed all three levels of the CFA Exam.

REDACTED

Jeanne Allen

**President
The Center for Education Reform (CER)**

Jeanne Allen is President of The Center for Education Reform (CER), an independent, national, non-profit advocacy organization providing support and guidance to individuals nationwide who are working to bring fundamental reforms to their schools.

Allen is a recognized authority on education reform issues and is consulted regularly by legislators, education officials, state and national leaders, and the media, to report on the reform movement and analyze its progress throughout the country. She has testified before legislative committees, hosted town meetings and worked with school officials on current reform efforts. She is the author of *The Standards Primer: A Resource for Accelerating the Pace of Reform* published by the Education Leaders Council.

Allen's experience and expertise have placed her at the forefront of the drive to bring substantive change to education and has given her a prominent position in the national policy debate on a broad range of issues including charter schools, academic standards, school choice, teacher accountability, and the roles of education groups and unions in shaping education policy.

She is interviewed regularly by the national media and has been a guest on NBC's Today Show, The News Hour with Jim Lehrer, and ABC's Nightline, numerous cable TV broadcasts and hundreds of radio programs. She is frequently quoted in such major publication as *The New York Times*, *The Washington Post*, *Newsweek* and *Forbes* among others. Allen has written from *The Wall Street Journal*, *Richmond Times Dispatch* (VA), *Investor's Business Daily* and *The Dallas Morning News* in addition to frequently authoring policy and position papers.

Before founding CER in 1993, Allen served as an official of the United States Department of Education, and began her career as a policy analyst on Capital Hill. She holds a BA from Dickinson College and has completed graduate studies at Catholic University.

Susan Miller Barker

Lead Inspector Massachusetts Charter School Accountability Initiative

Susan Miller Barker is a Lead Inspector, Massachusetts Charter School Accountability Initiative. She has served on five charter school inspection teams, leading two teams in Charter School Inspections based on the British School Inspection model. She has provided oral and written reports to the Massachusetts State Board of Education to assist in their charter renewal decision-making process. Currently Barker is also pursuing doctoral dissertation research surrounding K-12 educational governance and accountability at the Harvard Graduate School of Education. Prior to this, Barker served as Executive Intern Superintendent at the Charlotte Mecklenburg Schools in Charlotte NC.

Barker served as Assistant Director, Modern Red School House Project, at the Hudson Institute, a public policy research organization from 1993-97 where she was responsible for implementation of a comprehensive, nation-wide school reform project focused on rigorous academic standards. For eight years, Barker was a classroom teacher first in Indianapolis IN where she also served as technology coordinator and then in Lake Oswego OR where she was also Gifted and Talented Coordinator. Barker's education specialties include providing professional development to local school districts, charter schools, and the New York State Association for Supervision and Curriculum Development, among others. Her areas of expertise include IBM Education Instruction Specialist, Standards Driven Curriculum Development, and Certified Project Wild, Project Learning Tree and Project Aquatic. She received her B.S. and M.S. in Elementary Education from Indiana University School of Education, Bloomington IN.

Alisa Berger**Consultant****Public Services Consulting, Public Education Practice
KPMG**

Alisa Berger is a consultant in KPMG's Public Education practice. Berger is an experienced consultant specializing in strategic planning, financial analysis, organizational development and process improvement. Additionally, Berger serves as a teacher-trainer on curriculum development. She is a tenured New York City public school teacher and an experienced middle-school administrator from her work at PS/IS 223-Mott Hall School.

Currently for KPMG, Berger is assisting in the initiative for developing an advanced technology solution to improve student achievement through efficient data analysis. She participated in efforts to support the New York City Partnership for its Breakthrough for Learning's use of private sector management practices in NYC's public school system. Prior to her work at KPMG, she administered a communications audit and financial analysis for the Broadcast Child Development Center in Washington D.C. She was also a team member on The Perry School in Washington D.C. where she helped to analyze the impact of both public and private initiatives on local economic development.

She received a MBA from the McDonough School of Business at Georgetown University and an MA in Curriculum and Teaching from Teachers College, Columbia University. Berger has her B.A. in English from Barnard College, Columbia University. Prior to joining KPMG, Berger worked as a consultant for non-profit and government agencies.

Linda Brown
Director
Massachusetts Charter School Resource Center

Linda Brown is the Director of the Massachusetts Charter School Resource Center where she works along with education entrepreneurs as they break new ground in education reform. Brown is committed to promoting increased student achievement in both urban and suburban schools, and views charter schools as the engine driving all schools to higher standards. Prior to joining Pioneer Institute for Public Policy Research in 1993, Brown held the position of associate head of school at an independent K-8 school in Cambridge, MA.

John E. Cawthorne
Assistant Dean for Students and Outreach
School of Education
Boston College

John E. Cawthorne is currently Assistant Dean for Students and Outreach in the School of Education at Boston College. Until July 1997, he was Vice President for Education of the National Urban League, Inc., Research Professor at Boston College and Senior Research Associate in The Center for the Study of Testing, Evaluation and Educational Policy at Boston College. Prior to that, he coordinated the twelve district Urban District Assessment Consortium, that helped urban schools examine the relationship between alternative modes of assessment and school restructuring. This project had as its primary goals to work with teachers, administrators and parents to design powerful assessment systems that could guide instruction and provide valid and reliable accountability information about individual schools.

From 1992 to 1995 he was a Senior Visiting Scholar at Lesley College in Cambridge and also chaired a committee to examine how to provide future elementary school teachers with a strong grounding in mathematics, as a subject, and a more complete repertoire of instructions strategies.

He began his teaching career in 1964 in Washington D.C., fresh out of Harvard. In subsequent years also served as Principal of The Lower School of the Massachusetts Experimental School system and Director of Chapter 1 for the Massachusetts Department of Correction where he was responsible for education programs for those under 21 in prisons and jails.

Gregory J. Cizek

Associate Professor of Educational Research and Measurement University of Toledo (OH)

Gregory J. Cizek is Associate Professor of Educational Research and Measurement at the University of Toledo (OH), where he teaches courses in assessment, statistics and research design. His research interests include testing policy, classroom assessment and standard setting. He is the author of over 100 journal articles, book chapters, conference papers and other publications. His work has been published in journals such as *Educational Researcher*, *Journal of Educational Measurement*, *Educational Policy*, *Phi Delta Kappa* and elsewhere. He is a contributor to the *Handbook of Educational Policy* (Academic Press, 1998), and author of *Filling in the Blanks* (Fordham Foundation 1999) and *Cheating on Tests: How to Do It, Detect It, and Prevent It* (Lawrence Erlbaum, 1999). He provides expert consultation at the state and national level on testing programs and policy.

Cizek received his Ph.D. in Measurement, Evaluation, and Research Design from Michigan State University. He has managed national licensure and certification testing programs for American College Testing (ACT) in Iowa City, IA and served as a test development specialist for the Michigan Educational Assessment Program (MEAP). Previously, he was an elementary school teacher for 5 years in Michigan. In 1997, he was elected to and named vice-president of a local board of education in Ohio.

Timothy H. Daniels, Ed.D
Director
Office of Educational Initiatives
Pennsylvania Department of Education

Tim Daniels is the Director of the Office of Educational Initiatives in the Pennsylvania Department of Education. Programs currently included in this office are Charter Public Schools, and School Performance Funding and School District Performance Measures. An experienced field administrator, Daniels has been a junior high teacher, a junior high assistant principal, a middle school principal, a school district business manager, an assistant superintendent for curriculum and instruction, a superintendent of schools and executive policy specialist in the Pennsylvania Department of Education.

As part of the Pennsylvania Charter School Initiative, Daniels has visited charter schools in nearby states, and has overseen the awarding and administration of 192 charter school planning grants. He has spoken to groups throughout the state concerning charter schools, the Pennsylvania Planning Grant process, and the analysis of Pennsylvania charter school legislation. He is currently involved in assisting the 16 charter schools that opened in Fall 1999 and the 31 that opened in previous year. He is also administering the fourth round of charter school planning grants, organizing the annual PDE "Create a Charter School Workshop" series, planning for the semi-annual state charter school operators' meetings and administering a \$9 million federal grant awarded to give start-up funding to Pennsylvania charter schools.

Stephen Dess

Executive Director Minnesota Association of Charter Schools

Stephen Dess has been the Executive Director of the Minnesota Association of Charter Schools since June 1998. Prior to that he was Administrator for the Central Minnesota Deaf School, a first year charter school. He was a founder and Administrator for the Emily Charter School (now in its 7th year) from August 1994 to February 1998.

Dess' twelve years of community organizing and education experience includes Executive Director for Project Concern Minnesota, Teacher in Benilde High School and as a member of the Board of Directors for Metropolitan Health Coalition which started the nation's first HMO. He also has twelve years of private sector service in the renewable energy field holding such positions as Manager, Solar Components of Minnesota, Inc.; Owner, Designed Efficient Solar Systems, Inc.; District Director for Photocomm Inc. for the Midwest and Northern Arizona and Executive Director for Minnesota Renewable Energy Society. He has a B.A. from St. John's University, Collegeville, MN.

Larry C. Gabbert

Delaware Charter Schools Administrator Delaware Department of Education

As Delaware Charter Schools Administrator for the Delaware Department of Education, since 1997, Gabbert is responsible for the design, development and management of a comprehensive state system for approving, assisting, monitoring and evaluating independent charter schools. He works directly with the Secretary of Education, State Board of Education and Office of the Attorney General to design and implement an evaluation/support system to meet to legislative responsibilities of the State Board and Department of Education pertaining to charter schools. This system includes the evaluation of charter applications, on-going oversight and monitoring, annual evaluation of the progress of each school and the formal evaluation of schools for renewal of their charters.

From 1990-1997, Gabbert was Education Associate, State Supervisor of Education Assessment, Delaware Department of Public Instruction where he was responsible for designing and implementing the state assessment program and managing national assessment programs conducted within the Delaware. His background includes extensive experience in testing as Assistant Director, Office of Testing Services, Northern Illinois University, Dekalb, IL and as Director of Testing at St. Ambrose College in Davenport, IA. Gabbert served as a Consultant to Scholastic Testing Services in Bensenville IL.

Gabbert received his Ed.D in Counselor Education from SUNY/Albany, an M.Ed. in Counseling and Testing from Springfield College, in Springfield MA and a B.A. in Psychology from Western New England College also in Springfield.

Roger Gerber

Member North Carolina Charter School Advisory Committee

When the Charter School Legislation in North Carolina passed in 1996, Gerber joined three other school reformers in forming a non-profit corporation with the intent of starting a charter school. The non-profit, Financial Reform for Excellence in Education (FREE) applied for three separate charters and two were approved. In 1997, after successfully opening, The Village Charter School in Chapel Hill and The Orange Charter School in Hillsborough, FREE again applied for three new charters. All three were approved and opened in 1998.

Gerber has been a member of the North Carolina Charter School Advisory Committee since its inception in 1997 and Director of The League of Charter Schools since Fall 1998. He helped form the Association of North Carolina Charter Schools, a trade association whose goal is to support North Carolina's charter schools and became its first President in March 1998. He served as interim principal for two months when the Orange Charter principal resigned. During the 1998-1999 school year he built computer stations, refurbished donated computers and taught computer classes at the Woods Charter School. He is presently a board member of the SPARC Academy Charter School.

Before his involvement in charter schools, Gerber was actively involved in the education of his two daughters. He set up the computer lab, and taught students and teachers on how to use computers. For these efforts he received the Governor's "Volunteer of the Year" Award for Alamance County in 1994. When the local public school principal said if Gerber's daughters were his own, he'd send them to private school, Gerber became their home schoolteacher from 1993-1996. He is a graduate of Franklin and Marshall College and served as Ringling Bros. Traveling Box Office Co-Manager [REDACTED] for three years in the mid-seventies.

Mary Gifford

Director Center for Market-Based Education Goldwater Institute *Also, Vice President State Board for Charter Schools (AZ)*

Mary Gifford serves as the director of the Goldwater Institute's Center for Market-Based Education. She also serves as vice president of the State Board for Charter Schools (AZ). Gifford previously served as the executive director of the State Board for Charter Schools. Gifford holds master's degrees in education leadership and public administration. She has published several reports on education reform issues, including a teacher and administrator survey on charter school ethnicity, child-centered funding, parent preferences in an education marketplace and market-based education reform.

REDACTED

James W. Griffin**Executive Director and General Counsel
Colorado League of Charter Schools**

James Griffin is the Executive Director of and General Counsel for the Colorado League of Charter Schools, the state's nonprofit association of charter schools. He has served in that capacity since the organization's inception in 1994, building the League from a one-person technical support/advocacy organization to a four-person comprehensive association of nearly seventy charter schools. He received a B.A. from Connecticut College in 1989 and his J. D. from the University of Denver in 1994.

The League provides: technical support and assistance for operating and developing charter schools; legal and legislative advocacy for the charter movement; a clearinghouse of information for the charter community; and initiatives such as our At-Risk Initiative, and the Accountability and Evaluation Program supporting education reform through charter schools.

Bryan C. Hassel**Director
Public Impact**

Bryan C. Hassel directs Public Impact, an education policy consulting firm. He consults nationally on charter schools and the comprehensive reform of existing public schools. In the charter arena, he is engaged in numerous projects designed to help policy-makers, charter school authorizing agencies, and charter school leaders make the most of the charter school opportunity. His recent work has included a leading role in the development of the North Carolina Charter School Recourse Center, extensive research and technical assistance on finance issues for charter school facilities; and designing programs and publications for charter-granting agencies, including *The Charter School Review Process; A Guide for Chartering Entities*. He is the author of *The Charter School Challenge: Avoiding the Pitfalls, Fulfilling the Promise*, published by the Brookings Institution Press in 1999. Hassel received his doctorate in public policy from Harvard University and his masters in politics from Oxford University, which he attended as a Rhodes Scholar.

Bill Jawitz

Founder

The Odyssey Community Charter Schools

Bill Jawitz is the founder of the Odyssey Community School in Manchester, one of Connecticut's first public charter schools. Bill served as principal for Odyssey's first two years and now works part time as Director of Development. He is also Project Coordinator for the Associated Student Press, a national online scholastic journalism service.

Prior to opening Odyssey, Bill taught media studies for 10 years at Manchester High School. He is the author of *Understanding Mass Media* (5th Edition), the nation's top-selling secondary-level textbook on the subject of mass media. Bill has a BA in English from Quinnipiac College and an MA in Communications, Computing and Technology in Education from Teacher's College, Columbia University.

Malvice E. Jefferson, Ed.D

Consultant

Malvice E. Jefferson is a consultant in International Educational Development and Curriculum and Staff Development. She presently serves a consultant for youth and family programs for the Education Department at the American Museum of natural History. She is former Associate Director of the School Leadership Academy at the Center for Educational Innovation. While a member of the Bank Street College of Education faculty for 4 years, she developer/consultant for Bank Street's Center for Minority Achievement.

As a New York City public school teacher, Jefferson taught elementary and middle school students in traditional and alternative concept schools in central and East Harlem. She served as mentoring teacher for pre-service students of Teachers College, Queens College and City College of the City University of New York. She also provided services as a staff and curriculum consultant to Milwaukee Public Schools (MPS), Boston Charter Schools, Hostos Community College of CUNY, the US Peace Corps and the African Institute. Additionally, she was an adjunct professor on the Graduate Faculty for International Teacher Education at the College of New Jersey.

Jefferson hold a BA in Natural Science from Fordham University, an MA in Legal Studies from the Antioch University School of Law, an MS in Special Education from Bank Street College of Education and an Ed.D in International Educational Development from Teacher's College, Columbia University.

Pearl Rock Kane

**Associate Professor of Education and
Director, Klingenstein Center for
Independent School Education
Teachers College, Columbia University**

Pearl Rock Kane is an associate professor of education, director of the Klingenstein Center for Independent School Education and advisor for the department's M.A. focus in Private School Leadership. Kane holds an M.A. from Smith College and a doctorate from Teachers College, Columbia University. Kane taught and served as an administrator in public and private schools in Michigan, Massachusetts and New York City. Her current teaching and research interests are in the areas of privatization, charter schools, private school organization, governance, and public and private school collaboration. She has been active on several national boards including Editorial Projects which publishes *Education Week*, *Teacher Magazine* and the *Educational Records Bureau*. Kane serves as a trustee of Rice High School, a Catholic School in Harlem, and she serves on the foundation for North Star Academy, a charter school in Newark. She has published numerous articles about private schools on issues of governance, and the attraction and retention of teachers. Most recently, she conducted studies of New Jersey's charter schools and the New Visions schools in New York City.

Sybil N. Knight, Ed.D

**Principal
Agassiz School (Cambridge MA)**

In her current position as Principal of the Agassiz School, located in Cambridge, MA, Knight has been praised for her leadership, style and ability to effectively use "dialoguing" as a means to adhere to the needs of the school and community. In addition, her ability to effectively communicate has opened the school to new ideas, which enhance the curriculum, encourage professional development and increase parent participation and involvement.

Knight proposed and received a community-based grant for \$120,000 from the Massachusetts Governor's Juvenile Justice and Delinquency Prevention Advisory Committee in July 1992 for the C.A.P.S.U.L.E. Program which reduced the juvenile crime in the community and the suspension rate of minority students.

Knight has extensive teaching and administrative experience in the Florida public schools. She received her B.F.A. from Howard University, M.S. from Nova University and Ed.D from Nova Southeastern University.

Doug Lemov

Principal Academy of the Pacific Rim

Doug Lemov is the Principal of the Academy of the Pacific Rim in Boston, MA, an academically rigorous charter school serving students in grades 6-8. The Academy fosters strong achievement among students from all backgrounds by building a culture of discipline, effort and high expectations. The Academy combines the best aspects of Asian schools – discipline, respect and an emphasis on effort – with the best aspects of American schools – an emphasis in individuality, diversity and creativity. Lemov was a founding teacher (of History and English) and Dean of Students before becoming Principal. He also worked as a teacher at the Princeton Day School in Princeton, NJ, an associate instructor of English at Indiana University, and as a production assistant at National Public Radio.

Margaret Lin

Coordinator National Charter School Accountability Network

Margaret Lin is a consultant to charter school support organizations on initiatives designed to heighten the success and quality of charter schools across the country. Based in Washington, DC, she is coordinating the National Charter School Accountability Network, a nationwide collaborative of state-level charter school resource centers working to strengthen accountability planning and practices among charter schools and charter-authorizing agencies. Lin also focuses on initiatives to make federal education policy supportive of charter school success. She is co-author of *Charting a Clear Course: A Resource Guide for Charter Schools Contracting with School Management Organizations*, published by the Charter Friends National Network.

Lin was co-founder and coordinator of the Charter School Resource Center at Leadership for Quality Education, a school reform organization in Chicago that has provided critical support to the development of 14 charter schools in Chicago, as well as charter founders throughout Illinois. A rotary Foundation Scholar in Brussels, Belgium in 1995-96, Lin has also spent two years teaching all levels of English and cross-cultural courses at public schools, private corporations and international agencies in Tokyo, Japan. She received a B.A. in Rhetoric from the University of Illinois at Champaign-Urbane in 1990 and a J.D. from Stanford Law School in 1995.

Bruno V. Manno, Ph.D.

**Senior Fellow in Education
Annie E. Casey Foundation**

***Formerly, Assistant Secretary of Education for Public and Planning
United States Department of Education***

Bruno V. Manno is a Senior Fellow in Education with the Annie E. Casey Foundation in Baltimore MD. His responsibilities include working with staff from the Foundation's policy reform and evaluation programs to identify and assess the Foundation's grant-making options in education reform and managing some of the grant programs in education supported by the Foundation. Prior to his work at the Casey Foundation, Manno was Senior Fellow in the Education Policy Studies Program at the Hudson Institute in Washington, D.C., a private, not-for-profit research organization with headquarters in Indianapolis IN. From September 1997 to February 1998, Manno was on leave from the Hudson while holding the position of executive director of the Congressionally-created National Commission on the Cost of Higher Education.

Manno was a member of the Hudson Institute research team involved in the "Charter Schools in Action" project, a two year national study of charter schools funded by The Pew Charitable Trusts of Philadelphia. He and his colleagues, Chester Finn and Gregg Vanourek, have completed a book on this project entitled *Charter Schools in Action: Renewing Public Education*, to be released by Princeton University Press in January 2000.

Manno was Assistant Secretary of Education for Policy and Planning the United States Department of Education. He was nominated by President George Bush to that position on March 24, 1992 and unanimously confirmed by the United State Senate on August 11, 1992. He was a principal advisor to both Secretary of Education Lamar Alexander and Deputy Secretary of Education on policy matters, and planning and evaluation services. He served in that capacity for almost a year prior to his confirmation.

Kristen McCormack**Founder/Partnerships Coordinator
Neighborhood House Charter School**

Kristen McCormack has been a part of the Neighborhood House Charter School since its inception in 1993. She has been working in the field of management for twenty years. She earned her B.A. in Community Planning from the University of Massachusetts and her M.B.A. from Boston University. She has spent ten years managing non-profit human service, youth and education organizations, including Federated Dorchester Neighborhood Houses, the Boston Food Bank, Project BREAD, Dorchester Youth Councils and the All Dorchester Sports League. In addition to founding NHCS, she also was a founding member of the Dorchester Center for Adult Education, Boston Private Industry Council, and the Boston Adult Literacy Fund. She spent an additional ten years managing government agencies including the out of school adult education program for the City of Boston and all alternative school programs for Boston, Deputy Director of the Boston Redevelopment Authority, and Director of the Mayor's Office of Jobs and Community Services. She is currently an adjunct faculty member at both the Harvard University Kennedy School of Government and Suffolk University, a visiting fellow at the Lincoln Filene Center at Tufts University, and a member of the Massachusetts Education Reform Review Commission.

David Patterson

**Director of Governmental Relations
California Department of Education**
*Formerly, long-time member, Charter Schools Unit
California Department of Education*

David Patterson is currently Director of Governmental Relations, and was formerly with the Charter Schools Unit, at the California Department of Education (CDE). For many years Patterson was the voice and advocate for charter schools at CDE. He joined CANEC in January 1999 and established the Governmental Relations Office in Sacramento. Dr. Patterson brings twenty-five years of experience in government and education, in K-12 as well as higher education, in both California and Washington, D.C. He brings statewide experience in school change and reform. He is also active in his community, serving more than eight years on local school boards. He has a deep commitment to charter schools as a way to fundamentally transform the California public education system.

Brett Peiser

**Founder and Principal
South Boston Harbor Academy Charter School**

Brett Peiser taught History at Midwood High School in Brooklyn, NY for four years after receiving a Bachelor's degree from Brown University in Political Science and French. Upon graduation from Harvard University's Kennedy School of Government with a master's degree in Public Policy, Peiser worked for nearly two years as Director of Partnership Programs for Kaplan Learning Services, helping community colleges improve their remedial education programs. For the past two years, Peiser has worked as Founder and Principal of the South Boston Harbor Academy Charter School, a new college preparatory public charter school for students in grades 5-7, expanding to include grades 8-12 over the next five years. Peiser is the co-author of *Competition in Education*, a study of the social, racial and financial impact of Massachusetts' interdistrict school choice program and created the History standards at the Academy of the Pacific Rim Charter School in Boston.

Geoffrey S. Plante, CPA

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**Senior Manager
Albany Government Services
KPMG Consulting**

Geoffrey S. Plante, CPA, is a Senior Manager in KPMG's Albany Government services practice. As such, he devotes all of this time to serving government entities in the Northeast. He is a certified public accountant and specializes in operation improvement. He recently completed a review of the East St. Louis IL School districts, which included its financial management practices to determine where the district could achieve greater operating efficiencies. For the New York State Office of General Services, he assisted in the plan to outsource the State's centralized purchasing, warehousing, and distribution function to 260 State facilities. He served as technical resource manager on KPMG's business process improvement review for the New York City Board of Education concerning the custodial procurement function. With KPMG he has also worked on projects for the West Hartford Public Schools, Albany County, the New York State Thruway Authority and the Capital Region BOCES.

Plante is a Certified Public Accountant in the State of New York. He is a member of the Association of Government Accountants, the New York State Society of Certified Public Accounts and a board member of the Arbor Hill Community Center. He has instructed courses for KPMG staff on the fundamentals of governmental accountings and performing audits of governmental entities in New York. He served on the New York State Education Commissioner's Task Force on BOCES during 1996 to address the governance and organization of BOCES, cost and quality of BOCES services and the role of the BOCES and the District Superintendent in supporting state school reform.

**Director
Charter Schools Office
Chicago Public Schools**

Greg A. Richmond has been Director, Charter Schools Office of the Chicago Public Schools since 1996. He oversees all elements of the school district's relations to its 12 charter schools, serving roughly 5,000 students with budgets exceeding \$22 million. He established and implemented procedures for the evaluation of 70 charter applications resulting in the approval of 15 proposals. He works with local and national external partners, and conducts information workshops prior to the application deadline to assist in the development of charter school proposals. Richmond established the district's comprehensive legal agreement with the charter schools and created, in cooperation with the charter schools, a comprehensive charter school Accountability Plan. He closed one non-performing charter school. Richmond initiated the creation of national association of charter school authorizers.

Prior to this he was a Legislative Liaison from 1994 to 10996 where he represented the school district's legislative interests before the Illinois General Assembly. He also served on the Legislative Staff of the State Senate Education and Appropriations committees.

Richmond is a nationally recognized speaker on charter schools. He most recently served on a panel on Intervention Strategies at the U.S. Department of Education's Charter Schools National Conference in Denver CO in March 1999 and on the Council of Urban Board of Education National Conference panel on "Charter Schools and Accountability this past October in Philadelphia PA.

Pamela A. Riley

**Co-Director
Center for School Reform
Pacific Research Institute for Public Policy**

Pamela A. Riley co-directs the Center for School Reform, a program of the San Francisco-based Pacific Research Institute for Public Policy, an independent, not-for-profit research and education organization. The Center advances educational reforms that foster independent and innovative public and private schools, and advocates strategies that hold schools accountable to high standards and instill competition among education providers. Riley is a frequent speaker and writer on school choice, charter schools and other education reforms. He is co-author (with Lloyd Billingsley) of *Expanding the Charter Idea: A Template for Legislative and Policy Reform* and *How to Start a Charter School: The Basics*.

She is a member of a community group that is developing the Towers Preparatory School, an inner-city charter school (in formation) in Richmond CA. The Towers will use a rigorous and common curriculum developed by the nationally renowned educator Marva Collins (Westside Preparatory, Chicago).

She is a found board member of the California Network of Education Charters (CANEC), a member of the National Charter School Friends Network and the Association of Educator in Private Practice (AEPP), an organization of for-profit and not-for-profit private sector education providers. She testifies frequently on school reform at legislative and government hearings. She has served as a consultant for the California Department of Education in reviewing grant application for federal charter school grants and on the Charter School Advisory Committee of the Little Hoover Commission, California's state efficiency and watchdog commission. Riley founded the San Francisco Independent Scholars program a \$2.4 million scholarship program for students who are attending independent and parochial high schools.

Mary Kay Shields
Director
Charter School Development and Performance Institute
Central Michigan University

Mary Kay Shield is the Director of the Charter School Development and Performance Institute at Central Michigan University. Central Michigan University is Michigan's largest charter school authorizer, having licensed 59 of the state's 173 operating charter schools. Established in 1892, Central Michigan University has built an enviable national reputation as a leader in educational reform through its work with traditional and charter public schools.

Shields formerly served as a Special Advisory in the Governor's Office where she established and implemented a strategic plan involving public and special interest groups, a broad cross section of leaders drawn from business and industry, interested parents and various public agencies to ensure the development, support and sustainability of charter schools.

She has long distinguished herself as a leader in education reform, particularly through legislative policy and school finance reform. She has been a gubernatorial appointee to various statewide commissions and task forces. Her public career spans almost two decades beginning as a Legislative Analyst for the Michigan House of Representative. She has worked in education through her professional life, beginning her education career as a Special Education Teacher.

Nelson Smith**Director****Policy and Planning, Emergency Transitional Education Board of Trustees
District of Columbia Public Schools**

Nelson Smith currently serves as Director, Policy and Planning, Emergency Transitional Education Board of Trustees, District of Columbia Public Schools. For the Trustee Board charged with reform of D.C. public school system by June 30, 2000, his responsibilities include policy development, legislative liaison, and creation of reports and studies on a wide range of issues. He has developed the policy on disposition of excess school-system property for charter schools.

He has worked on DC public school reform issues including participation in the mayor's working group on school facilities and helped write September 1996 amendments to DC Charter School law. Smith has worked as an Education Policy Consultant focusing on academic standards, school leadership and workforce development.

As Vice President, from 1992-95, of Education and Workforce Development for the New York City Partnership, he developed a plan for restructuring the city's school-system governance, built a coalition of business, government and labor unions to support school-to-work programs, oversaw the private-sector summer jobs campaign and created business-based school-leadership program serving more than 150 principals.

From 1985-92, with the U.S. Department of Education, as Staff Director of Sec. William Bennett's Elementary Education Study Group, he produced his 1986 report *First Lessons*. As Director, Programs for the Improvement of Practice (1989-1992) he managed the national effort to spur education excellence using research-based strategies, oversaw the Blue Ribbon Schools recognition program, the National Diffusion Network, and the Javits program for gifted disadvantaged children and other initiatives. He managed an \$85 million annual budget and staff of 90.

Gregg Vanourek

Co-Author

Charter Schools in Action: Renewing Public Education
Formerly, Research Fellow
Hudson Institute

Gregg Vanourek is an M.B.A. candidate at the Yale School of Management in New Haven CT. While at Yale, he co-authored, with Chester Finn and Brunno Manno, a book on charter schools, *Charter Schools in Action: Renewing Public Education*, due out from Princeton University Press in January.

Prior to coming to Yale, Vanourek served as Vice President for Programs at the Thomas B. Fordham Foundation in Washington DC, a national education reform foundation, where he transformed this local grant-making foundation with no staff to a pro-active national foundation. He drafted and implemented the foundation's \$1.4 million program and research budgets. He conceived, designed and launched the first-ever K-12 private scholarship program in OH. Before that he served as a research fellow at Hudson Institute where co-authored three major policy reports and wrote 25 published articles. He has delivered speeches, and radio and television interviews on education policy. He designed, launched and maintained an interactive web site (www.edexcellence.net). He also managed production of a book and numerous reports, from concept to commission and release. He has a Master's degree from the London School of Economics and a bachelor's degree in politics, philosophy and economics from Claremont McKenna College in CA where he was an Academic All-American soccer player.

Sandra Vegari

Assistant Professor

Department of Educational Administration and Policy Studies
State University of New York

Sandra Vegari is an assistant professor in the Department of Educational Administration and Policy Studies at the University at Albany. She earned her Ph.D. in political science from Michigan State University. Her primary area of research experience is education reform policy. In particular, Vergari has been tracking and analyzing charter school politics and policies across the U.S. for six years. She is knowledgeable about a board range of charter school issues. Vergari approaches charter school issues from the perspective of a neutral observer. This independent credibility has enabled her to gain access to and collect valuable information from a broad range of relevant individuals. Vergari is presently conduction research on charter school authorizers and accountability issues. Vergari's work has appeared in both policy reports and academic journals including *Journal of Education Finance*, *Journal of Politics*, *Policy Studies Journal*, *Publius: The Journal of Federalism* and *State and Local Government Review*.

For Applicants' Use

ISSUES TO CONSIDER

Review Criteria

Extracted from the CSI Application Kit

THE MISSION

Charter school applicants should clearly define the school's mission.

Applicants may demonstrate this by:

- developing a clearly stated and focused mission statement for an innovative school;
- including in the mission statement the elements that further the purposes of the New York Charter School Act of 1998; that is, increased learning opportunities for all children, rule-based vs. performance-based accountability systems, etc., and the school's role in the context of educational reform;
- describing the school's unique aspects, features, theme, etc., and why parents and children want such a school;
- explaining any specific research or philosophical basis underlying the school's mission;
- describing "at risk" students and how they will serve them, if applicable;
- defining how the school will provide professional opportunities for teachers and administrators.

SCHOOL DESIGN AND ORGANIZATION

Charter school applicants should craft a school design and organization that matches its mission and will produce the desired educational results.

Applicants may demonstrate this by:

- determining the length of school day and school year, and articulating how this will further the school's mission, goals, and objectives;
- indicating the grade levels to be offered (and applicable ages), and how these grade levels will be grouped and organized, and the overall number of students they hope to serve;
- determining whether the instructional staff will be organized as individual teachers, members of teaching teams, and/or in interdisciplinary groups;
- itemizing assumptions for class size by grade, as well as the assignment of teachers and teaching assistants to each classroom;
- indicating whether the school will be organized around an academic theme or other theme;
- explaining the process by which the school will provide an appropriately challenging program for special needs students (e.g., at-risk of academic failure, special education, gifted and talented);
- explaining any after-school or summer school programs that will be offered;
- indicating the school's admissions policies consistent with requirements under New York State law;
- itemizing any requirements for student uniforms or dress codes;
- explaining plans to provide food and health services;
- indicating what services (social, counseling, etc.), if any, will be integrated into the school's structure;
- explaining the rationale for the overall school design, and whether it is based on specific research or model school design.

ACADEMIC STANDARDS, CURRICULUM, AND TEACHING METHODS

Charter school applicants should develop educational standards, a curriculum, and teaching methods that support the school's mission and will produce an exceptional educational experience for students.

Applicants may demonstrate this by:

- articulating clear and measurable educational standards for each subject offered in the school;
- articulating an educational program that reflects the purpose and objectives of the school and its guiding beliefs about the way students learn and achieve personal development;
- incorporating the educational standards adopted by the state Board of Regents;
- selecting or designing a curriculum which matches the school's mission and leads to fulfillment of the school's performance standards;
- indicating the teaching methods that will be used to implement the school's curriculum;
- explaining what textbooks, instructional materials, and technology may be used as part of the school's teaching program;
- describing learning theories that underlie the school's curriculum and teaching methods, how they will be applied, and how they will create the desired educational climate and improve student achievement.

STUDENT PERFORMANCE; MEASURING, TRACKING, AND ENSURING RESULTS

Charter school applicants should develop a system to measure, track, and ensure student results.

Applicants may demonstrate this by:

- indicating how progress towards achieving performance standards and mastery of the school's curriculum will be assessed;
- indicating how the school will administer all required state assessments and how it will develop comparisons between the proposed school and other existing public schools;
- using additional assessments, where appropriate, to measure attainment of performance standards, and explaining the linkage of the assessments chosen to the particular standards and curriculum to be offered by the school;
- setting up a tracking system to monitor student performance on a periodic basis;
- explaining how their assessment system will establish a performance level for new students, i.e., their use of norming groups, baseline testing or other methodologies;
- explaining how the failure of any student to meet any school standards will be remedied;
- detailing the intervention strategies and resources that will be tapped to assist under-performing students to meet school standards;
- articulating policies and standards for advancing students to the next instructional and grade levels;
- detailing the standards and requirements for graduation (if applicable);
- indicating how the school will benchmark student results (for example, in comparison with national or state averages, or local public or private schools);
- describing the contents of the school's annual progress report;
- explaining the extent to which independent evaluators will be used.

SCHOOL GOVERNANCE

Charter school applicants should assemble a planning team and/or board of trustees who collectively have the talents needed to open, staff, and oversee a high quality school.

Applicants may demonstrate this by:

- identifying the competencies essential to successful operation of a public charter school (e.g., educational, managerial, fiscal, legal);
- selecting a board of trustees that reflects the varied expertise that will be needed to open, operate, and oversee the proposed charter school, as well as how new board members will be selected when turnover occurs and the term length for current members;
- assembling a board of a manageable size with sufficient depth and breadth of experience;
- understanding the need for clear controls to prevent any conflicts of interest involving board members;
- demonstrating a clear understanding of the legal obligations and responsibilities of the board of trustees of a charter school, including regular meetings, public notice of meetings, and an understanding of open meetings law;
- clearly articulating how the school will be governed and managed, including how decisions will be made and by whom.

PERSONNEL AND SCHOOL LEADERSHIP

Charter school applicants should demonstrate an understanding of how to recruit, organize, and support the leadership of the school and ensure the proper financial, budgetary, instructional, and legal management of the school.

Applicants may demonstrate this by:

- documenting the size of the school administration, and what functions will be contracted for separately;
- articulating a vision of the professional and other qualities they deem necessary in the individual or individuals selected to lead the school;
- explaining the vision for how the school leadership should be structured and staffed;
- indicating to what extent the faculty of the school will share in the responsibility for leading and managing the school;
- describing the roles and responsibilities between the board of trustees of the school and the administration of the school;
- clearly indicating who would possess the authority and management responsibility for budgeting, accounting, performance reporting, legal issues, fundraising, etc., as well as job descriptions for senior positions;
- addressing the proposed contractual relationship, if any, with a for-profit management partner, including delineating the responsibility between the board of trustees of the school and the management company, the duration of and termination of the terms of a contract, how the board will evaluate the management company, and how the management company will be paid;
- articulating clearly the responsibilities (objectives, goals) of the leadership of the school, the faculty, and others, and how job performance will be evaluated;
- including in the application, the biographies of senior staff that will join the school (if known), pending approval of the application;
- demonstrating a full grasp of the school's legal obligations related to open meetings, freedom of information requests, public reporting, public oversight, appropriate expenditure of public funds, proper financial accounting and reporting, labor relations, and applicable health, safety, and civil rights laws.

- explaining the vision for how the school leadership should be structured and staffed;
- indicating to what extent the faculty of the school will share in the responsibility for leading and managing the school;
- describing the roles and responsibilities between the board of trustees of the school and the administration of the school;
- clearly indicating who would possess the authority and management responsibility for budgeting, accounting, performance reporting, legal issues, fundraising, etc., as well as job descriptions for senior positions;
- addressing the proposed contractual relationship, if any, with a for-profit management partner, including delineating the responsibility between the board of trustees of the school and the management company, the duration of and termination of the terms of a contract, how the board will evaluate the management company, and how the management company will be paid;
- articulating clearly the responsibilities (objectives, goals) of the leadership of the school, the faculty, and others, and how job performance will be evaluated;
- including in the application, the biographies of senior staff that will join the school (if known), pending approval of the application;
- demonstrating a full grasp of the school's legal obligations related to open meetings, freedom of information requests, public reporting, public oversight, appropriate expenditure of public funds, proper financial accounting and reporting, labor relations, and applicable health, safety, and civil rights laws.

QUALITY TEACHING

Charter school applicants should demonstrate an understanding of how to structure and staff a school to ensure top-quality teaching.

Applicants may demonstrate this by:

- articulating a clear vision of the qualities that they will seek in prospective members of the school's instructional staff, including job descriptions and how job performance will be evaluated;
- explaining the steps, if any, the school intends to take to ensure that its teachers are expert in the subject area that they will teach;
- explaining fully the range of responsibilities of the school's instructional staff;
- explaining the classrooms to be used, including their size, teaching tools, technology, as well as the time and resources that will be devoted to training teachers, students and parents in the proper use of learning tools in the classroom;
- detailing the salary and benefits the school intends to offer to attract teachers who possess the qualities the school deems necessary to fulfill its educational mission;
- explaining the way in which the school will seek to attract, retain, and reward good teachers;
- indicating the school's approach to teachers who are not fulfilling expectations, including approaches to evaluation, possible remediation, or dismissal;
- indicating the extent to which the school intends to hire any uncertified teachers as allowed under the charter school law;
- indicating whether the school anticipates pursuing alternative forms of teacher certification authorized by the state education commissioner, including individuals with "unusual qualifications";
- explaining the steps the school will take to screen prospective teachers for the safety and protection of school children;
- explaining the school's plans to educate students who may have unique educational needs as a result of physical, mental or learning disabilities, language barriers, etc.;
- explaining their request, if applicable, to be awarded one of the 10 SUNY-recommended charters for which union representation is not mandated regardless of the size of student enrollment in the first year of operation;
- articulating how the school expects teachers to involve parents in a supportive way, including any innovative technology methods;

- indicating the time and resources that will be allotted to teachers for classroom preparation, updating skills and knowledge, and professional development;
- documenting the size of the instructional staff and any overlap with administrative responsibilities.

FINANCES AND ACCOUNTABILITY

Charter applicants should present budget income and cash flow figures that are balanced, realistic, and comply with generally accepted accounting principles.

Charter applicants may demonstrate this by:

- presenting a complete budget for start-up costs;
- presenting a complete annual budget and a financial plan that covers the period for which they are requesting a charter including month-to-month financials for the first year;
- having reasonable enrollment projections, and fall-back scenarios if actual enrollment data differs from initial projections;
- having reasonable revenue projections, including federal and private funds;
- presenting reasonable and adequate figures for salaries and benefits;
- explaining the financial implications of decisions on class size and assignment of teachers and teaching assistants to each classroom;
- identifying how special education and bilingual programs can be delivered within the proposed budget and identifying any additional special education funds projected in the proposed budget;
- providing adequate justification for estimates for lease, renovation, and construction costs;
- explaining any additional costs that might result from a longer school day or school year (should they propose one), or any anticipated after-school or summer programs;
- explaining how capital costs will be absorbed within annual revenue projections, and any need for additional financing;
- providing realistic estimates of private fundraising and public grants as well as itemizing actual commitments;
- presenting a realistic plan for securing any funds needed beyond the per-pupil allocation provided under state law;
- budgeting for emergencies, revenue shortfalls, and delays;
- indicating how per pupil costs compare to resident school district per pupil costs;

- having a CPA review and certify all financial information, including all projections, along with documenting all the accounting principles/decisions used to create the financial information, such as depreciation schedules, inventory accounting method, revenue recognition, etc.
- the availability of public resources, or that are needed in addition to public resources;
- itemizing any financial, hiring or services commitments they may have, including "letters of intent";
- indicating an understanding of the insurance coverage that will be needed; and

PHYSICAL FACILITIES

Charter school applicants should demonstrate an understanding of the steps that must be taken to “open the doors” of the charter school, and manifest the talent and resources to do so on a timely basis.

Applicants may demonstrate this by:

- presenting a realistic transportation plan that reflects the location of the school, the size of the school’s target market for students, the school’s length of school day and school year, and estimated participation in any after-school or summer programs;
- having a clear understanding of the space needs implicated by the school design, enrollment projections, class size ranges, and the school’s academic program;
- demonstrating an ability to secure an available school facility, and demonstrating a familiarity with the local real estate market and the availability or scarcity of suitable space;
- articulating how the location helps foster the mission and goals of the school;
- indicating the presence of talent on the planning team, board of trustees, or elsewhere that is needed to oversee the selection of a site and the negotiations involved in the lease, purchase, or construction of suitable space;
- developing plans that are consistent with all applicable health, safety, and local code requirements;
- developing a plan to purchase or lease the necessary supplies, equipment, and instructional equipment needed by a new school;
- developing a plan to finance any start-up costs that will be incurred in advance of the availability of public resources, or that are needed in addition to public resources;
- itemizing any financial, hiring or services commitments they may have, including “letters of intent”;
- indicating an understanding of the insurance coverage that will be needed; and
- having a detailed and viable plan for hiring the necessary individuals before school opens.

PLANNING FOR THE FUTURE

Charter school applicants should consider future plans for the school including planned changes and unplanned contingencies that could confront the school.

Applicants may demonstrate this by:

- describing any intention to expand the charter school, including physical expansion, anticipated growth in the school's budget or other financial expansion, expansion in the grade levels served, or expected increases in the student population;
- describing plans for the transfer of students and student records, and for the disposition of school assets, including the satisfaction of any outstanding debts in the event of dissolution of the charter school.

APPLICATION REVIEW WORKSHEET

AND

SUMMARY OF RECOMMENDATIONS

Name of School _____

Reviewer _____

Date _____

CHARTER SCHOOL APPLICATION REVIEW CRITERIA

Review Panel Worksheet

Using the attached criteria addendum in the application packet please provide us with your comments on each segment.

♦ MISSION STATEMENT

Reviewers will look at the degree to which the vision of the proposed charter school is clear, focused and consistent with high academic standards. The mission should respond to the needs of the target population and reflect goals that are clear, measurable and attainable.

Charter school applicants should clearly define the school's mission.

➤ Comments:

♦ SCHOOL DESIGN AND ORGANIZATION

Reviewers will look at the degree to which the proposed enrollment and growth of the school is sensible and consistent with its mission and programs. Reviewers will also look for description of a school ethos and discipline policy that are consistent with high expectation of students' and the mission and program of the school.

Charter school applicants should craft a school design and organization that matches its mission and will produce the desired educational results.

➤ Comments:

♦ ACADEMIC STANDARDS AND CURRICULUM

Reviewers will look for a program that is aligned with the schools' mission, philosophy and goals and that challenges students to perform at high levels. Reviewers will also look for the quality curriculum founded on an understanding of educational theory, teaching method and core academic subjects. Applications should identify curricular sources and assessment tools and be consistent with the public interest.

Charter school applicants should develop educational standards, a curriculum, and teaching methods that support the school's mission and will produce an exceptional educational experience for students.

➤ Comments:

♦ STUDENT PERFORMANCE ASSESSMENT

Reviewers will look for the quality of an assessment plan that features multiple measures of student outcomes. The application should describe compelling objectives that are consistent with its mission in program as well as with high academic standards.

Charter school applicants should develop a system to measure, track, and ensure student results.

➤ Comments:

♦ PARENTAL AND COMMUNITY INVOLVEMENT

Reviewers will look for the quality of provisions being made by the school for families to be active participants in the school. Plans for developing working relationships and evidence of community support should be stated.

Charter school applicants should indicate that they will involve parents in the education of their children and play a positive role in the community.

➤ Comments:

♦ SCHOOL GOVERNANCE

Reviewers will look for evidence of a stable, effective governance model that is capable of providing a strong vision and continuity of leadership.

Charter school applicants should assemble a planning team and/or board of trustees who collectively have the talents needed to open, staff, and oversee a high quality school.

➤ Comments:

◆ PERSONNEL

Reviewers will look for a description of the standards to be used in the hiring process including teacher qualifications and professional credentials along with a targeted staff size and teacher/student ratio. Reviewers will also look for commitment of professional development of staff, desirable working conditions and fair compensation packages which attract quality staff; compliance with labor laws.

Charter school applicants should demonstrate an understanding of how to recruit, organize, and support the leadership of the school and ensure the proper financial, budgetary, instructional, and legal management of the school.

➤ Comments:

◆ FINANCES AND ACCOUNTABILITY

Reviewers will look for sound financial planning; fiscal viability of the school. They will also look at the degree to which the budget demonstrates knowledge of the practical matters of the operation of a school and the degree to which the budget is based on sound reasoning.

Charter applicants should present budget income and cash flow figures that are balanced, realistic, and comply with generally accepted accounting principles.

➤ Comments:

♦ PHYSICAL FACILITIES

Reviewers will look for the quality of the applicant's plans and progress toward attracting the resources necessary for acquisition and/or renovation of a school facility. Reviewers will also look for a quality plan that can identify and acquire a site suitable for the proposed charter school.

Charter school applicants should demonstrate an understanding of the steps that must be taken to "open the doors" of the charter school, and manifest the talent and resources to do so on a timely basis.

➤ Comments:

♦ FUTURE PLANNING

Reviewers will look for a realistic strategy and timeline for the successful launch and expansion of the charter school and the degree to which the plan is consistent with the proposal's objectives.

Charter school applicants should consider future plans for the school including planned changes and unplanned contingencies that could confront the school.

➤ Comments:

◆ OVERALL ASSESSMENT

The overall viability and reasonableness of the application: The proposal is well organized, clear, and convincing that the project can be accomplished. The proposed work is consistent with the plan's vision, goals and objectives. The budget, proposed workloads, and work timelines are consistent with the plan.

➤ STRONG RATING

Each section of the application makes a convincing, logical presentation. All parts of the plan are addressed in a strong, in-depth, comprehensive, thoughtful and imaginative way. The application taken as a whole is clear and specific in what it proposes to do and very convincing that it is capable of doing it. The proposal work is highly consistent with the goals and objectives specified by the plan's vision and educational philosophy. Both the budget and the work timeliness are detailed, realistic, and consistent with the plan. It is very clear to the reader that the applicant has suitable personnel and other resources available to do the work.

➤ ADEQUATE RATING

The application adequately outlines what it proposes to accomplish and is quite convincing that it is capable of achieving its stated goals. The proposed work is adequately consistent with the plan. It is clear to the reader that the applicant has people available to do the work. Both the budget and the work timelines are generally consistent with the plan.

➤ MINIMAL RATING

Focus is either general, too narrow, or superficial. Application may not be viable or reasonable to the situation at hand. Only a few parts of the proposal may be sketchy and timelines may be absent.

Rating: _____



THE STATE UNIVERSITY OF NEW YORK CHARTER SCHOOL APPLICATION REVIEW AND APPROVAL PROCESS

Under the New York Charter Schools Act of 1998, Education Law §2850 et seq., the Board of Trustees of the State University of New York was granted authority, among other duties, to receive, review and approve applications for charter schools. The Board of Trustees has authority to approve up to fifty applications that result in charters. In order to assist the Board in the administration of its duties, the Trustees authorized the creation of the Charter Schools Institute.

Among the Institute's tasks is to conduct a rigorous review process—and at the end of this process to forward its recommendations to the Trustees. The Institute's process is competitive: applications are judged not only against the criteria set forth in the Charter Schools Act, but also against each other. In this way, only the strongest applications are recommended for approval to the Trustees. A description of the review and approval process is provided below.

THE TIMETABLE

The Charter Schools Act requires that the Board of Trustees "act on" any application that it receives prior to October 1st on or before January 1st of the immediately succeeding calendar year. In addition, the Trustees must execute proposed charters with successful applicants (resulting from applications received prior to October 1st) on or before February 1st of the succeeding year. Accordingly, applicants who submit applications to the Board of Trustees on or before September 30th are guaranteed that their applications will be reviewed by the Institute in that Fall's review cycle.

The law also permits a charter entity to review and approve applications at any time. An applicant, therefore, may submit an application after September 30th. However, there is no guarantee such applications will be "acted on" before January 1st of the immediately succeeding year.

REVIEW AND APPROVAL

Step One: Internal Staff Review

Each application received by the Charter Schools Institute is initially reviewed by a member of the Institute's application review department. The purpose of this staff review is twofold. First, the staff member assigned the application determines whether the application is complete, i.e., the applicant has answered all questions and provided all the information requested. If an application is incomplete, the application will not be further reviewed. While a complete application is a necessary prerequisite to conducting a meaningful review, this does not mean that a minor gap in a single question will necessarily result in the application not receiving further review. An application will be treated as not appropriate for review only where the applicant has failed to provide information sufficient to judge whether the application has merit. Applicants, whose applications are deemed incomplete, and subsequently not approved by the Trustees, will be urged to resubmit a complete application for future consideration.

The staff review's second purpose is to determine whether the application meets minimal standards of competency. Where an application, on its face, demonstrates that the applicant is unable to appreciate and overcome the complex educational, organizational, legal and financial issues involved in the creation and running of a charter school, the application will not be further reviewed. So, too, where an applicant's responses are superficial, and without reasonable supporting evidence to permit the applicant's responses to be verified, the application will not progress to the next review stage. In making this determination, the staff member will, as necessary, consult with counsel or educational consultants on retainer with the Institute. It is important to note that this qualitative review is meant only to weed out applications that are manifestly inadequate in multiple respects. Examples of such inadequacies could include:

- wildly unrealistic start-up or operational budgets
- lack of a facility and no realistic plan for obtaining a facility
- a failure to reasonably specify a curriculum or achievement standards or assessment tools.
- demonstrable lack of educational/professional experience of the applicant and/or members of the proposed charter school's board of trustees
- pervasive sloppiness indicating inattention to detail
- responses inconsistent with statutory and constitutional requirements

Where staff review determines that the application fails to meet a minimum standard of competency, the application is further reviewed by another member of the Institute's review staff (or an outside consultant to the Institute). If the second reviewer confirms the staff reviewer's findings, the Institute will recommend that the Trustees not approve the application. If, however, the second reviewer disagrees with the findings of

the first reviewer, the application can proceed to the second stage of the review process, if time allows.

Step Two: External Review

A. Panel Review

Once an application has successfully passed staff review, it is forwarded to a review team. Review teams consist usually of four or five members, each of whom is an expert in one or more areas of education and/or charter school operations. Review team members include charter school operators, directors of other states' charter entities, certified public accountants with a background in non-profits and education financing, academic experts, directors of charter school associations, and consultants with expertise in charter schools. Panelists are provided applications, an evaluation form and a criteria guide in advance of a review team meeting. Each application is assigned to a "lead reviewer" who is responsible for presenting that application to the review team.

At the meeting of the review panel, the individual assigned an application presents it to the panel, laying out the application's strengths and weaknesses. Staff then presents an assessment of the application's budget and business plan based on the written report prepared for the Institute by a certified public accountant from a "big five" accounting firm. Reviewers have unlimited time for discussion and debate. During that discussion, the reviewers are asked to comment on each section of the application, i.e., educational program, business plan, school organization. Panelists are encouraged to debate vigorously the merits of the applications before them.

In order to ensure a fair and impartial review process, each reviewer, prior to the beginning of the review process, is asked to complete a conflict-of-interest statement. If the reviewer's written responses to the questionnaire indicate a potential conflict, the Institute's counsel conducts further inquiry. If a conflict is determined to exist, the reviewer is asked to recuse himself or herself from the proceedings.

At the end of the review, each panelist is asked to evaluate the Institute's process and the panel's work as well as provide names of other potential panelists. The Institute uses these reviews to make continuous improvements to the review process.

B. Individual Review by Outside Expert

To provide a further level of scrutiny and analysis, each application is also reviewed by an individual, outside expert. The individual "blind" reviewer is not given the results of the panel review (or the names of the panelists). As with the panel review, the reviewer completes an evaluation form and is asked to assess each section of the application. So, too, the individual reviewer must also complete a conflict-of-interest questionnaire.

Step Three: The Board of Trustees Selects Applications Meriting Further Review

Once the panel and individual “blind” reviews have been completed, Institute staff integrate and synthesize all the reviewers’ findings. Based on this information, the Institute ranks and divides the applications into the following two categories: in the first category are applications which show sufficient promise to be recommended to the Trustees as deserving further review and investigation. In the second category are applications which may show promise for the future, but which in their present form raise question of sufficiently serious magnitude and number as to cast doubt on the viability of the school opening in Fall 2000.¹ In addition to ranking the applications on their merits, the Institute assesses any public comment (from school districts or otherwise).

The Institute then presents the results of its review to the Trustees, who, at a meeting of the Board, determine whether to approve, in whole or in part, the Institute’s recommendations.

Step Four: Further Review and Investigation

If the Trustees determine that an application merits further review and inquiry, then the Institute, at the Trustees’ direction, will take the following further steps. First, the Institute submits a list of questions/comments/requested amendments to the applicant (Request for Amendment). The Request for Amendment is the product of the reviewers’ comments and the internal staff review, including a review by the Institute’s counsel. Responses to the Request for Amendment must be submitted to the Institute in writing. If the applicant fails to comply with this requirement, the Institute may deem the application withdrawn.

The Institute’s staff, and Trustees if they desire, also conduct interviews with the applicant team. In general, the Institute requires that the lead applicant, a co-applicant (if applicable), a representative of a for-profit or not-for-profit partner and one or two members of the proposed charter school’s board of trustees be present at the interview. Members of the applicant’s team may be interviewed individually or as a group. It is expected that the applicant team will be prepared to answer all questions which are raised in the Institute’s Request for Amendment. In addition, as part of the interview process, the Institute’s staff conducts a site visit of the facilities/location for the proposed charter school.

At the same time that interviews are being conducted, the Institute also conducts background checks on the applicant and other members or organizations of the charter school’s founding group, including, in particular, a check on the applicant’s partners. These background checks are in addition to the statutorily required fingerprint/criminal background check for each applicant.

¹ Also included in that category are applications which were found to be incomplete or manifestly insufficient.

In conjunction with its further review, Institute staff also solicit and review public comment. Institute staff will attend public hearings convened by interested school districts to listen and report firsthand on the proceedings.

Lastly, Institute staff will consult, as is appropriate, with their counterparts in the State Education Department where an application raises legal or other concerns.

Step Five: Final Institute Assessment

Once all reviews, interviews, background checks are complete, the Institute prepares a written assessment of each application. The written assessment incorporates all review process findings to that time, including an assessment of any public comment that has been forwarded to the Institute for its consideration. Finally, on the basis of these assessments, the Institute selects those applications which are the strongest and recommends them for approval. It is possible that, based on its findings, the Institute will not recommend all applications which the Trustees had earlier selected for advancement and further review. The Institute's recommendations, together with supporting materials, are forwarded to the Ad Hoc Committee for its review and comment.

Step Six: Board of Trustees' Approval

The Ad Hoc Committee, at a public meeting, will review the recommendations presented to them by the Institute and will vote on whether to recommend them to the full Board. The Ad Hoc Committee will then present the results of its review and vote to the Board for final approval. At that point, after considering the Ad Hoc Committee's recommendations, as well as any public comment received, the Board will vote whether to approve each application recommended to it by the Ad Hoc Committee. Upon approval, the Institute, as directed by the Trustees, will enter into a proposed charter with the applicant, and the application and supporting material will be forwarded within five days to the Board of Regents for its action.

December 16, 1999



Bronx Preparatory Charter School

No comments received from the school district

NOTIFICATION OF THE SCHOOL DISTRICT

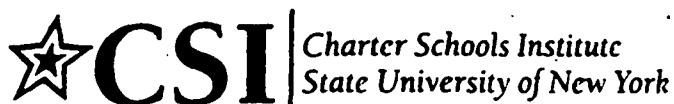
On behalf of the State University of New York Board of Trustees, the Charter Schools Institute has provided the following notification to the school district in which the charter school application proposes to site the school.

- **October 25, 1999:** Memorandum to the school district, identifying the proposed school by name as well as the grades and number of students that the school proposes to serve in its first year.
- **November 30, 1999:** Memorandum to the school district, enclosing redacted copy of the application.
- **December 21, 1999:** Memorandum to the school district, notifying it that the Trustees had advanced the application for further review, soliciting comment, inviting a public hearing, providing a time-table for future actions, and enclosing model charter and revisions to the application received by the Institute as of that date.¹
- **January 27, 2000:** Memorandum to the school district notifying it that application had been approved, soliciting comment, inviting a public hearing, and providing the time-table for execution, submission and possible issuance of the proposed charter.²

¹ Notification provided pursuant to subdivision 2857(1) of the New York Charter Schools Act of 1998.

² Notification provided pursuant to subdivision 2857(1) of the New York Charter Schools Act of 1998.

A.



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PHONE: 518-443-5011
Fax: 518-443-5227
www.newyorkcharters.org

ROBERT J. BELLAFIORE
EXECUTIVE DIRECTOR

To: Educators, School Board Officials, School Superintendents

From: Robert Bellafiore, Executive Director

Re: Applications for new charter schools

Under the New York Charter Schools Act of 1998, the Board of Trustees of the State University of New York is empowered to receive, review and approve applications for charter schools; the Charter Schools Institute was created by the Trustees to assist them in fulfilling these responsibilities.

The Board has recently received some 90 applications for charter schools that wish to open in Fall 2000. Because one or more of these applications appear to fall within the boundaries of your school district, we have enclosed for your information a chart summarizing these applications. As you review this chart, please keep in mind that much of the information is preliminary, including the location of the proposed charter school. This chart, which has been released to the media, also can be accessed via the Internet at www.newyorkcharters.org.

The Institute is now in the process of reviewing all applications received. It is expected that sometime in late November or December a formal recommendation will be made to the Trustees regarding which applications should be considered for approval; the Trustees are expected to vote on those recommendations in January 2000 and forward proposed charters to the Board of Regents.

At the time a recommendation for approval is made to the Trustees, we will notify all relevant public and non-public schools of that fact as required by Section 2857(1) of the Charter Schools Act. We will also provide such notification to affected public and non-public schools at each subsequent significant stage of the chartering process.

All applications will be made available for inspection. Because the applications contain material which, if not removed, would constitute an unwarranted invasion of personal privacy (and possibly a violation of federal privacy law), the applications will be made available after such information is redacted. This process should take 45-60 days.

• Please feel free to contact the Institute if you have any questions.

Charter Schools Institute Applications

10/25/99

Count	Location	Proposed Charter School Name	Grade(s) Yr 1	# of Students Yr 1	Lead Applicant	Media Contact #	Est.	Mgt. Partner Name
1	Amityville or others	Suffolk Children's Academy-Central LI Charter Pub. School	K-2	247	Holly Degnan	(516) 874-9019		Victory Schools, Inc.
2	Annandale-on-Hudson	Bard Public Charter School	K-4	120	Peter Sweeny	(914) 758-7275		None
3	Auburn	Montessori Charter School of the Finger Lakes	K-8	50	Charles J. Ryan	(315) 252-2225		None
4	Bedford-Stuyvesant	Medgar Evers Children's Acad./B-S Charter Pub. School	K-2	247	Michelle D. White	(718) 485-6685		Victory Schools, Inc.
5	Blasdel	Global Concepts Academy Charter School	K-6	300	Kathy Dimitrievski	(716) 368-9346		None
6	Brentwood	Modern Times Charter School	K-1	60	Francesca Velez	(516) 231-3013		None
7	Bronx	Freedom Academy Charter School	K-2	90	Janet Lerner	(718) 402-5259		None
8	Bronx	Family Life Academy Charter School	K	50	Raymond Rivers	(718) 661-2361		None
9	Bronx	Bronx Preparatory Charter School, The	5-7	45	Natalie Cuchel	(212) 349-8073		None
10	Bronx	Banana Kelly Community Learning Charter School, The	8-9	860	Yolanda Rivera	(718) 328-1064	233	LearnNow, Inc.
11	Bronx	NY Giants Youth Baseball Charter HS for Bsbl & Spts Mgt	9	60	Barbara L. Tischler	(718) 432-3989		None
12	Bronx	Bronx Preparatory Charter School	5-8	100	Kristin Keams Jordan	(212) 307-3177		None
13	Bronx	South Bronx Science Academy-South Bronx C. S.	K-2	247	Doris Colon	(212) 873-6648		Victory Schools, Inc.
14	Bronx or Queens	Indo-Caribbean Charter Academy	7-12	324	Roopnarain Persaud	(646) 345-4308		RDS Multiservices
15	Brooklyn	Neighborhood Charter School, The	K-2	180	Emory X. Brooks	(718) 802-0668		None
16	Brooklyn	Charles Reason Charter School	6-9	165	Gail Foster	(212) 422-5338		LearnNow, Inc.
17	Brooklyn	Bright Future Elementary Charter School	K-5	200	Vlad Gorny	(917) 209-4547		None
18	Brooklyn	Brooklyn Collegiate Charter School	9	100	Andrew C. Peiser	(212) 517-2065		None
19	Brooklyn	Community Partnership Charter School, The	K-1	100	Laura Taylor Swain	(212) 750-9320		None
20	Brooklyn	Day Star Academy Charter School	K-2	240	Karim Razzaq	(718) 771-7099		Victory Schools, Inc.
21	Brooklyn	Young Women's Charter School	K-1	240	Shomo Teichman	(718) 339-4747		None
22	Brooklyn	Center for the Education of Recent Immigrants C.S.	K-4	200	Pearl Kaufman	(516) 239-5185		None
23	Brooklyn	Brooklyn Charter School	K-5	660	Omar T. Wasow	(917) 860-2820		Advantage Schools, Inc.
24	Brooklyn	Empire State Charter School	9-10	200	Tracy Dowdell	(718) 624-2326		Global Lyceum
25	Buffalo	Niagara Academy Charter School For Information Tech.	K-8	900	Paul J. Bandrowski	(716) 845-7829		Edison Schools, Inc.
26	Buffalo	Buffalo Charter School	K-5	550	Kevin J. Heffer	(716) 851-5165		Advantage Schools, Inc.
27	Buffalo	Aspire Charter School	3-7	100	Lucinda R. Kahler	(716) 688-1732		None
28	Buffalo	C.O.M.M.U.N.I.T.Y. Charter School	K-5/K-5	450 / 245-249	Mary C. Carroll	(716) 839-1157		Mosaica Education, Inc.
29	Buffalo	Tapestry Charter School	K-4	100	Joy Starni Pepper	(716) 852-0600		None
30	Buffalo	Academy of Buffalo Charter School	K-6	400	Leicester L. Allen	(248) 569-7787		None
31	Buffalo	Erle Frontier Technical Charter School	K-8	900	Ralph J. Argen	(716) 832-2920		Edison Schools, Inc.
32	Buffalo	Bailey Charter School Academy	K-5	228	Bryan Cacciotti	(716) 842-2233		National Heritage Academies
33	Buffalo	King Center Charter School	K-3	80	Chaity P. Massey	(716) 891-7912		None
34	Cattaraugus Ind. Res./Seneca Terr.	Seneca Charter School	K-3	150	Donald F. White	(716) 945-4078		None
35	Cazenovia	Eidos Charter School, The	9-12	75	Brian W. Burns	(315) 655-2704		None
36	Central Islip	Islandia Charter School of Technology	7-9	240	Ray Meisenheimer	(516) 582-8423		Beacon Education Mgt LLC
37	Clifton Park	Clifton Park International Charter School	K-4	240	Lucinda B. Kelley	(516) 371-1707		SABIS Educational Systems, Inc.
38	Deer Park	Academy of Excellence Charter School	K-12	63	Norma Fleming	(516) 582-3791		None

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Charter Schools Institute Applications

10/25/99

Count	Location	Proposed Charter School Name	Grade(s) Yr 1	# of Students Yr 1	Lead Applicant	Media Contact #	Est.	High Partner, If any
39	Earlville	Chenango Valley Charter School	K-3	48	Gemaine E. Gogel	(315) 624-8268		None
40	East Hampton	Child Development Center of the Hamptons C. S.	12 elem & 12 sec	24	Dawn Zimmerman	(516) 267-0133		None
41	Fulton	Carol Fisher Institute Charter School	K-12	100	Carol Ann Fisher	(315) 592-7708		None
42	Glen Cove	Charter School at the Cove, The	K-8	180	Eileen Morris Tiegerman	(516) 609-2000		None
43	Glens Falls	Jefferson Academy Charter School	K-5	120	Robert Schutz	(518) 656-3578		None
44	Great Neck	Great Neck International Charter School	K-4	240	Robert L. Klein	(516) 482-7790		SABIS Educational Systems, Inc.
45	Greece	Imaginations Soar Charter School	K-3	72	Linda L. Podewils	(718) 683-5570		None
46	Hempstead	Hempstead Leadership Charter School	6-8	150	W. Lionel Williams	(516) 505-9078		None
47	Islip or Brookhaven	Suffolk Charter School Academy	K-8	1,200	Brian Diaz	(516) 588-4200		None
48	Islip, Town of	Nehemiah Charter School Incorporated, The	K-2	230	Therese Sanders	(516) 232-2482	11	Edison Schools, Inc.
49	Ithaca	Ithaca Community Charter School	6-7	72	Eileen Baer	(607) 277-4234		None
50	Kingston	Hudson Valley Independent Tech Charter School, The	K-12	249	Fairlane G. Rabenda	(914) 462-5820		None
51	Kingston	Hudson Charter School Academy	K-5	228	Gordon Webb	(914) 338-8334		National Heritage Academies
52	Kingston	Sojourner Truth Public Charter School	K-8	249	Ronald E. Dietl	(914) 339-4512		Nobel Learning Communities, Inc.
53	Manhattan	High School for College Transition, The	11-12	200	Frederica Claire	(212) 673-8254		None
54	Manhattan	Children's Academies for Achievement	7-8	120	Mariano Guzman	(212) 949-6788		None
55	Manhattan	New York Internl Academy of Entertain. Arts & Sciences	7-9	240	Tedra Butler Dudley	(800) 690-5377		None
56	Manhattan	Downtown Charter School, The	9-12	225	Harvey Newman	(212) 302-8800		None
57	Mount Vernon	Covenant Ambassadors Charter School	K-3	120	Audrey D.F. Smart	(914) 633-4417		None
58	Mount Vernon	Renaissance Academy Charter School	7-8	100	Eileen Justino	(914) 668-5331		None
59	New York City	New York City Alternative Charter School	3-8	240	Juan D. Martinez	(212) 828-9670		Alternatives Unlimited Special
60	Niagara Falls	Niagara Arts & Technology Charter School	K-5	245-249	Jesse J. Scott, Sr.	(716) 297-2951		Mosaic Education, Inc.
61	North Amityville	Open Arms Learning Project Charter School	K-2	120	Brenda Reid	(516) 841-4235		The Learning Project
62	Peekskill	Excel Charter School	K-4	234	Andy Joppa	(914) 737-1832		Beacon Education Mgt LLC
63	Pomona	Ramapo Charter School	K-12	247	Scott Shebot	(914) 384-5249		None
64	Port Jefferson	Charter School For Excellence	K-11	250	Naomi Boukdas	(516) 751-0092		None
65	Potsdam	Steppingstones Charter School	K-5	120	Susan Todd	(315) 388-4013		None
66	Purchase	Hand In Hand Charter School, The	K-5	120	Elaine Young	(914) 761-1964		None
67	Queens	Paulo Freire Charter School of Technology	7-8	100	Christophe Silvers	(718) 389-1900		None
68	Queens	Merrick Acad./Springfield Gardens Charter Pub. School	K-2	350	Alma Alston	(718) 712-2487		Victory Schools, Inc.
69	Rochester	Truffula Charter School	2-6	60	John Bliss	(716) 482-0627		None
70	Rochester	Eugenio Marie de Hostos Charter School	K-2	120	Julio Vazquez	(716) 256-8900		None
71	Rochester	Genesee Community Charter School, The	K-3	80	Lisa A. Wing	(716) 548-2681		None
72	Rochester	ABC Charter School, The	K-2	168	James H. Norman	(716) 325-5116		None
73	Rochester	Rochester Leadership Charter School Academy	K-8	438	John Walker	(716) 663-7195		National Heritage Academies
74	Rochester	Circle of Peace Charter School, The	K-4	119	Alfred Smith	(716) 544-2839		None
75	Rochester	Banker-Edison-Einstein Charter School	9	100	Sandra A. Parker	(716) 244-1800		None
76	Rochester	Charter School of Science & Technology	K-8	876	Joseph L. Accongio	(716) 723-8254		Edison Schools, Inc.

Charter Schools Institute Applications

10/25/99

Count	Location	Proposed Charter School Name	Grades (K-Y)	# of Students Yr	Lead Applicant	Media Contact #	Box	Mgt. Partner Firm
77	Rochester	Rochester Career Charter School	11-12	100	Andrew Prinzing	(716) 367-3663		None
78	Rochester	Katidsha Charter School, The	9-12	85	John J. DeCamilla, Jr.	(716) 244-1430		None
79	Rochester	Rochester Charter School	K-5	550	William G. Clark	(716) 325-6530		Advantage Schools, Inc.
80	Rock Hill	Rock Hill Charter School	K-6	240	Suzanne Rhulen Loughlin	(914) 796-2100	5531	Charter Schools USA
81	Schenectady	International Charter School of Schenectady	K-6	843	Michael R. Van Patten	(518) 377-0006		SABIS Educational Systems, Inc.
82	South Buffalo	South Buffalo Charter School	K-4	234	Mike Walsh	(716) 515-3902		Beacon Education Mgt LLC
83	Staten Island	Community Charter High School of Staten Island, The	9-10	249	Lee Fleischer	(212) 321-1208		None
84	Syracuse	Walker Dunbar Charter School	K-6	688	Elolse D. Curry	(315) 472-6955		Edison Schools, Inc.
85	Syracuse	Central New York Charter School for Math & Science	K-6	504	Ross Whaley	(315) 470-6681		Beacon Education Mgt LLC
86	Syracuse	Clearview Charter School Academy	K-5	228	Carol Hill	(315) 470-1848		National Heritage Academies
87	Troy	Robeson-Cadilla Charter School of Troy, New York	K-3	60	Mary Theresa Streck	(518) 271-6956		None
88	Utica	Onelda Charter School Academy	K-5	228	Joe Carucci	(315) 738-1895		National Heritage Academies
89	White Plains	Evergreen Public Charter School	K-1	132	Iris T. Pagan	(914) 993-6227		None
90	Wyandanch or others	OIC Community Charter School	K-5	600	Florence Joyner	(516) 841-0841		Edison Schools, Inc.



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To: Educators, School Board Officials,
School Superintendents

From: Robert J. Bellafiore, Executive Director

A handwritten signature in dark ink, appearing to be "RB" with a flourish, followed by a small "m" or similar mark.

Re: Applications for new charter schools

Date: November 30, 1999

As the Institute informed you in an earlier memorandum, sent to you in late October, the Board of Trustees has received some 90 applications for charter schools that wish to open in Fall 2000. As we also informed you, the Institute was working to redact information from these applications, which was private in nature, in order to make the applications available to the public. I am pleased to advise you that the process of redacting private information has now been completed ahead of schedule and all applications are available for public review and comment.

To facilitate school district personnel in their review of charter school applications, I have arranged for each school district to receive copies of all redacted applications that relate to that school district, i.e., the application either identifies the school district in which the school is proposed to be located or, in lieu of such identification, identifies the lead applicant as residing in the school district. To avoid any delay in processing requests, the Institute has determined that, in this instance, it will waive all reproduction and shipping charges associated with making these applications available to you. You should find the applications relevant to your school district enclosed herein.

In addition, you should also find an updated copy of the chart provided to you in my earlier memorandum. As you will see, the updated chart identifies applications received after September 30, 1999 as well as applications which have subsequently been withdrawn.

We trust that the applications themselves and the updated chart will assist school districts to provide first-time and additional comments to us and the Board of Trustees of the State University of New York. We anticipate that the Board will make formal recommendations to the Institute regarding which applications are to be further considered at its meeting now set for December 14, 1999. Please keep in mind that the Board of Trustees does not intend to approve applications and enter into proposed charters with any applicant until sometime in late January.

On behalf of the Institute and the State University of New York's Board of Trustees, let me express the hope that the school districts will continue to play an active role in the chartering process; we look forward to receiving your comments and views on the applications.

Count	Location	Proposed Charter School Name	Grade(s)	Yr 1 # of Students	Lead Applicant	Media Contact #	Ext	School Mgt Partner, if any
1	Amityville	Open Arms Learning Project Charter School	K-2	120	Brenda Reid	(516) 841-4235		The Learning Project
2	Amityville or others	Suffolk Children's Academy-Central LI Charter Pub. School	K-2	247	Holly Degnan	(516) 874-9019		Victory Schools, Inc.
3	Annandale-on-Hudson	Bard Public Charter School	K-4	120	Peter Sweeny	(914) 758-7275		None
4	Auburn	Montessori Charter School of the Finger Lakes	K-8	50	Charles J. Ryan	(315) 252-2225		None
5	Bedford-Stuyvesant	Medgar Evers Children's Acad./B-S Charter Pub. School	K-2	247	Michelle D. White	(718) 485-6685		Victory Schools, Inc.
6	Bassdell	Global Concepts Academy Charter School	K-8	300	Kathy Dimitrievski	(718) 368-9346		None
7	Brentwood	Modern Times Charter School	K-1	60	Francesca Velez	(516) 231-3013		None
8	Bronx	NY Giants Youth Baseball Charter HS for Bsbl & Spis Mgt	9	60	Barbara L. Tischler	(718) 432-3989		None
9	Bronx	South Bronx Science Academy-South Bronx C. S.	K-2	247	Doris Colon	(212) 873-6648		Victory Schools, Inc.
10	Bronx	Bronx Preparatory Charter School, The	5-7	45	Natalie Cuchel	(212) 349-8073		None
11	Bronx	Family Life Academy Charter School	K	50	Raymond Rivera	(718) 681-2361		None
12	Bronx	Banana Kelly Community Learning Charter School, The	6-9	660	Yolanda Rivera	(718) 328-1064	233	LearnNow, Inc.
13	Bronx	Bronx Preparatory Charter School	5-8	100	Kristin Kearns Jordan	(212) 307-3177		None
14	Bronx	Freedom Academy Charter School	K-2	90	Janet Lerner	(718) 402-5259		None
15	Bronx or Queens	Indo-Caribbean Charter Academy	7-12	324	Roopnarain Persaud	(646) 345-4308		RDS Multiservices
16	Brooklyn	Neighborhood Charter School, The	K-2	180	Emory X. Brooks	(718) 802-0666		None
17	Brooklyn	Day Star Academy Charter School	K-2	240	Karim Razzaq	(718) 771-7099		Victory Schools, Inc.
18	Brooklyn	Brooklyn Collegiate Charter School	9	100	Andrew C. Peiser	(212) 517-2065		None
19	Brooklyn	Bright Future Elementary Charter School	K-5	200	Vlad Gorny	(917) 209-4547		None
20	Brooklyn	Empire State Charter School	9-10	200	Tracy Dowdell	(718) 624-2326		Global Lyceum
21	Brooklyn	Brooklyn Charter School	K-5	860	Omar T. Wasow	(917) 860-2820		Advantage Schools, Inc.
22	Brooklyn	Young Women's Charter School	K-1	240	Shlomo Teichman	(718) 339-4747		None
23	Brooklyn	Community Partnership Charter School, The	K-1	100	Laura Taylor Swain	(212) 750-9320		None
24 ***	Brooklyn	Center for the Education of Recent Immigrants C.S.	K-4	200	Pearl Kaufman	(516) 239-5185		None
25	Brooklyn	Charles Reason Charter School	6-9	165	Gail Foster	(212) 422-5338		LearnNow, Inc.
26	Buffalo	Tapestry Charter School	K-4	100	Joy Stanli Pepper	(718) 852-0600		None
27	Buffalo	Niagara Academy Charter School For Information Tech.	K-8	900	Paul J. Bandrowski	(718) 845-7829		Edison Schools, Inc.
28	Buffalo	Buffalo Charter School	K-5	550	Kevin J. Heller	(718) 851-5165		Advantage Schools, Inc.
29	Buffalo	Aspire Charter School	3-7	100	Lucinda R. Kahler	(718) 688-1732		None
30	Buffalo	C.O.M.M.U.N.I.T.Y. Charter School	K-5/K-5	450 / 245-249	Mary C. Carroll	(718) 839-1157		Mosaica Education, Inc.
31	Buffalo	King Center Charter School	K-3	80	Claity P. Massey	(716) 891-7912		None
32	Buffalo	Erie Frontier Technical Charter School	K-8	900	Ralph J. Argen	(716) 832-2920		Edison Schools, Inc.
33	Buffalo	Academy of Buffalo Charter School	K-6	400	Leicester L. Allen	(248) 569-7787		None
34	Buffalo	Bailey Charter School Academy	K-5	228	Bryan Cacciotti	(716) 842-2233		National Heritage Academies
35	Buffalo	South Buffalo Charter School	K-4	234	Mike Walsh	(718) 515-3902		Beacon Education Mgt LLC
36	Cattaraugus Ind. Res./Seneca Terr.	Seneca Charter School	K-3	150	Donald F. White	(718) 945-4078		None
37	Cazenovia	Eidos Charter School, The	9-12	75	Brian W. Burns	(315) 655-2704		None
38	Central Islip	Islandia Charter School of Technology	7-9	240	Ray Meisenheimer	(516) 582-9423		Beacon Education Mgt LLC

Count	Location	Proposed Charter School Name	Grade(s) Yr	# of Students Yr	Lead Applicant	Media Contact #	Ext	Mgt Partner/Agency
38	Central Islip	Nehemiah Charter School Incorporated, The	K-2	230	Theresa Sanders	(516) 232-2482	11	Edison Schools, Inc.
39	Clifton Park	Clifton Park International Charter School	K-4	240	Lucinda B. Kelley	(518) 371-1707		SABIS Educational Systems, Inc.
40	Deer Park	Academy of Excellence Charter School	K-12	63	Norma Fleming	(516) 582-3791		None
41	Earlville	Chenango Valley Charter School	K-3	48	Germaine E. Gogel	(315) 824-8268		None
42	East Hampton	Child Development Center of the Hamptons C. S.	12 elem & 12 sec	24	Dawn Zimmerman	(516) 267-0133		None
43	Fulton	Carol Fisher Institute Charter School	K-12	100	Carol Ann Fisher	(315) 592-7708		None
44	Glen Cove	Charter School at the Cove, The	K-6	180	Ellen Morris Tiegerman	(516) 609-2000		None
45	Glens Falls	Jefferson Academy Charter School	K-5	120	Robert L. Shultz	(518) 656-3578		None
46	Great Neck	Great Neck International Charter School	K-4	240	Robert L. Klein	(516) 482-7790		SABIS Educational Systems, Inc.
47	Greece	Imaginations Soar Charter School	K-3	72	Linda L. Podewils	(716) 663-5570		None
48	Hartford or others	Evergreen Public Charter School	K-1	132	Iris T. Pagan	(914) 993-6227		None
49	Hempstead	Hempstead Leadership Charter School	8-8	150	W. Lionel Williams	(516) 505-9078		None
50	Islip or Brookhaven	Suffolk Charter School Academy	K-6	1,200	Brian Diaz	(516) 588-4200		None
51	Ithaca	Ithaca Community Charter School	6-7	72	Ellen Baer	(607) 277-4234		None
52	Kingston	Hudson Valley Independent Tech Charter School, The	K-12	249	Fairlene G. Rabenda	(914) 482-5820		None
53	Kingston	Hudson Charter School Academy	K-5	228	Gordon Webb	(914) 338-8334		National Heritage Academies
54	Kingston	Sojourner Truth Public Charter School	K-8	249	Ronald E. Dietl	(914) 339-4512		Nobel Learning Communities, Inc.
55	Manhattan	Downtown Charter School, The	9-12	225	Harvey Newman	(212) 302-8800		None
56	Manhattan	New York Intern'l Academy of Entertain. Arts & Sciences	7-9	240	Tedra Butler Dudley	(800) 690-5377		None
57 *	Manhattan	RiverView Academy C. S.	K-1	80	Benjamin V. Lambert	(212) 315-7250		None
58	Manhattan	High School for College Transition, The	11-12	200	Frederica Clare	(212) 673-6254		None
59	Manhattan	Children's Academies for Achievement	7-8	120	Martano Guzman	(212) 949-6788		None
60	Mount Vernon	Covenant Ambassadors Charter School	K-3	120	Audrey D.F. Smart	(914) 633-4417		None
61	Mount Vernon	Renaissance Academy Charter School	7-8	100	Eileen Justino	(914) 688-5331		None
62	New York City	New York City Alternative Charter School	3-8	240	Juan D. Martinez	(212) 828-9870		Alternatives Unlimited Special
63	Niagara Falls	Niagara Arts & Technology Charter School	K-5	245-249	Jesse J. Scott, Sr.	(716) 297-2951		Mosaic Education, Inc.
64	Peekskill	Excel Charter School	K-4	234	Andy Joppa	(914) 737-1832		Beacon Education Mgt LLC
65	Pomona	Ramapo Charter School	K-12	247	Scott Shabot	(914) 364-5249		None
66	Port Jefferson	Charter School For Excellence	K-11	250	Naomi Boukias	(516) 751-0092		None
**	Potsdam	Steppingstones Charter School	K-5	120	Susan Todd	(315) 386-4013		None
67	Purchase	Hand in Hand Charter School, The	K-5	120	Elaine Young	(914) 761-1964		None
68	Queens	Merrick Acad./Springfield Gardens Charter Pub. School	K-2	350	Alma Alston	(718) 712-2487		Victory Schools, Inc.
69	Queens	Paulo Freire Charter School of Technology	7-8	100	Christophe Silvera	(718) 389-1900		None
70	Rochester	Genesee Community Charter School, The	K-3	80	Lisa A. Wing	(716) 546-2681		None
* *	Rochester	Truffula Charter School	2-8	80	John Bliss	(716) 482-0827		None
71	Rochester	Eugenio Maria de Hostos Charter School	K-2	120	Julio Vazquez	(716) 256-8900		None
72	Rochester	ABC Charter School, The	K-2	168	James H. Norman	(716) 325-5116		None
73	Rochester	Banaker-Edison-Einstein Charter School	9	100	Sandra A. Parker	(716) 244-1800		None

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Rank	Location	Proposed Charter School Name	Grade(s)	Yr 1	# of Students Yr 1	Lead Applicant	Media Contact #	Ext	Mgt Partner
74	Rochester	Rochester Leadership Charter School Academy	K-8		436	John Walker	(716) 663-7195		National Heritage Academies
75	Rochester	Rochester Career Charter School	11-12		100	Andrew Prinzing	(716) 387-3863		None
76	Rochester	Katikisha Charter School, The	9-12		85	John J. DeCamilla, Jr.	(716) 244-1430		None
77	Rochester	Rochester Charter School	K-5		550	William G. Clark	(716) 325-6530		Advantage Schools, Inc.
78	Rochester	Charter School of Science & Technology	K-8		876	Joseph L. Acconglo	(716) 723-8254		Edison Schools, Inc.
79	Rochester	Circle of Peace Charter School, The	K-4		119	Alfred Smith	(716) 544-2839		None
80	Rock Hill	Rock Hill Charter School	K-6		240	Suzanne Rhulen Loughlin	(914) 796-2100	5531	Charter Schools USA
81	Schenectady	International Charter School of Schenectady	K-8		643	Michael R. Van Patten	(518) 377-0006		SABIS Educational Systems, Inc.
82	Staten Island	Community Charter High School of Staten Island, The	9-10		249	Lee Fleischer	(212) 321-1208		None
83	Syracuse	Walker Dunbar Charter School	K-8		888	Eloise D. Curry	(315) 472-6955		Edison Schools, Inc.
84	Syracuse	Clearview Charter School Academy	K-5		228	Carol Hill	(315) 470-1848		National Heritage Academies
85	Syracuse	Central New York Charter School for Math & Science	K-6		504	Ross Whaley	(315) 470-6681		Beacon Education Mgt LLC
86	Troy	Robeson-Cadilla Charter School of Troy, New York	K-3		60	Mary Theresa Streck	(518) 271-6956		None
87	Utica	Oneida Charter School Academy	K-5		228	Joe Carucci	(315) 736-1895		National Heritage Academies
88 *	Warwick Valley	Community C. S. of Warwick Valley	5-6		80	Julia M. Calderon	(814) 988-4696		None
89	Wyandanch or others	OIC Community Charter School	K-5		800	Florence Joyner	(516) 841-0841		Edison Schools, Inc.
	* Arrived 10/99								
	** Withdrawn								
	*** School re-named:	New Beginnings C. S.							





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ROBERT J. BELLAFIGLIO
EXECUTIVE DIRECTOR

To: Superintendents, Members of Boards of Education, School District Personnel

From: Robert J. Bellafiore, Executive Director

Re: SUNY Board of Trustees Action on Charter School Applications

Date: December 21, 1999

Pursuant to Section 2857(1) of Article 56 of the Education Law (the New York Charter Schools Act of 1998), we are hereby notifying you that the Board of Trustees of the State University of New York, at its public meeting on December 20, 1999, took action on the applications for charter schools that are identified in the chart which I enclose herein.¹

Specifically, as to each application, the Board took one of the following two actions:

1. identified the application as potentially meriting approval and thereby directed the Charter Schools Institute to take appropriate steps to further investigate and review the application and report back to the Trustees on its findings by January 31, 2000; or
2. resolved to not approve the application and directed the Institute to provide the reasons why the application was not approved in writing to the applicants.

As you will see, the chart (which groups applications by location) specifies the action taken by the Board as to each application.² For quick reference, I have also enclosed a list of only those applications which will advance to the next round of review. Please review this chart and list carefully to determine whether one or more of the applications for charter schools in your district were advanced to the next round of review.

¹ The chart also identifies applications which were withdrawn prior to the Trustees action on December 20, 1999.

² Applications which are identified as potentially meriting approval are denoted as "Advancing."

In the event that the Trustees advanced one or more applications within your school district, please be advised of the following points.

1. Advancement of an application does not mean the application is approved. The Board will not vote to approve applications until late January, and then, only after reviewing the Institute's further findings and recommendations. If an application is approved, a proposed charter will then be executed with the applicant and forwarded to the Regents for their action. It is expected that the schools resulting from approved applications would open in Fall 2000.
2. Under subdivision 2857(1) of the Charter Schools Act, a school district is given the opportunity to provide comment to the Board on the proposed charter before it is issued by the Regents.³ While proposed charters have not been entered into (and will not be until after applications have been approved), the Institute has taken and will take the following steps before that time to facilitate each school district's right to comment on the proposed charter.
 - a. We have sent to each potentially affected school district on December 1, 1999, a copy of any application which either identified a proposed site within that district's boundaries or (where there was no identification) which was submitted by an applicant residing within that school district. As an approved application will be incorporated (with possible revisions) into any proposed charter, comments from school districts which are directed to that application will also be applicable to the proposed charter.
 - b. We enclose herewith a model charter, which is in substantially similar form to the proposed charter that the applicant (if approved) may enter into in late January.
 - c. In the event that an advanced application has been materially revised, you will find enclosed these revisions.
 - d. Should the school district decide to convene a public hearing on the application(s), a representative from the Institute will attend to listen firsthand to the comments expressed.

We look forward to receiving comment from the school districts and other interested members of the community. Should you have any questions, please do not hesitate to contact me or the members of the Institute's staff.

Enclosure(s)

³ Once a proposed charter has been submitted to the Regents, the Regents have sixty days in which to either return the charter to the Board of Trustees with their comments and recommendation or to issue it as a provisional charter.

APPLICATIONS ADVANCING FOR
FURTHER REVIEW AND INVESTIGATION¹

Bronx Preparatory Charter School (New York City)
Central New York Charter School for Math and Science (Syracuse)
Charter School of Science and Technology (Rochester)
Child Development Center of the Hamptons Charter School (East Hampton)
Children's Academies for Achievement Charter School (New York City)
Community Partnership Charter School (New York City)
Eugenio Maria de Hostos Charter School (Rochester)
International Charter School of Schenectady (Schenectady)
King Center Charter School (Buffalo)
Merrick Academy Charter Public School (New York City)
Nehemiah Charter School (Central Islip)
New Beginning Charter School (New York City)
Renaissance Academy Charter School (Mount Vernon)
Robeson-Cadilla Charter School of Troy (Troy)
Rochester Leadership Charter School Academy (Rochester)
South Buffalo Charter School (Buffalo)
Tapestry Charter School (Buffalo)

¹ As determined by resolution of the Board of Trustees of the State University of New York, approved unanimously on December 20, 1999.

Count	Status	Location	Proposed Charter School Name	ID	Grade(s) Yr 1	# of Students	Lead Applicant	Media Contact #	Ext	Mgt Partner if any
			A - Advancing							
			N - Not Approved							
			** Withdrawn							
			* Submitted after 9/30/99							
			1 - Applied for Opening Fall 2001 and not acted on							
1	N	Amityville	Open Arms Learning Project Charter School	1	K-2	120	Brenda Reid	(516) 841-4235		The Learning Project
2	N	Amityville or others	Suffolk Children's Academy-Central LI Charter Pub. School	2	K-2	247	Molly Degnan	(516) 874-9019		Victory Schools, Inc.
3	N	Annandale-on-Hudson	Bard Public Charter School	3	K-4	120	Peter Sweeny	(914) 758-7275		None
4	N	Auburn	Montessori Charter School of the Finger Lakes	4	K-8	50	Charles J. Ryan	(315) 252-2225		None
5	N	Bedford-Stuyvesant	Medgar Evers Children's Acad./B-S Charter Pub. School	5	K-2	247	Michelle D. White	(718) 485-6685		Victory Schools, Inc.
6	N	Blasdell	Global Concepts Academy Charter School	6	K-6	300	Kathy Dimitrievski	(716) 366-9346		None
7	N	Brentwood	Modern Times Charter School	7	K-1	60	Francesca Velez	(516) 231-3013		None
8	N	Bronx	NY Giants Youth Baseball Charter HS for Bsbl & Spts Mgt	8	9	60	Barbara L. Tischler	(718) 432-3989		None
9	A	Bronx	Children's Academies for Achievement	9	7-8	120	Marlano Guzman	(212) 949-6788		None
10	N	Bronx	Banana Kelly Community Learning Charter School, The	12	6-9	660	Yolanda Rivera	(718) 328-1064	233	LearnNow, Inc.
11	N	Bronx	South Bronx Science Academy-South Bronx C. S.	9	K-2	247	Doris Colon	(212) 873-6648		Victory Schools, Inc.
12	N	Bronx	Family Life Academy Charter School	11	K	50	Raymond Rivera	(718) 681-2361		None
13	N	Bronx	Freedom Academy Charter School	14	K-2	90	Janet Lerner	(718) 402-5259		None
14	A	Bronx	Bronx Preparatory Charter School	13	5-6	100	Kristin Kearns Jordan	(212) 307-3177		None
15	N	Bronx	Bronx Preparatory Charter School, The	10	5-7	45	Natalie Cuchel	(212) 349-8073		None
16	N	Bronx or Queens	Indo-Caribbean Charter Academy	15	7-12	324	Roopnarain Persaud	(646) 345-4308		RDS Multiservices
17	N	Brooklyn	Brooklyn Charter School	21	K-5	660	Omar T. Wasow	(917) 860-2820		Advantage Schools, Inc.
18	N	Brooklyn	Bright Future Elementary Charter School	19	K-5	200	Vlad Gomy	(917) 209-4547		None
19	A	Brooklyn	Community Partnership Charter School, The	23	K-1	100	Laura Taylor Swain	(212) 750-9320		None
20	N	Brooklyn	Day Star Academy Charter School	17	K-2	240	Karim Razzaq	(718) 771-7099		Victory Schools, Inc.
21	N	Brooklyn	Empire State Charter School	20	9-10	200	Tracy Dowdell	(718) 624-2326		Global Lyceum
22	N	Brooklyn	Neighborhood Charter School, The	16	K-2	180	Emory X. Brooks	(718) 802-0668		None
23	A	Brooklyn	New Beginning Charter School	24	K-4	200	Pearl Kaufman	(516) 239-5185		None
24	N	Brooklyn	Brooklyn Collegiate Charter School	18	9	100	Andrew C. Peiser	(212) 517-2085		None
25	N	Brooklyn	Young Women's Charter School	22	K-1	240	Shlomo Teichman	(718) 339-4747		None
26	N	Brooklyn	Charles Reason Charter School	25	6-9	165	Gail Foster	(212) 422-5338		LearnNow, Inc.
**		Buffalo	C.O.M.M.U.N.I.T.Y. Charter School	**	K-5/K-5	450 / 245-249	Mary C. Carroll	(716) 839-1157		Mosaica Education, Inc.
27	N	Buffalo	Niagara Academy Charter School For Information Tech.	27	K-8	900	Paul J. Bandrowski	(716) 845-7829		Edison Schools, Inc.
28	N	Buffalo	Buffalo Charter School	28	K-5	550	Kevin J. Heller	(716) 851-5165		Advantage Schools, Inc.
29	N	Buffalo	Aspire Charter School	29	3-7	100	Lucinda R. Kahler	(716) 688-1732		None
30	N	Buffalo	Erie Frontier Technical Charter School	31	K-8	900	Ralph J. Argen	(716) 832-2920		Edison Schools, Inc.
31	A	Buffalo	Tapestry Charter School	26	K-4	100	Joy Stanil Pepper	(716) 852-0600		None
32	A	Buffalo	King Center Charter School	30	K-3	80	Claity P. Massey	(716) 891-7912		None

Count	Status	Location	Proposed Charter School Name	ID #	Grade(s) Yr 1	# of Students	Lead Applicant	Media Contact #	Ext	Mgt Partner If any
33	N	Buffalo	Academy of Buffalo Charter School	32	K-6	400	Leicester L. Allen	(248) 569-7787		None
34	A	Buffalo	South Buffalo Charter School	34	K-4	234	Mike Walsh	(716) 515-3902		Beacon Education Mgt LLC
35	N	Buffalo	Bailey Charter School Academy	33	K-5	228	Bryan Cacciotti	(716) 842-2233		National Heritage Academies
36	N	Cattaraugus Ind. Res./Seneca Terr.	Seneca Charter School	35	K-3	150	Donald F. White	(716) 945-4078		None
37	N	Cazenovia	Eidos Charter School, The	36	9-12	75	Brian W. Burns	(315) 655-2704		None
38	A	Central Islip	Nehemiah Charter School Incorporated, The	38	K-2	230	Theresa Sanders	(516) 232-2482	11	Edison Schools, Inc.
39	N	Central Islip	Islandia Charter School of Technology	37	7-9	240	Ray Meisenheimer	(516) 582-9423		Beacon Education Mgt LLC
40	N	Clifton Park	Clifton Park International Charter School	39	K-4	240	Lucinda B. Kelley	(518) 371-1707		SABIS Educational Systems, Inc.
41	N	Deer Park	Academy of Excellence Charter School	40	K-12	63	Norma Fleming	(516) 582-3791		None
42	N	Earlville	Chenango Valley Charter School	41	K-3	48	Germaine E. Gogel	(315) 824-8266		None
43	A	East Hampton	Child Development Center of the Hamptons C. S.	42	12 elem & 12 sec	24	Dawn Zimmerman	(516) 267-0133		None
44	N	Fulton	Carol Fisher Institute Charter School	43	K-12	100	Carol Ann Fisher	(315) 592-7706		None
45	N	Glen Cove	Charter School at the Cove, The	44	K-6	180	Ellen Morris Tiegeman	(516) 609-2000		None
46	N	Glens Falls	Jefferson Academy Charter School	45	K-5	120	Robert L. Shulz	(518) 656-3578		None
47	N	Great Neck	Great Neck International Charter School	46	K-4	240	Robert L. Klein	(516) 462-7790		SABIS Educational Systems, Inc.
48	N	Greece	Imaginations Soar Charter School	47	K-3	72	Linda L. Podewils	(716) 663-5570		None
49	N	Harrison or others	Evergreen Public Charter School	48	K-1	132	Iris T. Pagan	(914) 993-6227		None
50	N	Hempstead	Hempstead Leadership Charter School	49	6-8	150	W. Lionel Williams	(516) 505-9078		None
51	N	Islip or Brookhaven	Suffolk Charter School Academy	50	K-8	1,200	Brian Diaz	(516) 588-4200		None
52	N	Ithaca	Ithaca Community Charter School	51	6-7	72	Ellen Baer	(607) 277-4234		None
53	N	Kingston	Sojourner Truth Public Charter School	54	K-8	249	Ronald E. Diell	(914) 339-4512		Nobel Learning Communities, Inc
54	N	Kingston	Hudson Charter School Academy	53	K-5	228	Gordon Webb	(914) 338-8334		National Heritage Academies
55	N	Kingston	Hudson Valley Independent Tech Charter School, The	52	K-12	249	Fairlene G. Rabenda	(914) 462-5820		None
56	N	Manhattan	High School for College Transition, The	58	11-12	200	Frederica Clare	(212) 673-8254		None
57	N	Manhattan	Downtown Charter School, The	55	9-12	225	Harvey Newman	(212) 302-8800		None
58	N	Manhattan	New York Internl Academy of Entertain. Arts & Sciences	56	7-9	240	Tedra Butler Dudley	(800) 690-5377		None
59 *	I	Manhattan	RiverView Academy C. S.	57 *	K-1	80	Benjamin V. Lambert	(212) 315-7250		None
60	A	Mount Vernon	Renaissance Academy Charter School	61	7-8	100	Eileen Justino	(914) 668-5331		None
61	N	Mount Vernon	Covenant Ambassadors Charter School	60	K-3	120	Audrey D.F. Smart	(914) 633-4417		None
62	N	New York City	New York City Alternative Charter School	62	3-8	240	Juan D. Martinez	(212) 828-9670		Alternatives Unlimited Special
63	N	Niagara Falls	Niagara Arts & Technology Charter School	63	K-5	245-249	Jesse J. Scott, Sr.	(716) 297-2951		Mosaic Education, Inc.
64	N	Peekskill	Excel Charter School	64	K-4	234	Andy Joppa	(914) 737-1832		Beacon Education Mgt LLC
65	N	Pomona	Ramapo Charter School	65	K-12	247	Scott Shabol	(914) 364-5249		None
66	N	Port Jefferson	Charter School For Excellence	66	K-11	250	Naomi Bouklas	(516) 751-0092		None
**		Potsdam	Steppingstones Charter School	**	K-5	120	Susan Todd	(315) 386-4013		None
67	N	Purchase	Hand in Hand Charter School, The	67	K-5	120	Elaine Young	(914) 761-1964		None
68	N	Queens	Paulo Freire Charter School of Technology	69	7-8	100	Christophe Silvera	(718) 389-1900		None
69	A	Queens	Merrick Acad./Springfield Gardens Charter Pub. School	68	K-2	350	Alma Alston	(718) 712-2487		Victory Schools, Inc.

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**		Rochester	Truffula Charter School	**	2-6	60	John Bliss	(716) 482-0627		None
71	N	Rochester	Rochester Career Charter School	75	11-12	100	Andrew Prinzing	(716) 387-3863		None
72	N	Rochester	Banaker-Edison-Einstein Charter School	73	9	100	Sandra A. Parker	(716) 244-1800		None
73 **		Rochester	Genesee Community Charter School, The	70 **	K-3	80	Lisa A. Wing	(716) 546-2681		None
74 **		Rochester	Rochester Charter School	77 **	K-5	550	William G. Clark	(716) 325-6530		Advantage Schools, Inc.
75	A	Rochester	Charter School of Science & Technology	78	K-8	876	Joseph L. Accongio	(716) 723-8254		Edison Schools, Inc.
76	N	Rochester	ABC Charter School, The	72	K-2	168	James H. Norman	(716) 325-5116		None
77	A	Rochester	Rochester Leadership Charter School Academy	74	K-8	436	John Walker	(716) 663-7195		National Heritage Academies
78	N	Rochester	Kalikisha Charter School, The	76	5-12	85	John J. DeCamilla, Jr.	(716) 244-1430		None
79	A	Rochester	Eugenio Maria de Hostos Charter School	71	K-2	120	Julio Vazquez	(716) 256-8900		None
80	N	Rock Hill	Rock Hill Charter School	80	K-6	240	Suzanne Rhulen Loughlin	(914) 796-2100	5531	Charter Schools USA
81	A	Schenectady	International Charter School of Schenectady	81	K-8	643	Michael R. Van Patten	(518) 377-0006		SABIS Educational Systems, Inc.
82	N	Staten Island	Community Charter High School of Staten Island, The	82	9-10	249	Lee Fleischer	(212) 321-1208		None
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86	A	Troy	Robeson-Cadilla Charter School of Troy, New York	86	K-3	60	Mary Theresa Streck	(518) 271-6956		None
87	N	Utica	Oneida Charter School Academy	87	K-5	228	Joe Carucci	(315) 738-1895		National Heritage Academies
88 *	N	Warwick Valley	Community C. S. of Warwick Valley	88 *	5-8	80	Julia M. Calderon	(914) 888-4698		None
89	N	Wyandanch or others	OIC Community Charter School	89	K-5	600	Florence Joyner	(516) 841-0841		Edison Schools, Inc.



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ROBERT J. BELLAFIGLIO
EXECUTIVE DIRECTOR

To: Superintendents, Members of Boards of Education, School District Personnel, Educators

From: Robert J. Bellafiore, Executive Director

Re: SUNY Board of Trustees approval of charter school applications

Date: January 27, 2000

Pursuant to Section 2857(1) of Article 56 of the Education Law (the New York Charter Schools Act of 1998), we are hereby notifying you that the Board of Trustees of the State University of New York, at its public meeting on January 25, 2000, approved the following applications for charter schools:

- King Center Charter School (Buffalo)
- South Buffalo Charter School, (Buffalo)
- Bronx Preparatory Charter School (NYC - South Bronx)
- Community Partnership Charter School (NYC - Brooklyn)
- Merrick Academy-Queens Public Charter School (NYC - southeastern Queens)
- Harbor Science and Arts Charter School (NYC - Manhattan)
- Amber Charter School (NYC - Manhattan)
- Child Development Center of the Hamptons Charter School (East Hampton)
- Eugenio Maria de Hostos Charter School (Rochester)
- Rochester Leadership Academy Charter School (Rochester)
- Charter School of Science and Technology (Rochester)
- Roosevelt Children's Academy Charter School (Roosevelt)
- Schenectady International Charter School (Schenectady)
- Central New York Charter School for Math and Science (Syracuse)

Each of the above applications was approved for a planned opening in Fall 2000, with the exception of the Schenectady International Charter School, which was approved for an opening in Fall 2001. Three of the applications, Amber, Harbor and Roosevelt, had been preliminarily approved previously on June 15, 1999.

As a result of the Trustees' action approving the applications listed above, and pursuant to section 2852(1) of the Charter Schools Act, the Trustees and the applicants must now

enter into proposed charters by February 1, 2000 and submit the proposed charters to the Board of Regents no later than five days thereafter.

As we have made you aware in previous correspondence, the Charter Schools Act grants to those school districts in which a charter school is proposed to be located the explicit right to comment on the proposed charter (which incorporates in its entirety the application for a charter school) before it issues, as well as the right to convene a public hearing. To facilitate a school district's right to comment, copies of the applications as well as of the model charter were previously forwarded to those school districts in early and late December respectively.

Any comments that you may have going forward may be submitted to us, in which case they will be forwarded to the Board of Regents for its consideration, or, in the alternative, submitted directly to the Board of Regents.

Please be advised that, at the present time, it appears that the Board of Regents will act on the proposed charters that the Trustees will shortly submit to them sometime in early April. If approved, provisional charters, incorporating the school, will issue shortly thereafter. If the Regents fail to act within sixty days of a proposed charter's submission, the proposed charter will be deemed approved and will issue as a matter of law. If not approved, and returned to the Trustees with the Regents' comments and recommendation, the Trustees may choose to resubmit the proposed charter (with or without modifications) or to withdraw it. Upon resubmission, the Regents have thirty days to approve and issue a provisional charter; if they do not act within that time, the proposed charter will be deemed approved and will issue as a matter of law.

As always, should you have any questions, please do not hesitate to contact me or members of the Charter Schools Institute's staff.

NOTIFICATION OF PUBLIC AND NON-PUBLIC SCHOOLS

On behalf of the State University of New York Board of Trustees, the Charter Schools Institute has provided the following notification to public and non-public schools in the geographic vicinity of which the charter school application proposes to site the school (the "Adjacent Schools").

- **December 22, 1999:** Memorandum to Adjacent Schools, notifying each that the application was advanced for further review at the meeting of the Trustees on December 20, 1999.¹
- **January 27, 2000:** Memorandum to Adjacent Schools, notifying each that the application had been approved on January 25, 2000 and the time-table for execution, submission and possible issuance of the proposed charter.²

¹ Notification provided pursuant to subdivision 2857(1) of the New York Charter Schools Act of 1998.

² Notification provided pursuant to subdivision 2857(1) of the New York Charter Schools Act of 1998.


A.



330 BROADWAY
ALBANY, NY 12207
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www.newyorkcharters.org

ROBERT J. BELLAFIGLIO
EXECUTIVE DIRECTOR

To: Educators, Superintendents, School Directors and Principals

From: Robert J. Bellafiore, Executive Director 

Re: Charter School Applications for Fall 2000 Openings

Date: December 22, 1999

Pursuant to Section 2857(1) of Article 56 of the Education Law (the New York Charter Schools Act of 1998), we are hereby notifying you that the Board of Trustees of the State University of New York, at its public meeting on December 20, 1999 in New York City, took action on the applications listed on the attached chart. Specifically, the Board determined not to approve certain of these applications in this review cycle; as to the others, the Board directed the Charter Schools Institute to take all necessary steps to further investigate and report to the Board in January the Institute's recommendation regarding whether these applications should be approved. The attached chart—which identifies applications by geographic area—indicates the action taken for each application. For ease of reference, I also enclose a list of only those applications that were advanced by the Board of Trustees for further review. **Please consult this chart and list carefully to determine the actions taken on all applications for a charter school that are within your geographic area.**

As to the group of applications which were not approved, the Board directed the Charter Schools Institute to notify the applicant of its action and indicate the reasons that the application was not approved.

As to the applications which were advanced for further review, it is expected that the Board will act on the recommendations of the Institute at a meeting of the Board in late January and approve some or all of those applications. Applications which are approved will be submitted to the Regents for action in early February.

— Please be advised that school districts may elect to convene public hearings on advanced applications which propose charter schools to be located within their boundaries for the purpose of receiving public comment. You may wish to contact these school districts to determine when and if such a hearing will be scheduled. In the

alternative, you may also send the Institute directly any comments on any of the applications. Applications are available for inspection by appointment in our reading rooms in Purchase (914) 251-7922 or in Albany (518) 443-5011. Copies of applications are also available upon payment of reproduction and shipping costs.

Should you have any questions, please do not hesitate to contact me or the members of the Institute's staff.

Enclosures

**APPLICATIONS ADVANCING FOR
FURTHER REVIEW AND INVESTIGATION¹**

Bronx Preparatory Charter School (New York City)
Central New York Charter School for Math and Science (Syracuse)
Charter School of Science and Technology (Rochester)
Child Development Center of the Hamptons Charter School (East Hampton)
Children's Academies for Achievement Charter School (New York City)
Community Partnership Charter School (New York City)
Eugenio Maria de Hostos Charter School (Rochester)
International Charter School of Schenectady (Schenectady)
King Center Charter School (Buffalo)
Merrick Academy Charter Public School (New York City)
Nehemiah Charter School (Central Islip)
New Beginning Charter School (New York City)
Renaissance Academy Charter School (Mount Vernon)
Robeson-Cadilla Charter School of Troy (Troy)
Rochester Leadership Charter School Academy (Rochester)
South Buffalo Charter School (Buffalo)
Tapestry Charter School (Buffalo)

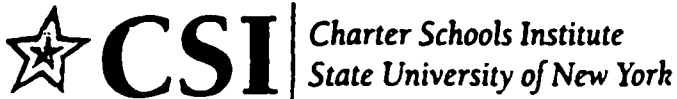
¹ As determined by resolution of the Board of Trustees of the State University of New York, approved unanimously on December 20, 1999.

Count	Status	Location	Proposed Charter School Name	ID	Grade(s) Yr. 1	# of Students	Lead Applicant	Media Contact #	Ext	Mgt Partner If any
			A - Advancing							
			N - Not Approved							
			** Withdrawn							
			* Submitted after 9/30/99							
			1 - Applied for Opening Fall 2001 and not acted on							
1	N	Amityville	Open Arms Learning Project Charter School	1	K-2	120	Brenda Reid	(516) 841-4235		The Learning Project
2	N	Amityville or others	Suffolk Children's Academy-Central LI Charter Pub. School	2	K-2	247	Holly Degnan	(516) 874-9019		Victory Schools, Inc.
3	N	Annandale-on-Hudson	Bard Public Charter School	3	K-4	120	Peter Sweeny	(914) 758-7275		None
4	N	Auburn	Montessori Charter School of the Finger Lakes	4	K-8	50	Charles J. Ryan	(315) 252-2225		None
5	N	Bedford-Stuyvesant	Medgar Evers Children's Acad./B-S Charter Pub. School	5	K-2	247	Michelle D. White	(718) 485-6685		Victory Schools, Inc.
6	N	Blasdell	Global Concepts Academy Charter School	6	K-6	300	Kathy Dimitrievski	(716) 366-9346		None
7	N	Brentwood	Modern Times Charter School	7	K-1	60	Francesca Velez	(516) 231-3013		None
8	N	Bronx	NY Giants Youth Baseball Charter HS for Bsbl & Spts Mgt	8	9	60	Barbara L. Tischler	(718) 432-3989		None
9	A	Bronx	Children's Academies for Achievement	9	7-8	120	Marlano Guzman	(212) 949-6786		None
10	N	Bronx	Banana Kelly Community Learning Charter School, The	12	6-9	660	Yolanda Rivera	(718) 328-1064	233	LearnNow, Inc.
11	N	Bronx	South Bronx Science Academy-South Bronx C. S.	9	K-2	247	Doris Colon	(212) 873-6648		Victory Schools, Inc.
12	N	Bronx	Family Life Academy Charter School	11	K	50	Raymond Rivera	(718) 681-2361		None
13	N	Bronx	Freedom Academy Charter School	14	K-2	90	Janet Lemer	(718) 402-5259		None
14	A	Bronx	Bronx Preparatory Charter School	13	5-6	100	Kristin Keams Jordan	(212) 307-3177		None
15	N	Bronx	Bronx Preparatory Charter School, The	10	5-7	45	Natalie Cuchel	(212) 349-8073		None
16	N	Bronx or Queens	Indo-Caribbean Charter Academy	15	7-12	324	Roopnarain Persaud	(646) 345-4308		RDS Multiservices
17	N	Brooklyn	Brooklyn Charter School	21	K-5	660	Omar T. Wasow	(917) 860-2820		Advantage Schools, Inc.
18	N	Brooklyn	Bright Future Elementary Charter School	19	K-5	200	Vlad Gorny	(917) 209-4547		None
19	A	Brooklyn	Community Partnership Charter School, The	23	K-1	100	Laura Taylor Swain	(212) 750-9320		None
20	N	Brooklyn	Day Star Academy Charter School	17	K-2	240	Karim Razzaq	(718) 771-7099		Victory Schools, Inc.
21	N	Brooklyn	Empire State Charter School	20	9-10	200	Tracy Dowdell	(718) 624-2326		Global Lyceum
22	N	Brooklyn	Neighborhood Charter School, The	16	K-2	180	Emory X. Brooks	(718) 802-0666		None
23	A	Brooklyn	New Beginning Charter School	24	K-4	200	Pearl Kaufman	(516) 239-5185		None
24	N	Brooklyn	Brooklyn Collegiate Charter School	18	9	100	Andrew C. Peiser	(212) 517-2065		None
25	N	Brooklyn	Young Women's Charter School	22	K-1	240	Shlomo Teichman	(718) 339-4747		None
26	N	Brooklyn	Charles Reason Charter School	25	6-9	165	Gail Foster	(212) 422-5338		LearnNow, Inc.
**		Buffalo	C.O.M.M.U.N.I.T.Y. Charter School	**	K-5/K-5	450 / 245-249	Mary C. Carroll	(716) 839-1157		Mosaica Education, Inc.
27	N	Buffalo	Niagara Academy Charter School For Information Tech.	27	K-8	900	Paul J. Bandrowski	(716) 845-7829		Edison Schools, Inc.
28	N	Buffalo	Buffalo Charter School	28	K-5	550	Kevin J. Heller	(716) 851-5165		Advantage Schools, Inc.
29	N	Buffalo	Aspire Charter School	29	3-7	100	Lucinda R. Kahler	(716) 688-1732		None
30	N	Buffalo	Erie Frontier Technical Charter School	31	K-8	900	Ralph J. Argen	(716) 832-2920		Edison Schools, Inc.
31	A	Buffalo	Tapestry Charter School	26	K-4	100	Joy Stanil Pepper	(716) 852-0600		None
32	A	Buffalo	King Center Charter School	30	K-3	80	Claity P. Massey	(716) 891-7912		None

Count	Status	City/Town	Location	Proposed Charter School Name	ID #	Grade(s)	Yr 1	# of Students	Lead Applicant	Media Contact #	Ext.	Mgt Partner	Any
33	N	Buffalo		Academy of Buffalo Charter School	32	K-6		400	Leicester L. Allen	(248) 569-7787		None	
34	A	Buffalo		South Buffalo Charter School	34	K-4		234	Mike Walsh	(716) 515-3902		Beacon Education Mgt LLC	
35	N	Buffalo		Bailey Charter School Academy	33	K-5		228	Bryan Cacciotti	(716) 842-2233		National Heritage Academies	
36	N	Cattaraugus Ind. Res./Seneca Ter.		Seneca Charter School	35	K-3		150	Donald F. White	(716) 945-4078		None	
37	N	Cazenovia		Eidos Charter School, The	36	9-12		75	Brian W. Burns	(315) 655-2704		None	
38	A	Central Islip		Nehemiah Charter School Incorporated, The	38	K-2		230	Theresa Sanders	(516) 232-2482	11	Edison Schools, Inc.	
39	N	Central Islip		Islandia Charter School of Technology	37	7-9		240	Ray Meisenheimer	(516) 582-9423		Beacon Education Mgt LLC	
40	N	Clifton Park		Clifton Park International Charter School	39	K-4		240	Lucinda B. Kelley	(518) 371-1707		SABIS Educational Systems, Inc.	
41	N	Deer Park		Academy of Excellence Charter School	40	K-12		63	Norma Fleming	(516) 582-3791		None	
42	N	Earlville		Chenango Valley Charter School	41	K-3		48	Germaine E. Gogel	(315) 824-8266		None	
43	A	East Hampton		Child Development Center of the Hamptons C. S.	42	12 elem & 12 sec		24	Dawn Zimmerman	(516) 267-0133		None	
44	N	Fulton		Carol Fisher Institute Charter School	43	K-12		100	Carol Ann Fisher	(315) 592-7706		None	
45	N	Glen Cove		Charter School at the Cove, The	44	K-6		180	Ellenmorris Tiegerman	(516) 609-2000		None	
46	N	Glen Falls		Jefferson Academy Charter School	45	K-5		120	Robert L. Shultz	(518) 656-3578		None	
47	N	Great Neck		Great Neck International Charter School	46	K-4		240	Robert L. Klein	(516) 482-7790		SABIS Educational Systems, Inc.	
48	N	Greece		Imaginations Soar Charter School	47	K-3		72	Linda L. Podewils	(716) 663-5570		None	
49	N	Harrison or others		Evergreen Public Charter School	48	K-1		132	Iris T. Pagan	(914) 993-6227		None	
50	N	Hempstead		Hempstead Leadership Charter School	49	6-8		150	W. Lionel Williams	(516) 505-9078		None	
51	N	Islip or Brookhaven		Suffolk Charter School Academy	50	K-6		1,200	Brian Diaz	(516) 588-4200		None	
52	N	Ithaca		Ithaca Community Charter School	51	6-7		72	Ellen Baer	(607) 277-4234		None	
53	N	Kingston		Sojourner Truth Public Charter School	54	K-8		249	Ronald E. Diell	(914) 339-4512		Nobel Learning Communities, Inc	
54	N	Kingston		Hudson Charter School Academy	53	K-5		228	Gordon Webb	(914) 338-8334		National Heritage Academies	
55	N	Kingston		Hudson Valley Independent Tech Charter School, The	52	K-12		249	Fairlene G. Rabenda	(914) 462-5820		None	
56	N	Manhattan		High School for College Transition, The	58	11-12		200	Frederica Clare	(212) 673-8254		None	
57	N	Manhattan		Downtown Charter School, The	55	9-12		225	Harvey Newman	(212) 302-8800		None	
58	N	Manhattan		New York Internl Academy of Entertain. Arts & Sciences	56	7-9		240	Tedra Butler Dudley	(800) 690-5377		None	
59 *	1	Manhattan		RiverView Academy C. S.	57 *	K-1		80	Benjamin V. Lambert	(212) 315-7250		None	
60	A	Mount Vernon		Renaissance Academy Charter School	61	7-8		100	Eileen Justino	(914) 668-5331		None	
61	N	Mount Vernon		Covenant Ambassadors Charter School	60	K-3		120	Audrey D.F. Smart	(914) 633-4417		None	
62	N	New York City		New York City Alternative Charter School	62	3-8		240	Juan D. Martinez	(212) 828-9670		Alternatives Unlimited Special	
63	N	Niagara Falls		Niagara Arts & Technology Charter School	63	K-5		245-249	Jesse J. Scott, Sr.	(716) 297-2951		Mosaica Education, Inc.	
64	N	Peekskill		Excel Charter School	64	K-4		234	Andy Joppa	(914) 737-1832		Beacon Education Mgt LLC	
65	N	Pomona		Ramapo Charter School	65	K-12		247	Scott Shabot	(914) 364-5249		None	
66	N	Port Jefferson		Charter School For Excellence	66	K-11		250	Naomi Bouktas	(516) 751-0092		None	
**		Potsdam		Steppingstones Charter School	**	K-5		120	Susan Todd	(315) 386-4013		None	
67	N	Purchase		Hand in Hand Charter School, The	67	K-5		120	Elaine Young	(914) 761-1964		None	
68	N	Queens		Paulo Freire Charter School of Technology	69	7-8		100	Christophe Silvera	(718) 389-1900		None	
69	A	Queens		Merrick Acad./Springfield Gardens Charter Pub. School	68	K-2		350	Alma Alston	(718) 712-2487		Victory Schools, Inc.	

Count	Status	Location	Proposed Charter School Name	ID	Grade(s)	Yr. 1	# of Students	Lead Applicant	Media Contact #	Ext.	Mgt Partner If any
70	N	Rochester	Circle of Peace Charter School, The	79	K-4		119	Alfred Smith	(716) 544-2839		None
71	N	Rochester	Truffula Charter School	79	2-6		60	John Bliss	(716) 482-0627		None
72	N	Rochester	Rochester Career Charter School	75	11-12		100	Andrew Prinzing	(716) 387-3853		None
73	N	Rochester	Banaker-Edison-Einstein Charter School	73	9		100	Sandra A. Parker	(716) 244-1800		None
74	N	Rochester	Genesee Community Charter School, The	70	K-3		80	Lisa A. Wing	(716) 546-2681		None
75	N	Rochester	Rochester Charter School	77	K-5		550	William G. Clark	(716) 325-6530		Advantage Schools, Inc.
76	A	Rochester	Charter School of Science & Technology	78	K-8		876	Joseph L. Accongio	(716) 723-8254		Edison Schools, Inc.
77	N	Rochester	ABC Charter School, The	72	K-2		168	James H. Norman	(716) 325-5116		None
78	A	Rochester	Rochester Leadership Charter School Academy	74	K-8		436	John Walker	(716) 663-7195		National Heritage Academies
79	N	Rochester	Katikisha Charter School, The	76	9-12		85	John J. DeCamilla, Jr.	(716) 244-1430		None
80	A	Rochester	Eugenio Maria de Hostos Charter School	71	K-2		120	Julio Vazquez	(716) 256-8900		None
81	N	Rock Hill	Rock Hill Charter School	80	K-6		240	Suzanne Rhulen Loughlin	(914) 796-2100	5531	Charter Schools USA
82	A	Schenectady	International Charter School of Schenectady	81	K-8		643	Michael R. Van Patten	(518) 377-0008		SABIS Educational Systems, Inc.
83	N	Staten Island	Community Charter High School of Staten Island, The	82	9-10		249	Lee Fielscher	(212) 321-1208		None
84	N	Syracuse	Clearview Charter School Academy	84	K-5		228	Carol Hill	(315) 470-1848		National Heritage Academies
85	A	Syracuse	Central New York Charter School for Math & Science	85	K-6		504	Ross Whaley	(315) 470-6681		Beacon Education Mgt LLC
86	N	Syracuse	Walker Dunbar Charter School	83	K-8		888	Eloise D. Curry	(315) 472-6955		Edison Schools, Inc.
87	A	Troy	Robeson-Cadilla Charter School of Troy, New York	86	K-3		80	Mary Theresa Streck	(518) 271-6956		None
88	N	Utica	Oneida Charter School Academy	87	K-5		228	Joe Carucci	(315) 736-1895		National Heritage Academies
89	N	Warwick Valley	Community C. S. of Warwick Valley	88	5-8		80	Julia M. Calderon	(914) 986-4696		None
90	N	Wyandanch or others	OIC Community Charter School	89	K-5		600	Florence Joyner	(518) 841-0841		Edison Schools, Inc.

B.



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ROBERT J. BELLAFORE
EXECUTIVE DIRECTOR

To: Superintendents, Members of Boards of Education, School District Personnel, Educators

From: Robert J. Bellafiore, Executive Director

Re: SUNY Board of Trustees approval of charter school applications

Date: January 27, 2000

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enter into proposed charters by February 1, 2000 and submit the proposed charters to the Board of Regents no later than five days thereafter.

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Any comments that you may have going forward may be submitted to us, in which case they will be forwarded to the Board of Regents for its consideration, or, in the alternative, submitted directly to the Board of Regents.

Please be advised that, at the present time, it appears that the Board of Regents will act on the proposed charters that the Trustees will shortly submit to them sometime in early April. If approved, provisional charters, incorporating the school, will issue shortly thereafter. If the Regents fail to act within sixty days of a proposed charter's submission, the proposed charter will be deemed approved and will issue as a matter of law. If not approved, and returned to the Trustees with the Regents' comments and recommendation, the Trustees may choose to resubmit the proposed charter (with or without modifications) or to withdraw it. Upon resubmission, the Regents have thirty days to approve and issue a provisional charter; if they do not act within that time, the proposed charter will be deemed approved and will issue as a matter of law.

As always, should you have any questions, please do not hesitate to contact me or members of the Charter Schools Institute's staff.

INNOVATIVE
PROGRAM

AMENDMENT TO THE CHARTER

MAR 17 2000

This agreement is executed on this 16th day of March, 2000 by and between the undersigned to amend the charter agreement between them entered into on or about the 1st day of February, 2000.

WITNESSETH:

WHEREAS, the undersigned have previously entered into an agreement, known before its issuance by the Board of Regents (the "Regents") as a proposed charter, and known thereafter as a provisional charter (either as a proposed or provisional charter, the "Charter"), pursuant to the provisions of the New York Charter Schools Act of 1998, Article 56 of the Education Law (the "Act"); and

WHEREAS, the Charter incorporates the Application submitted earlier to the Board of Trustees of the State University of New York, such that the Application is an integral part of the Charter; and

WHEREAS, pursuant to section 2852, subdivision 5 of the Act, the Charter, with the Application, was submitted to the Regents for its review and approval; and

WHEREAS, the State Education Department, in its review of the Charter for the Regents, has recommended certain changes be made to the Charter and/or the Application; and

WHEREAS, the undersigned are in agreement that some or all of such changes should be adopted; and

WHEREAS, the undersigned agree that certain other technical changes should be made to the Charter to better conform to the parties' understanding and the Act; and

WHEREAS, the Charter requires that all amendments to it be in a writing signed by both parties thereto;

NOW, THEREFORE, the undersigned hereby agree to amend the Charter as follows.

1. Paragraph 1.3 is amended by deleting from the first sentence of such paragraph the words struck through below:

~~, and shall not be eligible to receive funds from the local school district as provided in section 2856 of the Act;~~

2. Paragraph 1.5 is amended by adding the italicized sentence set forth below, immediately after the last sentence of such paragraph:

Pursuant to Section 2851, subdivision 2, paragraph j of the Act, and notwithstanding any contrary provision of this paragraph, in the event that the Application does not identify the School Facility, the School shall notify the Trustees and the Regents within ten business days of the School Facility having been identified.

3. Paragraph 8.1 is amended by deleting from the first sentence of such paragraph the following words struck through below

~~the thirtieth of December in the year~~

and substituting in their place the following italicized words

six months

4. The Application is amended in the form and manner set forth in the pages attached hereto as Exhibit A.

Capitalized terms used in this amendment are defined as set forth in the Charter unless otherwise indicated as is the use and validity of facsimile signatures and the execution of this amendment to the Charter by counterpart.

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BOARD OF TRUSTEES OF THE
STATE UNIVERSITY OF NEW YORK

Robert J. Bellafiore 3/15/00
Date

By: Robert J. Bellafiore, acting for the Board of
Trustees of the State University

Title: Executive Director, Charter Schools Institute,
State University of New York

BRONX PREPATORY CHARTER SCHOOL

Kristin Kearns Jordan 3/15/00
Date

By: Kristin Kearns Jordan

Title: Lead Applicant

Bronx Prep Signature

EXHIBIT

A

Discussion by the Bronx Preparatory Charter School
in Response to Questions and Concerns of the State Education Department

Submitted March 16, 2000

The questions and concerns of the State Education Department are presented in italics, and the Bronx Preparatory Charter School's responses follow.

1. Information on the applicants must be provided, per the requirements of 2851(2)(m) and 2851(2)(c) of the Education Law. Provide a copy of letters indicating that the following applicants have withdrawn as applicants, per the March 6, 2000 letter from James Merriman: Morton Ballen, Roberto Garcia, Eric Grannis, Année Kim, Jane Martínez, Franklin Sanchez, Richard Schubart, and John M. Walderman.

The requested letters are in the possession of James Merriman, IV, legal counsel of the SUNY Charter Schools Institute.

2. 2852(2)(c) of the Education Law encourages the charter entity to give preference to applications that demonstrate the capacity to provide comprehensive learning experiences to students identified by the applicant as at risk of academic failure. In the absence of the applicant's specification of how the charter school will identify at-risk students, it not possible to assess whether the applicant has demonstrated the capability to provide such learning experiences.

The proposed Bronx Preparatory Charter School is to be a public school that serves young people by lottery admission in the South Bronx. District 9, the school district in which the charter school will operate, is arguably the lowest performing in New York State. The definition of an at-risk student is one upon which thoughtful people disagree, but the school founders believe that living in a high-poverty area like the South Bronx where public school failure is egregious and persistent puts a student at risk of academic failure. Page 191 (Attachment VI-33) of the original charter application presents a longer discussion of the educational needs of the community to be served, and the reasons why so many of these students are at risk. The school does not intend to target based on any more specific criteria than those presented here and in the application. We like the democratic and fair nature of a lottery to which all young people of appropriate age in the community are welcome to apply.

The school will make sure that it serves a cross section of students from this community by doing outreach in schools that are among the lowest performing in New York State. The school's principal, Marina Bernard Damiba, has worked in public schools in the immediate vicinity for seven years and has extensive contacts in the public schools to facilitate that student recruitment process. We are highly confident that this outreach will ensure that the school serves students who are performing well below their grade levels when they enroll at the school.

3. The school has a mandatory orientation of parents, which does not meet the requirements of 2852(2)(d) of the Education Law. This should be deleted as potentially preferential or exclusionary.

Our admission policy was designed to encourage parents to learn as much as possible about the school before enrolling their children. The orientation of parents presented in the student admission policy shall be elective, rather than mandatory.

4. The discipline code is unclear. For in-school suspension, under the second bullet: clarify whether the infraction has to include both swearing and inappropriate language. Define "inappropriate language."

The two terms, "swearing" and "inappropriate language," may refer to different kinds of language. Inappropriate language could include aggressive, threatening or abusive language that is not swearing.

5. The school does not describe any achievement goals or targets, which does not comport with the requirements of 2851(2)(b) of the Education Law. No rationale was provided by the selection of the standardized test, and there is no evidence that the school curricula are aligned with the New York State Learning Standards. All of the proposed charters received from the SUNY Board of Trustees attach an accountability plan. This gives applicants until May 1 of the year succeeding the year in which their school started to set performance goals and targets and the measures to be used to determine that these goals and targets have been attained. Please provide evidence that these issues have been considered.

The Bronx Prep standards, as presented in the application are the New York State standards with our own additional standards added thereto. For example, pp. 36-38 of the charter application presents as school language arts standards the four New York State Standards, plus our six additional standards at the middle academy level and the six additional standards at the senior academy level. The second page of curriculum attachment XIII, Great Books Materials, includes a specific analysis of how the Great Books aspect of our language arts curriculum aligns with the New York State Standards. Many of the grade-by-grade benchmarks were taken from the New York State Education Department "performance indicators" either verbatim or in slightly modified form. We presented our standards and curriculum in an integrated manner in the application, precisely to highlight the alignment between standards and curriculum and our view that they must be considered together.

The school's extensive learning standards, which have been benchmarked by grade, meet the requirements of 2851(2)(b) of the Education Law, as they clearly meet and exceed the New York State Learning Standards. As described on p. 186 of the original charter application (Attachment V-30), we have elected to supplement these standards with a standardized test, the CTBS, as we felt that such a nationally normed exam would give us a better opportunity to get feedback on our students and offer data to the community every year. The CTBS is a well-respected testing instrument that will (1) give a very clear, accessible picture of student achievement, and (2) enable us to evaluate our students' and school's achievements in a comparative manner. The fact that it is the annual test given by the New York City Board of Education was critically important in our decision to use the test, as that will enable comparison of Bronx Prep and the public schools in our area.

The criterion-based state testing program in which we will participate will offer an opportunity for an apples-to-apples comparison with other schools in the district and city, but as we begin with fifth graders, the first opportunity to participate in this testing will not come for three years. We want to get feedback on our students' progress compared to other schools as soon as possible.

In all of the other subject areas our standards and curriculum were constructed in precisely the same way that the English Language Arts standards and curriculum were. Pages 58-58 of the charter application present the math standards, and the grade-by-grade benchmarks that follow are, again, a combination of the NYS performance indicators, our own innovations, and ideas found in other successful schools. Many of the standards were constructed with the help of copies of the Regents exams, to ensure that no important topic would be ignored. The 7th & 8th grade social studies curriculum presented was downloaded directly from the New York State Education Department website.

The Bronx Preparatory Charter School, at a minimum, commits to meeting the Board of Regents performance standards in existence at any point during the period of the charter and required of all public schools in the State. The applicants understand that the accountability plan that will be developed during the first year that the school provides instruction will include the minimum level of performance required by the Commissioner of Education on the State assessments required of all public schools.

6. The budget indicates that the charter school will be heavily dependent on private funding. \$275,000 in private grants are assumed for start-up costs, as well as large amounts in subsequent years. Please provide letters of commitment for all such funding sources. The budget also assumes \$75,000 from a state start-up grant. Please indicate the source of such State funds, and whether such grant has been awarded. Provide a copy of the award letter. Page 226c of the budget assumes that special education students are cost neutral. Please provide more detail on special education costs and revenues.

The attached document gives an overview of the school's fund raising to date from private sources. Most of them have made written commitments, which are included in the original charter application. The donors are individuals and foundations with whom the founder has a long-standing relationship of trust, and all of the commitments in the first column, totaling \$307,000, are firm. The second series of foundations are those with whom we are at an advanced stage in our proposal. The executive director, Kristin Kearns Jordan, raised more than \$3 million annually for the last program that she ran, and is highly confident about being about to sustain the private fund-raising burden presented in the Bronx Prep budget.

The application refers to an expected federal charter schools start up grant that will be made available by the state, which has received an award of \$13,000,000 over the next three years. The \$75,000 figure is a reasonable estimate of what Bronx Prep might expect from the combination of the federal grant and the state-financed charter school stimulus fund.

The application did not attempt to estimate costs and expected revenues with regard to special education, as it is our understanding that there is some dispute between the New York Board of Education and the State with regard to actual funding streams that the charter schools can expect. At a recent New Visions forum with Linda Wernikoff, head of the Special Education office of the Board of Education, Linda suggested that a charter school could expect no additional funding for students who require special education services for less than 20% of the day, an additional \$2,562 per child for students who need special education services 20% - 60% of the day, and \$4,839 per student who needs the services for more than 60% of the day. She did not give figures for multiply handicapped students who drive considerably high per-pupil revenue streams, as her view is that no charter school is likely to have the resources available to serve these students effectively. In our budget there is the staffing necessary to provide for students who need the special education services less than 20% of the day without additional funding streams. To the extent that students enroll who have greater need for services, and who drive higher public funding streams, additional services will be purchased for those students with those funds.

7. Information regarding the strategies and methods by which services to students with disabilities would be provided does not meet the requirements of 2851(2)(s) of the Education Law . . .

Special education is discussed at length on pages 28-29 of the original charter application and on page 7 - 9 of the 1/10/00 amendment to the charter application. It is very possible that the application's projection of 10% students with learning disabilities is low, and the school is prepared to serve a larger number of students with disabilities should they be admitted in the lottery.

The Bronx Prep founders have met with Linda Wernikoff, head of the Special Education office of the Board of Education, and we have initiated contact with the CSE in our local school district, which is

headed by Lillian Maldonado. As these relationships develop, and as we have specific students to educate, it will be easier to discuss special education with more specificity. The following is an attempt to address the State Education Department's specific concerns:

- a) Marketing of the school will take place in public schools and community organizations; all students will be encouraged to apply
- b) Because the charter school has yet to begin admitting students, it is unknown what specific special education services will be needed by the students at the school. Once the school's annual enrollment period has been completed and the students' special education needs are determined, the school will develop a comprehensive plan that ensures that all special education services required by the students IEPs are provided. Such services may be provided by the charter school or by the students' districts of residence, depending on the mix and level of services determined to be needed by the student population. Such a determination cannot reasonably or accurately be made before student enrollment and evaluation is completed.
- c) While the writing of a student's IEP is the responsibility of the CSE in the child's district of residence, a Bronx Prep team, comprising the child's general education teacher (who will be released from other duties to do so), the special education service provider (instructional, counseling or other), the child's parent, the child where appropriate, and in some cases the principal, will participate in meetings regarding the writing of the IEP. Conversely, while the responsibility for providing the services to the student is the responsibility of the charter school, the Bronx Prep team will nonetheless discuss these questions with the CSE. This will make information flow freely both ways, which will be important for ensuring that 1) the student will have services recommended that match his or her needs, and 2) that the student has access to the best possible services at the charter school or by contract with the district schools once the IEP has been written.
- d) (see answer to c)
- e) At a meeting organized by New Visions for Public Schools Bronx Prep was given a manual produced by the Board of Education on the Requirements and Roles of IEP Teams under IDEA '97. The school takes these processes and reporting requirements seriously, and will follow these requirements as it implements special education programs for students.
- f) (see answer to e)
- g) Parents will receive reports on their children's progress every other week and will be in regular verbal contact with the school (phone and meetings); parents of students with disabilities will receive notification on their children's progress toward meeting their IEP goals through these same mechanisms. Parents will also, per IDEA '97, be present at all re-evaluations of their children by the IEP team.

8. The discipline policy does not meet the requirements of 2851(2)(h) of the Education Law or of IDEA. The plans for maintaining student discipline must include procedures for the provision of alternate education for all students of compulsory attendance age who have been suspended for any length of time, procedures for the provision of alternate education for the remainder of the school year for any students of compulsory attendance age who have been expelled, and all due process requirements under IDEA.

As previously stated in our application, the school will provide an alternative education program to students seventeen years or younger to the extent required by law.

Specifically, for suspensions of less than 10 days, the school will ensure that each affected student receives all classroom assignments and a schedule to complete such assignments during the time of his or her suspension. Provision will be made to permit a suspended student to make up assignments or tests missed as a result of such suspension. The school will also provide alternative instruction with reasonable

promptness and by appropriate means to assist the student, so that the student is given full opportunity to complete assignments and master the curriculum, including additional written instructions, phone assistance, computer instruction and/or home visits and one-on-one tutoring.

For suspensions of 10 days or longer, the school shall provide all of the above referenced services, with greater emphasis on tutoring and home visits as necessary. The services provided will be designed in order to ensure that the student is given the opportunity to master the school curriculum and take such assessments tests as the school would otherwise provide. The school may also seek to place the student during the term of the suspension in any alternate education program that is operated by the student's school district of residence.

For students expelled from the school, the school will provide the above-described services until the end of the school year or until the student is enrolled at another accredited school, or otherwise participating in an accredited program, including any alternative education program operated by the student's school district of residence, to the extent the provision of such services is required by law. As above the school may seek, where appropriate, to place the student in an alternative education program operated by the student's school district of residence either through agreement with the school district or by operation of law.

The school's disciplinary policy, as regards any student with a disability, will be accordance in all respects with the Individuals with Disabilities Act, including but not limited to the requirements and procedures set forth at sections 121(d) and 519-529 of Part 300 of Title 34 of the Code of Federal Regulations. The school will work with the CSE of the student's school district of residence as necessary to ensure compliance with Part 300 and the IDEA.

9. Immersion is indicated for all students with limited English proficiency . . .

The best characterization of the Bronx Prep program for English language acquisition for LEP students is a mainstream classroom program with ESL pullout, as well as professional development for all teachers on techniques for communicating with students who have limited English proficiency. We are advised by legal counsel that this ESL program with a professional development component meets the requirements of Title VI of the Civil Rights Act, and that ESL pullout is in fact the dominant approach in the United States to supporting students with limited English proficiency. We are unclear about the basis of the State Education Department's question, but will nonetheless defend the school's approach to the education of LEP students by looking at the program through the same lens used by the Office of Civil Rights.

We inquired about Title VI with the Office of Civil Rights, and were informed that the office evaluated whether schools and districts comply with Title VI by using the "Castaneda test," a test based on the 1981 5th circuit decision *Castaneda vs. Pickard*. The test has three prongs:

- Is the program for English language acquisition guided by sound educational theory?

When asked what kinds of programming are widely considered "sound educational theory" by the experts, an OCR representative responded that ESL, Bilingual education and structured immersion all qualify. Bronx Prep's use of ESL pullout and professional development support clearly fall within acceptable practices.

- Is the theory being effectively implemented in the school?

Our school schedule has blocks of time specifically for ESL support (and other kinds of individualized support for students with different needs); we will make a priority in our staffing to recruit one instructor

who has experience with high quality ESL instruction; and we will schedule professional development for all our staff to help them more effectively communicate with and teach LEP students.

- Is the program demonstrating results?

We will carefully evaluate student performance on verbal, listening, reading and writing assessments to determine whether students are successfully learning English using this approach. If we determine that students are not, we will re-evaluate our practices. We will not continue with an approach that is not demonstrating results.

In addition to the Castaneda test, the OCR looks at two additional issues, which we can address here:

- How will students be identified as needing ESL support? How will it be determined that they should exit the ESL program?

To identify students needing ESL support we will use a combination of a home language survey and a well-respected test of English language proficiency. A common instrument in New York is the Language Assessment Battery (LAB). It is likely that we will use the LAB, unless we come across a better quality assessment in our planning over the coming months.

To determine when students ought to “graduate out” of ESL instruction we will test students’ speaking, listening, reading and writing, both through formal assessments like the LAB and through regular inspection of students’ verbal and written classroom work.

We believe, based on our review of the research, that pull-out ESL is not only legal, but also an effective educational choice for the students served. The school schedule presented on page 18 of the original charter application shows time blocks for individualized instruction, during which students with need for English as a second language instruction will receive it. Any additional need for small group or individualized English language instruction will take place during “pull-out” time during the school day. Support for LEP students will be embedded throughout the school, through professional development for teachers, partnering students with less English language facility with students more comfortable in English, tutoring programs and other innovations.

Our approach to the instruction of students with limited English proficiency is based, among other things, on an examination of charter schools around the country that serve more than 50% Latino students, including a large number of LEP students. Many successful charter schools in these communities use a program similar to the one we have planned, for example the Luz Academy in Tucson, AZ and the Raul Yzaguirre Charter School in Houston, TX. Further inquiry would certainly yield many more examples of schools using such a program, which are not only operating within the bounds of federal civil rights law, but are actively serving the purpose of civil rights legislation by providing equalizing educational opportunities to students of color.

10. No data were provided regarding the potential fiscal impact of the proposed charter school on public and non-public schools in the same geographic area, which does not comport with the requirements of the 2851(2)(q) of the Education Law.

For a review of the fiscal impact that the school will have on the surrounding public schools, please see page 226c of the charter application, which spells out the revenue streams that will come to the charter school rather than the local public school district. Page 192 (Attachment VI-34) of the charter application

contains an extensive discussion of the expected impacts, fiscal and other, of the charter school on public and non-public schools in the area.

11. The procedures for the transfer of students, student records, and assets upon dissolution of the charter school do not meet with the requirements of 2851(2)(t) of the Education Law.

Our legal counsel has advised us that the procedures described on page 235 of the original charter application are in compliance with the law. We have reviewed the procedures and continue to believe that they comply. Upon dissolution all student records would be transferred back to the students' districts of residence, and the school's assets would be distributed as described on p. 235 of the charter application.

12. The facility is problematic with regard to access for students with disabilities. Provide evidence that the proposed site will be accessible per the requirements of the Americans with Disabilities Act.

Attached please find the facility's certificate of occupancy as a school. Every reasonable accommodation that can be made to make the school accessible to students with disabilities will be made.

13. The information provided regarding the programmatic audit does not reference the instructional management (Achieve) software. One would have expected a connection.

A considerable portion of the data that the program auditors will use to evaluate the school will be contained within the Achieve software. School staff will make that electronic information available to the auditors in an organized manner.

14. Health services are provided to students at a health clinic four blocks away. Teachers will be required to escort students when they become ill. Please provide additional information regarding this arrangement, and a rationale. It does not appear to be a reasonable plan to provide for the needs of ill children and it raises issues about liability while traveling between the clinic and the school.

The health care arrangement is very similar to the arrangement that the Martin Luther King, Jr. Health Center has had with two traditional public schools in the neighborhood. This arrangement and its rationale are discussed on page 27 of the original charter application and page 6 of the 1/10/00 amendment to the application. Scarce resources prohibit small charter schools from operating a full-time nurse and nurse's office on the school site. A common approach by small schools is to hire a part-time nurse, but we find that an unacceptable solution, as students sick on a Thursday would not be served by a nurse who works Mondays, Wednesdays and Fridays. As so many South Bronx residents lack adequate health care, we believe an introduction to a comprehensive health clinic is tremendously valuable and partly compensates for the inconvenience of having the clinic at a separate site. Students will have access there to doctors, nurses, counselors and dentists, as will their families.

Members of the clinic staff will come to the school to provide services on occasion, especially when more than one student will need a service. Vaccinations and lessons on health topics would be examples of services that take place at the school facility.

Liability will be present every time students leave the school accompanied by adults, be the destination a field trip to a museum, a soccer game in the park, or a visit to the health clinic. The budget documents our intention to purchase insurance to protect the school in case of problems that occur offsite. Students will not be permitted to leave school grounds unaccompanied by an adult.

15. Evidence of community support is inferential. Please provide evidence of adequate community support such that the school will be able to meet its anticipated enrollment, as required by 2851(2)(q) of the Education Law.

Please see pages 191, 191a and 192 of the original charter application and page 15 of the 1/10/00 amendment the charter application for evidence of community support. In addition, the school has gotten tremendous positive publicity in the local press (*New York Daily News*, *Bronx Times*, *BRONXNET*, *Bronx News 12*) and from local word of mouth in recent months since the State University of New York announced its intention to charter the school. As a result of this positive "buzz," the planning team receives several phone calls a day from prospective parents seeking an application to the school. These names and addresses have been kept on a database, and the people will be contacted with an application as soon as the charter is issued. In addition, the school has permission to contact the thousands of Bronx families who have applied in the last few years for scholarships from the School Choice Scholarships Foundation. Given the positive response we receive whenever we introduce the school to South Bronx residents and the relatively small enrollment goal of 100 students, the founders do not anticipate any difficulty filling our seats.

16. Please provide evidence that the school's involvement with South Bronx Churches will not constitute a problem regarding the separation of church and state. 2854 (2)(a) of the Education Law specifically states that "a charter shall not be issued to any school that would be wholly or in part under the control or direction of any religious denomination, or in which any denominational tenet or doctrine would be taught."

Several factors attest that the relationship enjoyed by members of the school founding group and of members of the South Bronx Churches organization are clearly outside of the scope of church/state entanglement.

1. There is no one affiliated with South Bronx Churches on the board of the school; nor will South Bronx Churches have no involvement with the educational programming of the school.
2. South Bronx Churches is not an organization that teaches a religious doctrine or tenet; it is a not-for-profit ecumenical organization, whose purpose is community organizing. They are an affiliate of the national Industrial Areas Foundation, which organizes community residents around areas of central civic concern, especially housing, jobs and education.
3. South Bronx Churches already has a much closer relationship with a very successful New York City public school called the Bronx Leadership Academy. They founded the school in partnership with the New York City Board of Education, and that that much more direct relationship has been operating within the law for the last five years.

17. Please provide clarification to the references to two principals and multiple sites. Explain why this should be considered a single school operating at multiple sites and not two separate schools.

Bronx Prep is a single school headed by a single board, with a single director (to whom the two principals report), with each grade housed at a single site, in compliance with section 2853(1)(b-1) of the Education Law.

ATTACHMENTS: CERTIFICATE OF OCCUPANCY, FUND-RAISING SUMMARY

Foundation, Corporate and Individual Supporters as of 3/8/00 & Sources Solicited for Funding

Start-Up Funds Committed to Date - *Bronx Preparatory Charter School*

Bruce Kovner (Caxton Corporation)	\$50,000
Tommy Tisch (Loews)	\$50,000
The Gilder Foundation	\$50,000
Tiger Foundation	\$35,000
Brian Olson (Viking Global Partners)	\$25,000
The Pumpkin Foundation (Joe & Carol Reich)	\$25,000
Roger Hertog (Sanford Bernstein)	\$10,000
Dietrich Weismann	\$15,000
Charter School Resource Center Planning Grant	\$10,000
Peter & Brigid Flanigan	\$10,000
WKBJ Foundation (Bob Howitt)	\$25,000
Al & Marty Sikes (Hearst New Media & Technology)	\$2,000
Total	\$307,000

Proposals Initiated or Pending

The Achelis & Bodman Foundations	We are planning to seek a multi-year grant for general support. Exact amount is not yet determined. We are in conversation with the staff and hopeful for a positive result. We are scheduling a site visit in March.
The CAP Foundation	We are in conversation with Mara Burnett, director of this family foundation that has recently initiated a charter schools effort. Prospects look good; likely amount \$50,000.
The Charles Hayden Foundation (Bob Howitt)	We have initiated conversations with Bob Howitt, a trustee of the Hayden Foundation, but we we have not yet submitted a proposal.
Robin Hood Foundation	We are submitting a proposal for \$40,000 for our first year. Our third meeting with the foundation staff will take place at the school site 3/17/00.

While the above described proposals/conversations are those at the most advanced stage, we will pursue others, as well, including the Starr Foundation, Henry and Edith Everett, the Hennelly Foundation, Jon Corzine and other individuals.

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06/05/2021

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To

No. 100 Issued 100
Church of Our Lady of Victory

-01

Premises

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COPIES

067 6-100

Mailed to above

Rev. Bart. J. Galligan, Rector

STORIES

CLASSIFICATION

CONSTRUCTION

3

Church ^{and} School

Brick

FLOORS

OCCUPANCY

Live Load
Per Sq. Feet
in Pounds

No. of
Persons

Sub-Cellar - -

JA: 20 1992

Cellar - - - -

Basement - - -

First Floor - -

2nd "

3rd "

100

75

75

Alt. Application

No. 281 1927

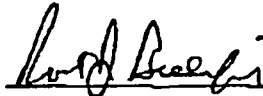
SECOND AMENDMENT TO THE CHARTER

This agreement is executed as of this 27th day of March, 2000 by and between the undersigned to further amend the charter agreement between them entered into on or about the 1st day of February, 2000 and amended previously on the 16th day of March, 2000.

The undersigned hereby agree to amend the Charter by amending the Application attached thereto, in the form and manner attached hereto as Exhibit A.

Capitalized terms used in this amendment are defined as set forth in the Charter unless otherwise indicated as is the use and validity of facsimile signatures and signatures in counterpart.


BOARD OF TRUSTEES OF THE
STATE UNIVERSITY OF NEW YORK

 3/23/00
Date

By: Robert J. Bellafiore, acting for the Board of
Trustees of the State University

Title: Executive Director, Charter Schools Institute,
State University of New York

BRONX PREPARTORY CHARTER SCHOOL

 3/23/00
Date

By: Kristin Kearns Jordan

Title: Lead Applicant

RECEIVED

MAR 27 2000

REGIONAL SCHOOL SERVICES

EXHIBIT

A

2. Bronx Preparatory Charter School

1. *The plans for maintaining student discipline must include procedures for the provision of alternate education for all students of compulsory attendance age who have been suspended for any length of time, and procedures for the provision of alternate education for the remainder of the school year for any students of compulsory attendance age who have been expelled. This must include actual instruction and not the mere provision of assignments and the opportunity to make up missed tests and quizzes. Please clarify.*

As we stated in our March 17 submission to the Department: “the [Bronx Preparatory Charter] school will also provide alternative instruction with reasonable promptness and by appropriate means to assist the [expelled or suspended] student, so that the student is given full opportunity to complete assignments and master curriculum, including additional written instructions, phone assistance, computer instruction and/or home visits and one-on-one tutoring” (emphasis added). Such actual instruction will be provided for in quantity and quality sufficient to comply with section 3214 of the Education Law, and any other applicable laws.

2. *The facility is problematic with regard to access for students with disabilities. Provide evidence that the proposed site will be accessible per the requirements of the Americans with Disabilities Act.*

The Bronx Preparatory Charter School has been in contact with a licensed architect with expertise in the requirements of ADA for consultation on any changes that may be necessary to the building. Any such changes that must be made to conform to ADA will be made and financed as part of our start-up budget, and we intend to finance such changes through a combination of state and federal start-up grants. It is not our desire or intention to be out of compliance with ADA, as are a substantial number of public school buildings in New York City.

3. *The LEP program as described does not address all of the following requirements of Title VI of the Civil Rights Act. The following information must be clearly provided:*

a). a provision that indicates that LEP students will not be excluded from curricular and extra-curricular activities in school because of an inability to speak and understand the language of instruction;

The Bronx Preparatory Charter School is committed to ensuring that no LEP child shall be excluded from curricular and extra-curricular activities in school because of an inability to speak and understand the language of instruction.

b). appropriate evaluative standards for measuring the academic and literacy progress of LEP students, including program exit criteria;

The extensive discussion of our strategy for serving LEP students contained in our March 17 submission to the Department reflected the directive of the U.S. Department of Education's Office of Civil Rights. This discussion stated that in determining when students ought to "graduate out" of ESL instruction, we will test the student's speaking, listening, reading, and writing, both through formal assessments such as the Language Assessment Battery and through regular inspection of students' verbal and written classroom work.

c). an indication that national origin minority students are not assigned to classes for the disabled because of their lack of English skills;

The Bronx Preparatory Charter School is committed to ensuring that national minority students are not assigned to classes for the disabled because of their lack of English skills, and our approach outlined in our March 17 submission to the Department reflects this commitment.

d). an assurance that parents whose English is limited receive notices and other information from the proposed charter school in their dominant language.

The Bronx Preparatory Charter School is committed to ensuring that parents whose English is limited receive notices and other information in their dominant language. In fact, our commitment stated in our original application is to employ bilingual teachers and administrators.

paragraphs (c)(2)(ii) and (iii) of this section.

(d) *Non-employee requirement; compensation.* A person who otherwise qualifies to be a surrogate parent under paragraph (c) of this section is not an employee of the agency solely because he or she is paid by the agency to serve as a surrogate parent.

(e) *Responsibilities.* The surrogate parent may represent the child in all matters relating to—

- (1) The identification, evaluation, and educational placement of the child; and
- (2) The provision of FAPE to the child.

(Authority: 20 U.S.C. 1415(b)(2))

§ 300.516 [Reserved].

§ 300.517 Transfer of parental rights at age of majority.

(a) *General.* A State may provide that, when a student with a disability reaches the age of majority under State law that applies to all students (except for a student with a disability who has been determined to be incompetent under State law)—

(i)(i) The public agency shall provide any notice required by this part to both the individual and the parents; and

(ii) All other rights accorded to parents under Part B of the Act transfer to the student; and

(2) All rights accorded to parents under Part B of the Act transfer to students who are incarcerated in an adult or juvenile, State or local correctional institution.

(3) Whenever a State transfers rights under this part pursuant to paragraph (a)(1) or (a)(2) of this section, the agency shall notify the individual and the parents of the transfer of rights.

(b) *Special rule.* If, under State law, a State has a mechanism to determine that a student with a disability, who has reached the age of majority under State law that applies to all children and has not been determined incompetent under State law, does not have the ability to provide informed consent with respect to his or her educational program, the State shall establish procedures for appointing the parent, or, if the parent is not available another appropriate individual, to represent the educational interests of the student throughout the student's eligibility under Part B of the Act.

(Authority: 20 U.S.C. 1415(m))

Discipline Procedures

§ 300.519 Change of placement for disciplinary removals.

For purposes of removals of a child with a disability from the child's current educational placement under

§§ 300.520-300.529, a change of placement occurs if—

(a) The removal is for more than 10 consecutive school days; or

(b) The child is subjected to a series of removals that constitute a pattern because they cumulate to more than 10 school days in a school year, and because of factors such as the length of each removal, the total amount of time the child is removed, and the proximity of the removals to one another.

(Authority: 20 U.S.C. 1415(A))

§ 300.520 Authority of school personnel.

(a) School personnel may order—

(1)(i) To the extent removal would be applied to children without disabilities, the removal of a child with a disability from the child's current placement for not more than 10 consecutive school days for any violation of school rules, and additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement under § 300.519(b));

(ii) After a child with a disability has been removed from his or her current placement for more than 10 school days in the same school year, during any subsequent days of removal the public agency must provide services to the extent required under § 300.121(d); and

(2) A change in placement of a child with a disability to an appropriate interim alternative educational setting for the same amount of time that a child without a disability would be subject to discipline, but for not more than 45 days, if—

(i) The child carries a weapon to school or to a school function under the jurisdiction of a State or a local educational agency; or

(ii) The child knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function under the jurisdiction of a State or local educational agency.

(b)(1) Either before or not later than 10 business days after either first removing the child for more than 10 school days in a school year or commencing a removal that constitutes a change of placement under § 300.519, including the action described in paragraph (a)(2) of this section—

(i) If the LEA did not conduct a functional behavioral assessment and implement a behavioral intervention plan for the child before the behavior that resulted in the removal described in paragraph (a) of this section, the agency shall convene an IEP meeting to develop an assessment plan

(ii) If the child already has a behavioral intervention plan, the IEP team shall meet to review the plan and its implementation, and, modify the plan and its implementation as necessary, to address the behavior.

(2) As soon as practicable after developing the plan described in paragraph (b)(1)(i) of this section, and completing the assessments required by the plan, the LEA shall convene an IEP meeting to develop appropriate behavioral interventions to address that behavior and shall implement those interventions.

(c)(1) If subsequently, a child with a disability who has a behavioral intervention plan and who has been removed from the child's current educational placement for more than 10 school days in a school year is subjected to a removal that does not constitute a change of placement under § 300.519, the IEP team members shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

(2) If one or more of the team members believe that modifications are needed, the team shall meet to modify the plan and its implementation, to the extent the team determines necessary.

(d) For purposes of this section, the following definitions apply:

(1) *Controlled substance* means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

(2) *Illegal drug*—

(i) Means a controlled substance; but

(ii) Does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.

(3) *Weapon* has the meaning given the term "dangerous weapon" under paragraph (2) of the first subsection (c) of section 930 of title 18, United States Code.

(Authority: 20 U.S.C. 1415(A)(1), (10))

§ 300.521 Authority of hearing officer.

A hearing officer under section 615 of the Act may order a change in the placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 days if the hearing officer, in an expedited due process hearing—

(a) Determines that the public agency has demonstrated by substantial evidence that maintaining the current placement of the child is substantially likely to result in injury to the child or to others;

(b) Considers the appropriateness of the child's current placement;

(c) Considers whether the public agency has made reasonable efforts to minimize the risk of harm in the child's current placement, including the use of supplementary aids and services; and

(d) Determines that the interim alternative educational setting that is proposed by school personnel who have consulted with the child's special education teacher, meets the requirements of § 300.522(b).

(e) As used in this section, the term *substantial evidence* means beyond a preponderance of the evidence.

(Authority: 20 U.S.C. 1415(A)(2), (10))

§ 300.522 Determination of setting.

(a) *General.* The interim alternative educational setting referred to in § 300.520(a)(2) must be determined by the IEP team.

(b) *Additional requirements.* Any interim alternative educational setting in which a child is placed under §§ 300.520(a)(2) or 300.521 must—

(1) Be selected so as to enable the child to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the child's current IEP, that will enable the child to meet the goals set out in that IEP; and

(2) Include services and modifications to address the behavior described in §§ 300.520(a)(2) or 300.521, that are designed to prevent the behavior from recurring.

(Authority: 20 U.S.C. 1415(A)(3))

§ 300.523 Manifestation determination review.

(a) *General.* If an action is contemplated regarding behavior described in §§ 300.520(a)(2) or 300.521, or involving a removal that constitutes a change of placement under § 300.519 for a child with a disability who has engaged in other behavior that violated any rule or code of conduct of the LEA that applies to all children—

(1) Not later than the date on which the decision to take that action is made, the parents must be notified of that decision and provided the procedural safeguards notice described in § 300.504; and

(2) Immediately, if possible, but in no case later than 10 school days after the date on which the decision to take that action is made, a review must be conducted of the relationship between the child's disability and the behavior subject to the disciplinary action.

(b) *Individuals to carry out review.* A review described in paragraph (a) of this

team and other qualified personnel in a meeting.

(c) *Conduct of review.* In carrying out a review described in paragraph (a) of this section, the IEP team and other qualified personnel may determine that the behavior of the child was not a manifestation of the child's disability only if the IEP team and other qualified personnel—

(1) First consider, in terms of the behavior subject to disciplinary action, all relevant information, including—

(i) Evaluation and diagnostic results, including the results of other relevant information supplied by the parents of the child;

(ii) Observations of the child; and

(iii) The child's IEP and placement; and

(2) Then determine that—

(i) In relationship to the behavior subject to disciplinary action, the child's IEP and placement were appropriate and the special education services, supplementary aids and services, and behavior intervention strategies were provided consistent with the child's IEP and placement;

(ii) The child's disability did not impair the ability of the child to understand the impact and consequences of the behavior subject to disciplinary action; and

(iii) The child's disability did not impair the ability of the child to control the behavior subject to disciplinary action.

(d) *Decision.* If the IEP team and other qualified personnel determine that any of the standards in paragraph (c)(2) of this section were not met, the behavior must be considered a manifestation of the child's disability.

(e) *Meeting.* The review described in paragraph (a) of this section may be conducted at the same IEP meeting that is convened under § 300.520(b).

(f) *Deficiencies in IEP or placement.* If, in the review in paragraphs (b) and (c) of this section, a public agency identifies deficiencies in the child's IEP or placement or in their implementation, it must take immediate steps to remedy those deficiencies.

(Authority: 20 U.S.C. 1415(A)(4))

§ 300.524 Determination that behavior was not manifestation of disability.

(a) *General.* If the result of the review described in § 300.523 is a determination, consistent with § 300.523(d), that the behavior of the child with a disability was not a manifestation of the child's disability, the relevant disciplinary procedures applicable to children without disabilities may be applied to the child

would be applied to children without disabilities, except as provided in § 300.521(d).

(b) *Additional requirement.* If the public agency initiates disciplinary procedures applicable to all children, the agency shall ensure that the special education and disciplinary records of the child with a disability are transmitted for consideration by the person or persons making the final determination regarding the disciplinary action.

(c) *Child's status during due process proceedings.* Except as provided in § 300.526, § 300.514 applies if a parent requests a hearing to challenge a determination, made through the review described in § 300.523, that the behavior of the child was not a manifestation of the child's disability.

(Authority: 20 U.S.C. 1415(A)(5))

§ 300.525 Parent appeal.

(a) *General.* (1) If the child's parent disagrees with a determination that the child's behavior was not a manifestation of the child's disability or with any decision regarding placement under §§ 300.520–300.528, the parent may request a hearing.

(2) The State or local educational agency shall arrange for an expedited hearing in any case described in paragraph (a)(1) of this section if a hearing is requested by a parent.

(b) *Review of decision.* (1) In reviewing a decision with respect to the manifestation determination, the hearing officer shall determine whether the public agency has demonstrated that the child's behavior was not a manifestation of the child's disability consistent with the requirements of § 300.523(d).

(2) In reviewing a decision under § 300.520(a)(2) to place the child in an interim alternative educational setting, the hearing officer shall apply the standards in § 300.521.

(Authority: 20 U.S.C. 1415(A)(6))

§ 300.526 Placement during appeals.

(a) *General.* If a parent requests a hearing or an appeal regarding a disciplinary action described in § 300.520(a)(2) or 300.521 to challenge the interim alternative educational setting or the manifestation determination, the child must remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided for in § 300.520(a)(2) or 300.521, whichever occurs first, unless the parent and the State agency or local educational agency

(b) *Current placement.* If a child is placed in an interim alternative educational setting pursuant to § 300.520(a)(2) or 300.521 and school personnel propose to change the child's placement after expiration of the interim alternative placement, during the pendency of any proceeding to challenge the proposed change in placement the child must remain in the current placement (the child's placement prior to the interim alternative educational setting), except as provided in paragraph (c) of this section.

(c) *Expedited hearing.* (1) If school personnel maintain that it is dangerous for the child to be in the current placement (placement prior to removal to the interim alternative education setting) during the pendency of the due process proceedings, the LEA may request an expedited due process hearing.

(2) In determining whether the child may be placed in the alternative educational setting or in another appropriate placement ordered by the hearing officer, the hearing officer shall apply the standards in § 300.521.

(3) A placement ordered pursuant to paragraph (c)(2) of this section may not be longer than 45 days.

(4) The procedure in paragraph (c) of this section may be repeated, as necessary.

(Authority: 20 U.S.C. 1415(A)(7))

§ 300.527 *Protections for children not yet eligible for special education and related services.*

(a) *General.* A child who has not been determined to be eligible for special education and related services under this part and who has engaged in behavior that violated any rule or code of conduct of the local educational agency, including any behavior described in §§ 300.520 or 300.521, may assert any of the protections provided for in this part if the LEA had knowledge (as determined in accordance with paragraph (b) of this section) that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred.

(b) *Basis of knowledge.* An LEA must be deemed to have knowledge that a child is a child with a disability if—

(1) The parent of the child has expressed concern in writing (or orally if the parent does not know how to write or has a disability that prevents a written statement) to personnel of the appropriate educational agency that the child is in need of special education and related services;

(2) The behavior or performance of the child demonstrates the need for these services, in accordance with § 300.7;

(3) The parent of the child has requested an evaluation of the child pursuant to §§ 300.530-300.536; or

(4) The teacher of the child, or other personnel of the local educational agency, has expressed concern about the behavior or performance of the child to the director of special education of the agency or to other personnel in accordance with the agency's established child find or special education referral system.

(c) *Exception.* A public agency would not be deemed to have knowledge under paragraph (b) of this section if, as a result of receiving the information specified in that paragraph, the agency—

(1) Either—

(i) Conducted an evaluation under §§ 300.530-300.536, and determined that the child was not a child with a disability under this part; or

(ii) Determined that an evaluation was not necessary; and

(2) Provided notice to the child's parents of its determination under paragraph (c)(1) of this section, consistent with § 300.503.

(d) *Conditions that apply if no basis of knowledge.* (1) *General.* If an LEA does not have knowledge that a child is a child with a disability (in accordance with paragraphs (b) and (c) of this section) prior to taking disciplinary measures against the child, the child may be subjected to the same disciplinary measures as measures applied to children without disabilities who engaged in comparable behaviors consistent with paragraph (d)(2) of this section.

(2) *Limitations.* (i) If a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures under § 300.520 or 300.521, the evaluation must be conducted in an expedited manner.

(ii) Until the evaluation is completed, the child remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

(iii) If the child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by the agency and information provided by the parents, the agency shall provide special education and related services in accordance with the provisions of this part, including the requirements of §§ 300.520-300.529 and section 612(a)(1)(A) of the Act.

(Authority: 20 U.S.C. 1415(A)(5))

§ 300.528 *Expedited due process hearings.*

(a) Expedited due process hearings under §§ 300.521-300.526 must—

(1) Meet the requirements of § 300.509, except that a State may provide that the time periods identified in §§ 300.509(a)(3) and § 300.509(b) for purposes of expedited due process hearings under §§ 300.521-300.526 are not less than two business days; and

(2) Be conducted by a due process hearing officer who satisfies the requirements of § 300.509.

(b)(1) Each State shall establish a timeline for expedited due process hearings that results in a written decision being mailed to the parties within 45 days of the public agency's receipt of the request for the hearing, without exceptions or extensions.

(2) The timeline established under paragraph (b)(1) of this section must be the same for hearings requested by parents or public agencies.

(c) A State may establish different procedural rules for expedited hearings under §§ 300.521-300.526 than it has established for due process hearings under § 300.507.

(d) The decisions on expedited due process hearings are appealable consistent with § 300.510.

(Authority: 20 U.S.C. 1415(A)(2), (6), (7))

§ 300.529 *Referral to and action by law enforcement and judicial authorities.*

(a) Nothing in this part prohibits an agency from reporting a crime committed by a child with a disability to appropriate authorities or to prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

(b)(1) An agency reporting a crime committed by a child with a disability shall ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom it reports the crime.

(2) An agency reporting a crime under this section may transmit copies of the child's special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act.

(Authority: 20 U.S.C. 1415(A)(9))

Procedures for Evaluation and Determination of Eligibility

§ 300.530 *General.*

Each SEA shall ensure that each



Bronx Preparatory Charter School

A BEACON OF LEARNING

Overview of the proposed Bronx Preparatory Charter School

Presented to the
Charter Schools Institute
State University of New York

September 27, 1999

Presented by

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Mission

The Bronx Preparatory Charter School seeks to graduate men & women who (1) think critically and creatively; (2) have attained strong skills in mathematics, language, literature, history, science, technology, and the arts; and (3) are committed to a lifetime of learning and civic involvement. The school will empower students through high intellectual and conduct standards- building on their promise, as they prepare for college, career, and citizenship.

Inspiration comes from the *Paideia Proposal*, a 1982 prescription for making American schools both more rigorous and more democratic. The Paideia Group, led by University of Chicago philosopher, Mortimer Adler, was dedicated to three predecessors – Horace Mann, John Dewey, and Robert Hutchins – all of whom were beacons in bringing intellect, character, and democratic principles to education. Mann made popular the belief that all children can learn, bringing the public to support the universal “common school.” Dewey sought to commit American schools to a sense of community and scientific inquiry. And Hutchins stood for the classical search for wisdom through analysis of the “great thinkers.”

Bronx Prep will be a 5th – 12th grade school in the predominantly Latino and African-American community of the South Bronx. At Bronx Prep students will become creative, critical thinkers, using the intellectual tools to communicate ideas and engage in fulfilling work. In school students will expand their understanding in three different ways, relying on different methods of instruction. (1) They will acquire organized knowledge with help of didactic instruction from their teachers. (2) They will develop intellectual skills such as problem solving and applications of critical judgement, with help from teachers as coaches. (3) They will build their ideas, values, and aesthetic appreciation through Socratic seminars and artistic endeavors. Faculty will reinforce the message of the *Paideia Proposal*, that “education is a lifelong process of which school is only a small but a necessary part . . . it forms the habit of learning and provides the means for continuing to learn after all schooling is completed.”

To earn a Bronx Preparatory Charter School diploma, students must be able to write a clear, well-organized essay that makes an interesting, well-substantiated argument; read literary, historical & scientific material for understanding; communicate in a second language; design, perform & analyze a scientific experiment; deliver an interactive oral presentation to the school community that makes and defends an ethical and/or intellectual position; demonstrate advanced skills in athletics, music, and the visual arts; use mathematics, science and computer technology to solve problems; recite and interpret important literary passages, speeches, and poetry; and complete a substantial independent study project. The curriculum will prepare students to meet and exceed the New York State Regents learning standards.

The preparation for a lifetime of learning will also be means for earning a living. A classical, college-preparatory curriculum will be required for all, because we believe it leads to further and higher education work, career and life. As the workplace and the workforce are changing, Bronx Prep will prepare students to be flexible, productive adults. To pave the way to the future, we shall expose students to diverse careers, using bi-monthly school assemblies to invite visiting adults to talk about their work and how they prepared for it.

Above all, Bronx Prep’s success depends on building a nurturing school community and culture of achievement, developed in deliberate collaboration with parents, guardians and community. Every adult in the school will communicate high expectations, individual affirmation and support, and genuine human caring. The result will be a school culture that reflects our seven core values, the Seven Cs: curiosity, commitment, competence, character, confidence, caring & community. The double entendre, Seven Seas, is an apt metaphor for a school in an immigrant community, as it is the earth’s seas that connect us to one another and that set us free.

Need for Educational Alternatives in the South Bronx Community

The public schools in District 9 are in a crisis, particularly at the junior high and high school levels. On city-wide tests given to 3rd, 5th, 6th & 7th graders in 1999 District 9 had the lowest reading scores of all 32 NYC school districts, with just 23.4% of students at or above grade level. It also had the lowest mathematics scores of the 32 districts, with 27.5% of students at or above grade level. The reading scores represented a decline of more than five percentage points from the previous year. On the new New York State 4th grade reading test administered in January 1999, District 9 was among the lowest three NYC school districts, with only 16.6% of pupils meeting the state standards. In New York City only its two neighbors, Bronx Districts 7 & 12, had fewer students meeting state standards. Students in Districts 7 & 12 will be within commuting distance from Bronx Prep, and we expect many of them to apply and enroll.

While District 9 enrolls less than 2% of New York State's public school students, it houses 8% of the state's SURR schools. A full 44% (4 of 9) of District 9's intermediate schools are on the SURR list. Ray Domanico, the former executive director of the Public Education Association, investigated whether significant academic improvement had occurred in New York City's lowest-performing 14 school districts, the so-called "Educational Dead Zone." Domanico reported in a March 30, 1999 memo to the Industrial Areas Foundation that while in the last three years there has been some gain in elementary school scores in District 9 as all over the city, "the middle schools are a mess." Not a single District 9 middle school has made significant improvement in the last three years. On June 22, 1999 Chancellor Crew announced his intention to close 13 of New York City's more than 1,000 schools. Two of the 13 are middle schools in District 9. Given this situation, we believe we have a moral obligation to offer young people in the community an alternative. We do not anticipate that this will do harm to the public schools. Our belief is to the contrary - that enabling parents to make choices exerts a healthy competitive pressure on all the schools in the community.

The crisis in District 9 has led parents to demand educational alternatives for their children. A concrete measure of this demand is the response that the School Choice Scholarships Foundation received when it offered private school scholarships to low-income children in 1997 & 1998. The foundation received more than 4,000 applications from students in District 9 -- more than 20% of eligible children there. Neighboring Bronx Districts 7 & 12 were also among the top four districts in terms of parental demand for School Choice Scholarships.

To look at parental dissatisfaction with public school options slightly differently, one can examine private school enrollment. In the South Bronx the vast majority of educational options for families outside of the public schools are the Catholic schools, where tuition averages \$1,800 a year. Nowhere else in the city are the Catholic schools as filled to capacity as they are in the immediate vicinity of the proposed Bronx Preparatory Charter School. According to a 1998 analysis of capacity undertaken by the Archdiocese of New York, in the 11 schools closest to the proposed charter school site there are a total of only 32 available seats *total* in grade six -- an average of 3 seats per school. In grade 5 the average availability is just 3 seats, as well.

This capacity crunch in private schools is extraordinary given the extreme poverty of the neighborhood. Eighty-eight percent of District 9 public school students, and a similar percentage of its Catholic school students, qualify for the federal free- and reduced- price lunch program. The congressional district in which the school is located has the lowest household income in the nation - \$16,683 a year per the 1990 census. Parents' willingness to spend such a significant portion of their family income on private school tuition is a clear measure of their desire for alternatives to the current public options.

There is considerable unmet demand for quality education in the neighborhood, and we do not expect that the presence of a small charter school will threaten the viability of the neighboring private schools. The

Catholic high schools in the neighborhood also have strong enrollment, and it is not expected that they will be adversely affected once the Bronx Preparatory Charter School students reach the ninth grade. All the neighborhood Catholic School principals whom we have contacted have expressed support for the charter school, as they are genuinely concerned about the educational options of the community's children.

The proposed school enjoys the support of a strong and growing coalition of South Bronx community members and organizations. In fact, the charter school organizing group has a number of participants who two years ago tried unsuccessfully to develop a new public middle school in partnership with District 9. These community members were organized via an ecumenical grass-roots group called South Bronx Churches, which several years earlier had planned and launched the very successful Bronx Leadership Academy, a public high school operated as a partnership between the Board of Education and South Bronx Churches. Their effort to organize a middle school within District 9 encountered insurmountable obstacles within the public school bureaucracy, however, so the group put the project on hold and determined to wait for more auspicious circumstances. The charter school group initiated by Kristin Kearns Jordan quickly aligned forces with the original South Bronx Churches team, and the two efforts are working in concert.

Board of Trustees (in formation)

- a) **Morton Ballen** is a New York City public schoolteacher. He began his career teaching humanities at Baker High School in Baker, Louisiana through the Teach For America program. He has also taught at the Sol Plaatje Educational Center in Kimberley, South Africa and the New York Settlement School on the Lower East Side of New York City. He has spent three summers as a teacher trainer and then school director of the Teach For America Institute.
- b) **Roberto Garcia** returned to teaching in 1996 after eight years of public service in Connecticut, first as the director of welfare for the city of Bridgeport, and later as a special funds administrator in the office of the state Treasurer. He has served in a number of for-profit and not-for-profit organizations, including a five-year service as the national program director for the National Puerto Rican Forum. He has taught various subjects in a wide variety of school settings, including Spanish at PS 83, a middle school in the Bronx. He is currently teaching math and history at Stamford High School in Stamford, CT. He was born and raised in the South Bronx.
- c) **Eric Grannis** is an associate at the law firm of [REDACTED] Before attending Columbia Law School he served for two years as a legislative assistant to Congressman Charles B. Rangel of Harlem and then as a teacher of mathematics and biology in East Harlem's District 4. As a lawyer he has served as a law clerk for Judge Peter K. Leisure of the US District Court, S.D.N.Y. and as an associate at Debevoise and Plimpton.
- d) **Kristin Kearns Jordan** is the executive director of the School Choice Scholarships Foundation, a private scholarships program for low-income elementary schoolchildren in New York City. She began her career at the Student/Sponsor Partnership, a financial aid and mentoring program for at-risk high school students in New York City, serving as associate director for three years, and then served as a special projects director at the Center for Educational Outreach and Innovation at Teachers College, Columbia University.
- e) **Année Kim** is the executive director of the Patrons Program, a financial and educational development program for elementary schools in New York City's low-income communities. She began her career in the financial services field as a trader at Lehman Brothers.
- f) **Jane Martínez** is the executive director of the Student/Sponsor Partnership. She began her career as a teacher in Washington Heights' District 6 through the Teach For America program, and then served as executive director of Teach For America-New York. She has also served as the development director of La Salle Academy, a high school on the Lower East Side and as the associate director of the School Choice Scholarships Foundation.
- g) **Franklin Sanchez** is a professor of teacher education at Mercy College in the Bronx. He spent many years teaching and serving in administrative roles in the public schools of New York City.
- h) **Richard Schubart** is a teacher of history and a former dean of admission and financial aid at Phillips Exeter Academy. He was appointed to the Exeter faculty in 1973 after earning his Ph.D. in history at the State University of New York at Binghamton. He is the author of two dozen books on the teaching and learning of history, curriculum development and independent schools. He has also served as the executive director of the Association of Boarding Schools and as the chairman of the Federation of American and International Schools.
- i) **John M. Walderman, CFC** is the President of Rice High School in Harlem. Over the course of his career he has taught every grade level from 5-12 in Catholic schools throughout New York City and the surrounding area, and has served as dean, assistant principal and principal in various schools. He is currently the regional associate of the National Catholic Education Association and the Chairman of the Middle States Evaluation Team of the Immaculate Conception School in Lodi, NJ.
- j) **President of the Bronx Preparatory Charter School Parents Association**

Overview of Standards & Curriculum

At the Bronx Preparatory Charter School the curriculum will be inseparable from the school's achievement standards for students. Students will prepare to meet and exceed New York State's 28 learning standards by engaging in an academic program framed by our own set of more specific skills- and content- based standards, many of which were inspired by those developed by the Hudson Institute's *Modern Red Schoolhouse*. These learning standards, benchmarked grade by grade, will provide students with the tools necessary to succeed on the Regents examinations required for graduation. Currently fewer than 20% of District 9 students pass the Regents examinations. The core program will be classical in its content, focusing on English, mathematics, science, history, geography, Spanish, and the arts. Our extended school day and school year will provide ample time for teachers to do in-depth studies of particular curriculum topics and special projects in addition to content that is part of the core.

It is important to note that while the curriculum content will be relatively traditional, classroom life will not be. Classrooms will most often be set up with students in a large circle or U-shape, to facilitate student participation and an inquiry-driven approach to learning. As often as possible teachers will use a Socratic approach to engage students in a rigorous discussion about the subject of their lesson, be it a piece of literature, a math problem, an historical event or text, a student's piece of writing, or a scientific experiment. Seminars will be used beginning in the fifth grade, but as students progress and have mastered more and more basic skills, the Socratic approach will become ever more common, as it is a powerful tool for developing students' ability to think critically. To support teachers as they advance their ability to lead an inquiry-driven discussion, we will rely on two organizations expert in the approach: Phillips Exeter Academy and the Great Books Foundation. Exeter faculty will help us primarily through professional development opportunities for our teachers, and the Great Books Foundation will supply both teacher training and some curriculum materials for our reading and literature and social studies programs.

The school standards will frame and drive teachers' lesson plans on a day-to-day basis, facilitated by an information management software package called *Achieve*. The standards will be downloaded onto the school's management system, and teachers will be required to construct their lesson plans around the standards and benchmarks of their subject and the students' grade level. Assessments will be linked in a similar way to the standards, to enable teachers and administrators to keep day-to-day tabs on the skills and content that students have mastered and those on which students still need additional practice and instruction. Because the *Achieve* software is Internet based, teachers will be able to work on their lesson plans by logging onto a secure site on the worldwide web from school or from home. The school will have computer workstations for teachers onsite, and will lend teachers laptop computers, as necessary, to facilitate their planning from offsite locations.

School faculty will work together to ensure that each student's education is not a series of isolated pieces, but rather a coherent whole. The opportunities for thematic connection will exist throughout the curriculum, especially between the social studies & literature curricula and those of science & mathematics. Teachers will be encouraged to construct their lesson plans in a way that enables them to collaborate more easily with their colleagues, and to reinforce themes that students are addressing across subjects.

We view writing and technology, two topics sometimes presented as separate subjects in school designs, to be skills necessary for success in *all* subjects. As such, the standards and benchmarks for student achievement in writing and technology are embedded throughout the seven subject areas. We view writing as so critical to students' success that we have added an extra school period devoted strictly to writing every school day from grades 5 through 8.

To help students integrate the wide variety of topics they have studied, and to connect their school learning to the "real world," students and teachers will spend a block of time in June and July of each year working on a culminating project. During this time, once students have completed the core requirements for the grade, extended periods of time will be carved out of the standard school day to work on these creative synthesizing projects. In the middle academy and in grades 9 & 11 of the senior academy, these projects will all be group activities. Teachers & students will design them together over the course of the year, and be ready with a plan to execute once the last month of the school year arrives. In grades 10 & 12 students will do individual projects, which they will plan with the help of their teachers. The seniors' capstone project will take the form of a substantial written paper that makes a meaningful argument, which they will present to the school community and defend through a process of questions and answers.

Finally, as we believe it is essential that students become good citizens as well as good students, all students will be required to complete a community service project each year. Students will construct the projects in collaboration with their teachers, parent volunteers, and others involved with the community service program. They will spend time on the project throughout the school year, and will be required to do written reports describing and evaluating the results of their projects.

Sample Schedule for Middle Academy Student

	Monday	Tuesday	Wednesday	Thursday	Friday
8:00-8:10	All-School Meeting	All-School Meeting	All-School Meeting	All-School Meeting	All-School Meeting
8:15-9:10	Spanish	Spanish	All-School Meeting (cont.) ¹	Spanish	Spanish
9:15-10:10	Reading & Literature / Philosophy ²	Reading & Literature / Philosophy	Reading & Literature / Philosophy	Reading & Literature / Philosophy	<i>Skills Drill & Individual Instruction</i> ³
10:15-11:10	Composition, Grammar & Spelling	<i>Skills Drill & Individual Instruction</i>	Composition, Grammar & Spelling	Composition, Grammar & Spelling	Composition, Grammar & Spelling
11:15-12:10	Science	Science	Science	<i>Skills Drill & Individual Instruction</i>	Science
12:15-12:45	Lunch	Lunch	Lunch	Lunch	Lunch
12:50-1:45	Math	Math	Math	Math	Math
1:50-2:45	Social Studies	Social Studies	<i>Skills Drill & Individual Instruction</i>	Social Studies	Social Studies
2:45-4:30	Extended Day ⁴	Extended Day	Extended Day	Faculty Meeting ⁵	Extended Day

Computers will be used across the curriculum, as they give support to student learning in all subjects. Teachers will be expected to integrate regular computer projects into their lesson plans.

¹ The weekly longer all-school meeting will serve a variety of purposes. About twice a month an adult with an interesting career will come talk with students about what they do and how they prepared for it. At other meetings we will discuss issues of importance in the school and broader community, listen to student presentations, and hear from speakers on various topics.

² The two language arts periods will be held consecutively (blocked) most days to allow for extended attention and integration of reading and writing. Students will have the same teacher both periods.

³ Skills Drill/individual instruction – To be used for all kinds of remedial support. Some periods students will use computerized remedial drill in reading and math skills, in which students will use individualized programs, overseen by teachers and teachers' aides. The reading specialist and tutors will use these periods for individual instruction.

⁴ Extended Day – This time is mandatory for all students and is integral to the school's academic program. It will be used for music, drama, athletics, the visual arts, and other project-based learning. If a student is in danger of failing a class, some extended-day time may have to be used for extra tutorial support and study.

⁵ During faculty meeting students will have some extended-day options within the school (those not run by faculty members). Students may also use this time to fulfill their community service requirement.

Strategies for Students at Risk of Academic Failure

The entire approach to Bronx Preparatory Charter School has been designed with an at-risk student population in mind, as tragically, a common school in the South Bronx is by definition a school for students at risk of academic failure. Only 16.6% of 4th graders in our local school district, District 9, met New York State's standards on the new English test this year. The 4-year *graduation* rate of the high school three blocks away, Taft High School, hovers around 35% each year. Following is an overview of six aspects of this approach.

School Culture

We will repudiate the notion that low academic achievement & behavior problems are to be expected of kids from low-income families. Instead we will deliberately establish a school culture where learning, civility, caring & academic success are not just considered good things, but are the expectation – all the time. We believe that having well defined norms and values is a good approach in any school, but its importance is magnified in a school for adolescents in the South Bronx. The devastated economy & broken school system of the Bronx give kids little opportunity to learn how to be successful in the American economy. The Bronx has 1 million adults of working age but just 200,000 jobs. As a result kids are faced with an environment in which many intelligent, hardworking adults are relegated to low-paying jobs, and where a few choose to get ahead economically by breaking the law. With that framework it can be difficult for a students to envision themselves with a successful career, and many are in danger of losing hope. At grades 5 & 6 young people begin looking to define who they will be as adults and what they are going to value. Their school must actively help them draw together in their minds the connection between character, achievement and economic success. Clearly defined values and norms, school uniforms, consistent discipline, and high expectations in every aspect of school life will all contribute to the development of a positive school culture.

Standards & Curriculum

Students from low-income families, many of whom speak English as their second language, are cruelly shortchanged today by schools that fail to give them good preparation in basic skills. It is a problem of our school system generally: students learn about problem solving but nobody teaches them the arithmetic they need to solve the problems; students are asked to interpret a text without being given tools to help them decode the text's words; students are asked to write creatively without being introduced to the vocabulary that might bring their thoughts to the page. Problem solving, interpretation, and creative writing are very important, and Bronx Prep students will do quite a lot of them. They will not, however, skip the basic skills lessons that will build a foundation & give them tools for higher-order thinking.

During the middle school years, Bronx Prep will adopt an intensive English program to develop students' reading, writing and speaking skills. Students will spend two class hours a day on English: one period for reading & literature and a second for composition, vocabulary & grammar. In the literature class students will read all kinds of engaging literature: novels, fables & philosophical texts, short stories, essays, plays, poems and memoirs. Twelve weeks a year the materials for this class will be those of the Great Books Foundation, which are designed to teach both reading and critical thinking skills. During the remaining weeks teachers will select their own literature to use for the same purpose.

The second English period will be for writing. This class will teach the skills that students need in order to write well: vocabulary, spelling, grammar & word usage, sentence structure, paragraph construction, brainstorming, description, argument, outlining, revision. Students will also learn the particulars of various writing forms: stories, essays, reports, journal entries, newspaper articles, poems, and more. Social studies, science and Spanish teachers will also participate in the teaching of writing in formats appropriate to their subject matter.

Recognizing that we will serve a large number of students with limited English proficiency, we will use math texts in grades 5 & 6 that are not overly saturated with words. As described above, students will spend many hours a day at Bronx Prep working on English language skills, but in math class their purpose is to acquire math skills. The extra puzzles and little stories in many of today's math texts, designed to hold students' interest, have the ironic effect of distracting and frustrating students with poor English skills. Principals of good schools in East Harlem & the South Bronx have recommended the Sadlier Company's math texts, which enable students to work to a very high level in math, even if they still struggle with English. Math instruction (like all instruction except in Spanish class) will be in English, but we will make every effort to minimize the degree to which language deficits retard students' math development. As students realize that they are capable of genuine success math class, they will gain confidence in their abilities more generally.

Remediation / Individualized Instruction

In addition to a curriculum designed to address students' need for more work on basic skills, we will give students individualized work to address their particular academic needs. This extra support will be built into all students' academic programs, and it will take three forms. (1) Students will work through individualized reading & math skills drill, overseen by teachers and tutors. (2) At other periods during the week students will have the opportunity to work with individual tutors on their homework or on basic skills. This kind of one-on-one attention is wonderful for young people, and we will train and work with as many good tutors as we can find. Individualized support services will also be helpful to the more advanced students, who will utilize them to work on challenging material for which some of their peers may not yet be prepared. (3) Finally, students who have serious difficulty with reading will also have the opportunity to work frequently with our part-time reading specialist. We will recruit, if possible, a reading specialist trained in the *Reading for All Learners* program, a successful phonics-based approach, modified specifically to serve students at risk of academic failure. Supported by thirty years of research, the program comes with a series of materials to help students learn to segment words and syllables into phonemes, the key to decoding words accurately and fluently.

Longer School Day and Year

American schoolchildren do not spend enough time learning. Cross-national samples of academic performance show Americans' comparative results to decline dramatically as students progress through middle & high school. Students in District 9, 73.4% of whom do not meet the New York State English language standards, have a particularly urgent need for more instructional time. The school will have an 8 ½-hour day and a 210-day year, providing 50% more instructional time than a traditional American school with a 6 ½-hour day and a 180-day year.

Summer Skills-Building Program

During the month of July we will provide a four-week skills-building program to the incoming students most at risk of academic failure. The program will serve both to give these students intense instruction in basic reading and math skills and to give them a head start in acclimatizing to the norms and rigors of Bronx Prep.

Eight Year Program Beginning at Fifth Grade

As described above, at fifth grade students' academic performance in the New York City public schools drops off dramatically. The Bronx Preparatory Charter school aims to enroll students at that vulnerable moment, help them to catch up to grade level as quickly as possible, and then see them through to college. An eight-year path allows time to help students recover ground in basic skills in the early years, grapple with more complex material and critical thinking skills for several years more, and by the end of high school be introduced to college-level work. This would not be possible with a just a four-year course of study at either the middle or high school level.

Credentials for the Instructional Staff

The school will give top priority to hiring the best teachers it can find. A good teacher, by the Bronx Preparatory Charter School's standards, possesses a combination of innate intelligence & talent, a love of young people, a deep knowledge of his or her subject, and instructional ability. Good teachers define their success by the skills and knowledge that their students acquire, rather than what they "cover" in their lessons. Their goals are to enable students to achieve high standards of academic performance, and they construct lessons that directly support students in their achievement of specific standards. Good teachers also model the habits of enthusiastic learners, and make it clear to their students that continuing to learn is one of the joys of an adult's life.

We will seek teachers who will view themselves as true professionals with a stake in the success of the school, rather than as mere employees of an institution. They must be prepared to work as a community of educators to focus their shared vision of a school and then enact a plan for its realization. It will be important that they be prepared to embrace difference and varied perspectives, and know how to air and resolve conflict in a way that preserves the trust and mutual respect within the community.

Good teachers also have specific skills, which enable them to create and maintain an environment in which children learn and enjoy doing so. Glenn Latham of Utah State University spent sixteen years visiting classrooms in the US and around the world, evaluating the skills that made teachers most effective. He describes eight critical skills, which we will seek evidence of when hiring teachers:

- 1) The ability to help students internalize higher expectations of themselves
- 2) The ability to get and keep students on task
- 3) The ability to use positive reinforcement and maintain a high rate of positive teacher-to-pupil interactions
- 4) The ability to respond effectively and non-coercively to inappropriate behavior
- 5) The ability to maintain a high rate of risk-free student response opportunities
- 6) The ability to serve problem-behavior students in the classroom environment
- 7) The ability to avoid being trapped into responding inappropriately to students (for example, by using threats, sarcasm, force or belittling comments)
- 8) The ability to manage their classroom "scientifically," that is to say to examine the research, practices of their colleagues and their own teaching to determine what works, and then use it.

Beyond these eight general skills, Bronx Prep teachers must be willing to develop their ability to teach using the Socratic/inquiry-driven methodology that will be central to the school's pedagogical approach.

It is of particular importance in this inner-city school that teachers recognize the academic promise of *all* children, regardless of their socioeconomic status, ethnicity, race, native language, or prior low academic achievement. Considerable research documents the importance of teachers' expectations in students' success, beginning with Harvard psychologist Robert Rosenthal's seminal work in the 1960s entitled *Pygmalion in the Classroom: Teacher Expectation and Pupils' Intellectual Development*. The book documents an experiment in which students are randomly sorted into two groups (not by ability), but teachers are told (falsely) that one group is gifted and others average. The achievement of the so-called gifted students was significantly higher after just one year, simply because teachers had expected more of them. There will be no place in this school for teachers who have conscious or unconscious doubts about the ability of disadvantaged children to learn.

Budget Priorities

The school must recruit outstanding teachers willing to spend considerably more time in school.

Bronx Prep teachers must be exceptional, and must be willing to work for an extended school day and a 210-day school year. In the first year they must also come to the school with teaching experience. In order to attract and reward teachers with this combination of excellence, experience and commitment, Bronx Prep's average teacher salary is relatively high.

Students shall participate in class.

In order to give students genuine opportunity for class participation, Bronx Prep classes will have no more than 25 students.

Teachers shall get to know their students well by playing multiple roles.

In order to give teachers time to get to know their students, teachers will teach four 55-minute classes of 25 students per class. This student load of approximately 100 students is lighter than in the average American school, where often teachers have a responsibility for 125 students or more. With more time to devote to fewer students, teachers will be expected to develop mentoring relationships with students beyond their interaction in class. Teachers will be expected to be available to students during non-instructional time for extra help or general academic guidance. Teachers will also interact with students by overseeing extended-day programs.

Students and staff shall use advanced computer technology

The school shall take advantage of the e-rate and other technology opportunities to secure high-performance computer hardware and software for students and staff. This commitment will prepare students for participation in the technology-rich American workplace and will also facilitate the effective operation of the school.

Teachers and students shall enjoy high-quality instructional materials.

Materials from the *Great Books Foundation* and from the *Touchstone* program will cost more than traditional textbooks, but will be worth the expenditure because of the opportunity they provide for a high-quality academic experience. Scientific equipment and other instructional supplies can also be expensive, but we will spend money where appropriate to avoid mediocre alternatives.

The school will achieve cost savings and enhance program quality through community partnerships.

The school has already secured a partnership with a local health center, which will provide nursing & other medical services, mental health care and other counseling services (with parental permission in all cases) for free to our students. They will fund these services by accessing state and federal health care money for low-income families. We are planning partnerships with all kinds of community organizations (including the local YM/WCA, the Forest Service, the Bronx Museum of the Arts) to provide educational and athletic enrichment programs for students. These programs, selected based on the alignment of their goals with the mission of the school, are not only cost effective, but bring to the school expertise and resources that the school faculty and staff could not provide independently.

The school will avoid "bells and whistles" that distract from its academic program.

The school will avoid gimmicky programs and other expenditures that would divert time, attention and financial resources from its classical academic program.

Notes on the Budget

The following pages present a five-year financial plan for the Bronx Preparatory Charter School.

In estimating revenues we have projected a relatively conservative 3% annual increase in the state and local per-pupil allocation. The projected income from New York State funding for textbooks, software and library aid is based on actual decisions made by the legislature for funding through 2005. The assumption regarding federal IASA funding is also a very conservative estimate - \$350 per student. Charter schools in other states in low-income districts similar to the South Bronx typically receive more than \$450 per student from these programs. We have projected that the remaining per-pupil cost will be covered by private sources only, though the school will apply for additional public support in the form of three-year federal grants for the extended-day programming under the *21st Century Community Learning Centers Program*. This federal program is designed to create school-based learning centers in public schools that are safe, drug-free, supervised havens for young people and their parents. Charter schools in other states have won these grants, and the Bronx Prep extended-day program design meets the federal program's qualifications. These grants are awarded on a competitive basis and average \$125,000 per school per year. If the school receives this grant the private fund-raising burden will be reduced. The e-rate will be used to keep technology costs low, and we will be attentive to other opportunities for public grants.

In estimating costs, we have projected 5% annual increases in the cost of most goods and services. Per-pupil costs rise in proportion to the increase in student enrollment. The most difficult item to predict is the one-time cost to move into the senior academy building. We are currently investigating a variety of options with the help of South Bronx Churches, an ecumenical organization very active in community development in the South Bronx. There is much vacant land in the neighborhood, a lingering result of the fires that devastated the community in the 1970s. In the last ten years, however, the neighborhood has enjoyed a true building renaissance, led by organizations like South Bronx Churches. Builders are finding demand for newly constructed facilities and are building in anticipation of that demand.

Two blocks from the middle school site is a new building shell that could be built out and used as a school. While another organization will most likely rent that site before we would be ready to occupy it, we are using it as a model to make cost predictions for our own endeavor in three years. If we were to finance the buildout of a similar 20,000 square foot space, which the builders estimate would cost \$800,000, we could occupy the space for an annual rent of \$7.50 per square foot. To be conservative, we will assume a \$1,000,000 figure for our buildout projections and an annual rent of \$8.50 per square foot. We would also consider the purchase of a new or existing building if the price were low enough and there would be enough economic advantage to compensate for the risks and long-term commitment of owning a building. In the case of either buildout and rental or direct ownership, we will be quite cautious if considering using an existing building. It is often more expensive to renovate an old building and bring it up to code as a school than it is to build a school new.

If the Bronx Preparatory Charter School is chartered, the founders will first raise start-up funds to furnish and move into the middle academy. Immediately thereafter we would begin a capital campaign to finance a senior academy building for the 2002-2003 school year. That effort would be led by *Friends of Bronx Preparatory Charter School*, a new not-for-profit founded specifically for the planning and support of this proposed school. As a portion of the new building would not be needed until the 2003-2004 school year, the buildout could take place over two years, if necessary, giving us an extra year to raise the necessary capital funds. Given the contacts of the school's founders in the philanthropic community, we are confident that we can raise the necessary capital in the next four years. Every effort will be made to raise the capital in advance of the construction work, but in order to be conservative, the financing of the senior

academy building is presented in the following five-year budget as if it were financed at a 12% interest rate over ten years.

The school's capital needs in the early years create a need for philanthropic support. While it would be theoretically desirable for this school to operate within the financial boundaries of the per-pupil public funding provided to charter schools, we do not envision that as a possibility in the short run. To do so would compel us to make sacrifices in quality of materials or in teachers' compensation, which we would find highly undesirable. A high quality public school in New York City's lowest-performing school district would be a very attractive project for private supporters. It would be a school for children with the greatest need in a city that arguably has more philanthropic capacity than any other city in the world. The fact that the school would be supported primarily with public funding provides the opportunity for private givers to leverage more educational opportunity with their donation than if they were to invest in a school or other non-profit supported purely with private funds. Bronx Prep's proposed staffing structure, with an Executive Director in addition to academy principals, has been designed in recognition of the school's intention to raise private funds, particularly in the early years.

Should the school be at risk in any year of failing to meet its fund-raising goal, the Board would enact one or more elements of the following contingency plan. If space were to permit, we would consider admitting a larger number of incoming students in a given year, in order to more fully occupy the buildings and spread the fixed costs over a larger number of students. While we find two classes of 25 students per grade to be the ideal size in the Bronx Prep model, the intimacy of the school would not be too threatened by admitting three classes of 25 students in one or two years. In a lean year the school could also delay discretionary purchases like the replacement of textbooks and computers, and scale back our enrichment programming. If the financial difficulty were to occur in the period around the acquisition of a high school facility, the senior academy could move into a small, temporary space for a year or two, until the senior academy population becomes large enough to make the permanent space more economical.

If the school continues to operate on a frugal budget and costs and revenues increase at the rates projected on the attached spreadsheet, the school could come to rely uniquely on public funding by the 2005-2006 school year, even before it reaches its mature size of 400 students and fully occupies both buildings. At that stage the Board of Trustees would make a decision regarding how much private support to raise, and for what purposes private funding should be used.

FIVE-YEAR BUDGET 2000-2005
BRONX PREPARATORY CHARTER SCHOOL

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FISCAL YEAR	1999- 2000	2000- 2001	2001- 2002	2002- 2003	2003- 2004	2004- 2005
Fiscal Year runs August 1 to July 31						
STUDENTS AND STAFF						
Number of Students	0	100	150	200	250	300
Number of Executive Directors	1	1	1	1	1	1
Number of Principals	1	1	1	1	2	2
Number of Teachers	0	5	9	12	15	18
Reading Specialist (part time '00-'03)	0	1	1	1	1	1
Number of Guidance Counselors	0	0	1	1	1	1
Number of Admin. Assistants	1	1	1	1	2	2
Number of Custodians	0	0	0	0	1	1
Total Employees	3	9	14	17	23	26
Total Full Time Employees	3	8	13	16	23	26
EXPENSES						
Salaries						
Director	\$35,000	\$70,000	\$71,500	\$73,000	\$74,500	\$76,000
Principals	\$10,850	\$65,000	\$66,150	\$68,000	\$138,300	\$142,000
Teachers	\$5,000	\$205,000	\$378,000	\$516,000	\$660,000	\$810,000
Reading specialist	\$0	\$25,000	\$27,500	\$30,000	\$50,000	\$50,000
Guidance Counselors	\$0	\$0	\$33,000	\$34,155	\$35,350	\$36,588
Administrative assistants	\$2,080	\$23,000	\$24,000	\$25,000	\$52,000	\$54,000
Custodians	\$0	\$0	\$0	\$0	\$26,000	\$28,000
Total Salaries	\$52,930	\$388,000	\$600,150	\$746,155	\$1,036,150	\$1,196,588
Benefits & Staff Development						
Retirement	\$2,647	\$19,400	\$30,008	\$37,308	\$51,808	\$59,829
Health	\$1,875	\$28,000	\$45,500	\$56,000	\$80,500	\$91,000
FICA & other payroll taxes	\$5,293	\$38,800	\$60,015	\$74,616	\$103,615	\$119,659
Professional development for staff	\$15,000	\$15,000	\$20,000	\$25,000	\$30,000	\$35,000
Total Benefits & Staff Development	\$24,815	\$101,200	\$155,523	\$192,923	\$265,923	\$305,488
Fixed Costs						
Property						
Building lease(s)	\$12,500	\$75,000	\$75,000	\$75,000	\$245,000	\$245,000
Utilities	\$900	\$5,400	\$5,670	\$5,954	\$11,907	\$12,502
Liability & Property Insurance	\$1,250	\$7,500	\$7,500	\$7,500	\$24,500	\$24,500
Security alarm for senior academy	\$0	\$0	\$0	\$0	\$3,000	\$3,150
Janitorial Services (contracted)	\$3,000	\$12,000	\$13,000	\$14,000	\$0	\$0
Waste Disposal	\$300	\$1,800	\$1,890	\$1,985	\$4,167	\$4,376
Communications						
Copier lease	\$600	\$3,000	\$3,150	\$3,308	\$6,946	\$7,293
Telephone service	\$2,400	\$4,800	\$5,040	\$5,292	\$11,113	\$11,669
Professional Services						
Legal	\$0	\$0	\$0	\$0	\$0	\$0
Accounting/Financial audit	\$1,000	\$6,000	\$6,300	\$6,615	\$6,946	\$7,293
Program audit	\$0	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
Computer consultant		\$15,000	\$15,750	\$16,538	\$26,047	\$27,349
Total Fixed Costs	\$21,950	\$133,500	\$136,300	\$139,190	\$342,626	\$346,132

Variable Costs

Cafeteria - Breakfast & Lunch	\$0	\$69,200	\$106,900	\$146,433	\$189,400	\$234,100
<i>Instructional</i>						
Texts & instructional materials	\$35,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Other books (including library)	\$30,000	\$15,000	\$7,500	\$7,500	\$7,500	\$7,500
*Enrichment programs for students	\$0	\$40,000	\$63,000	\$85,995	\$112,868	\$142,214
Student field trips	\$0	\$15,000	\$23,600	\$24,800	\$43,500	\$54,800
Standardized testing - CTBS	\$2,500	\$3,938	\$4,134	\$7,250	\$9,135	\$11,126
Musical instruments	\$5,000	\$4,000	\$4,000	\$1,000	\$5,000	\$4,000
Classroom paper & supplies	\$1,500	\$5,000	\$7,875	\$8,269	\$14,499	\$18,269
<i>Recruiting/Marketing</i>						
Postage	\$1,500	\$1,200	\$0	\$1,323	\$1,389	\$1,459
Bronx Prep paraphernalia/events	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Recruitment materials	\$4,000	\$3,000	\$0	\$3,308	\$3,473	\$3,647
<i>Administrative</i>						
Maintenance of equip. & furnishings	\$0	\$1,000	\$1,050	\$1,103	\$1,158	\$1,216
Office supplies	\$1,200	\$2,400	\$2,520	\$2,646	\$5,557	\$5,834
Janitorial supplies	\$600	\$2,400	\$2,520	\$2,646	\$5,557	\$5,834
<i>Other</i>						
Contingency fund for emergencies	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Total Variable Costs	\$96,300	\$197,138	\$258,099	\$327,271	\$434,035	\$524,999

Capital Costs*Electronic*

Student computers (replace every 3 yrs)	\$40,000	\$0	\$0	\$80,000	\$0	\$0
Staff computers	\$20,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Computer network installation	\$10,000	\$0	\$0	\$10,000	\$0	\$0
Student software	\$15,000	\$0	\$7,500	\$7,500	\$7,500	\$7,500
Achieve software	\$9,000	\$0	\$0	\$0	\$0	\$0
Public address system	\$750	\$0	\$0	\$1,000	\$0	\$0
Other equipment (TVs, VCRs)	\$2,500	\$500	\$500	\$2,500	\$500	\$500

Classroom

Science laboratory equipment	\$5,000	\$1,000	\$1,000	\$5,000	\$1,000	\$1,000
Classroom furniture	\$30,000	\$0	\$0	\$20,000	\$15,000	\$0

Other

Library furniture	\$2,000	\$0	\$0	\$1,000	\$0	\$0
Cafeteria furniture	\$7,000	\$0	\$0	\$7,000	\$0	\$0
Office partitions & furniture	\$5,000	\$0	\$0	\$6,000	\$0	\$0
Athletic equipment	\$2,000	\$0	\$0	\$2,000	\$2,000	\$0
Reconstruction of stage	\$3,000	\$0	\$0	\$0	\$0	\$0
File cabinets	\$2,500	\$0	\$0	\$3,000	\$0	\$0
Phone system	\$2,500	\$0	\$0	\$3,500	\$0	\$0
**Loan payment - senior acad. construction	\$0	\$0	\$0	\$172,164	\$172,164	\$172,164
Total Capital Requirements	\$156,250	\$11,500	\$19,000	\$330,664	\$208,164	\$191,164

TOTAL EXPENSES	\$352,245	\$831,338	\$1,169,072	\$1,736,204	\$2,286,898	\$2,564,370
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REVENUES

Per pupil state & local aid	\$0	\$639,321	\$987,751	\$1,353,120	\$1,742,142	\$2,153,288
Federal start-up grant	\$75,000	\$0	\$0	\$0	\$0	\$0
NYS textbook, software & library aid	\$0	\$7,828	\$16,242	\$21,656	\$27,070	\$32,484
Lunch Program	\$0	\$69,600	\$106,900	\$146,433	\$189,400	\$234,100
***Federal IASA Funding (Title 1, 2, 4 & 6)	\$0	\$35,000	\$52,500	\$70,000	\$87,500	\$105,000
Private grants	\$277,245	\$79,589	\$5,679	\$144,995	\$240,786	\$39,499
****Total Revenues	\$352,245	\$831,338	\$1,169,072	\$1,736,204	\$2,286,898	\$2,564,370

SURPLUS / (SHORTFALL)	\$0	\$0	\$0	\$0	\$0	\$0
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Notes

*Primarily the cost of extended day programming done in partnership with arts organizations and other local partners

**Assumes a \$1 million buildout is financed at 12% over 10 years.

***Assume \$350/student, a conservative estimate based on experience of charter schools in other states and early reports from NY schools.

****Note on special education funding: we can not predict with accuracy the number of special education students the school will serve, or the costs to serve them. Public special education revenues will rise, however, in proportion to the costs of providing the services, and so the provision of special education is expected to be cost neutral.

TAB

BASIC

APPLICATION

TAB

I ESTABLISHMENT

I. Establishment

1. Name of charter school: Bronx Preparatory Charter School

The name of the school must include the term "Charter School," and cannot include the name of a for-profit business or corporate entity.

2. Lead Applicant:

Name: Kristin Kearns Jordan

Address: [REDACTED] / New York, NY [REDACTED]

Phone/Fax/E-Mail: [REDACTED] (w): [REDACTED] (h): [REDACTED] (fax): [REDACTED]

Other Applicant(s): (See attachment I-2)

For each applicant, provide background information, including whether he or she is a teacher, parent, school administrator, and/or community resident. Indicate whether each is a representative of a college or university, museum, educational institution, not-for-profit organization, for-profit business, or corporate entity. Identify all other relevant affiliations for each applicant.

Subsequent to a tentative approval of a charter school application, the Charter Schools Institute shall require a set of fingerprints for each applicant for the purpose of obtaining a state and federal criminal records check. A blank set of non-criminal fingerprint cards will be sent by the Institute to qualifying applicants.

3. I.R.S. not-for profit status:

Yet to apply X Pending Approved (ID#:)

Tax-exempt status is required within one year of application submittal.

4. Applicants' partner (college, university, museum, educational institution, not-for-profit corporation, for-profit business or corporation), if any:

Partner Organization #1 (primary partner)

Phillips Exeter Academy
20 Main Street / Exeter, NH 03833
Contact is Dr. Richard D. Schubart: 603-778-1410

Partner Organization #2 (for arts education - see fine arts curriculum for more detail)

Bronx Museum of the Arts
1040 Grand Concourse
Bronx, NY 10456-3999
Contacts are Drew Hyde: 914-337-1762 and Jenny Dixon, Executive Director 718-681-6000

Partner Organization #3 (for health education and health services)

Martin Luther King Jr. Health Center
3674 Third Avenue
Bronx, NY 10456
Contact is Patricia Thompson, Executive Director: 718-681-3400.

5. If the charter school is to be established in conjunction with a for-profit business or corporate entity, provide the name of such entity and specify the extent of the entity's participation in the management and operation of the school ("Attachment I-5").

Or: ☒ Charter school not to be established in conjunction with a for-profit entity

6. Anticipated opening date for the charter school: September 2000
 Month/Year

7. Applicants may request consideration for an expedited review wherein the Charter Schools Institute would waive the normal time line for its review process. Requests must provide compelling reasons. Do you require an expedited review?

Yes _____ No ☒

If "yes," please provide reasons for this request ("Attachment I-7").

8. Requested initial term of charter (up to 5 years): 5 years.

9. a) Have you applied to any other chartering entity for a charter?

Yes _____ No ☒

If "yes," indicate entity and date of application submission:

b) If you have previously applied for a charter from another charter entity and it was denied, state the reason(s) it was not approved ("Attachment I-9")

10. Are you requesting a conversion of an existing traditional public school to a charter school?

Yes _____ No ☒

If "yes," then STOP. DO NOT CONTINUE. The State University of New York Board of Trustees shall only consider applications for new charter schools, and is not authorized to approve charters for existing traditional public schools converting to a charter school.

If "no," then proceed with the application.

II. Mission

11. Attach a mission statement for the school ("Attachment II-11"). Include a discussion of how the proposed charter school is likely to:

- a. Improve student learning and achievement;
- b. Increase learning opportunities for all students and, if applicable, with a special emphasis on expanded learning opportunities for children at risk of academic failure;
- c. Use different and innovative teaching methods, if applicable;
- d. Increase professional opportunities for teachers, school administrators, and other personnel; and,
- e. Provide parents and students with expanded choices in the types of educational opportunities that are available within the public school system; and,
- f. Institute a change from rule-based to performance-based accountability systems.

III. School Design And Organization

12. Attach the proposed student admission policy and procedures for the charter school, and include procedures for excess enrollment or targeting a specified student population ("Attachment III-12"). Charter schools are required to be nonsectarian in their programs, admission policies, and other operations. Admission of students to a charter school shall not be limited on the basis of intellectual ability, measures of achievement or aptitude, athletic ability, disability, ethnicity, race, creed, gender (although single-sex schools are allowed), national origin, religion, or ancestry.

If the number of applicants to a charter school exceeds capacity, a random selection process for admission must be used, with preference given to pupils residing in the school district where the charter school is located, students returning for a subsequent year at the charter school, and siblings of pupils already enrolled in the charter school.

The policy also must include procedures for student withdrawal from a charter school.

13. State the grade levels of students to be served by the charter school. Each charter school is required to serve at least one of the grades 1 through 12; nothing precludes a charter school from offering kindergarten.

In its maturity, if the school receives an extension of the charter, it will serve grades 5-12 in two academies, a middle academy of grades 5-8 and a senior academy of grades 9-12. They will most likely be located in separate buildings.

14. State the ages of students to be served by the charter school.

Students who have completed the 4th grade in an American public or private school (or the equivalent in another country) will be permitted to enter Bronx Preparatory Charter School. We do not anticipate that students less than 7-8 years old will have completed the necessary preparation. Students will not be permitted to stay at the school past the age of 21.

15. Detail the expected initial enrollment of the charter school, in total and by grade ("Attachment III-15"). With some exceptions -- such as when the charter school serves a geographically remote region or any other compelling reason -- a minimum student enrollment of 50 students is required by the second year of the school's operation.

The school will begin with 100 children equally divided between grades 5 and 6. Each grade will have 50 students in two classes of 25 students each.

16. State the expected future enrollment of the charter school, by grade and total, providing a description of any plans to phase in new enrollment ("Attachment III-16").

17. Attach a proposed school calendar ("Attachment III-17"). Charter schools must provide at least as much instruction time during a school year as required of other public schools (180 days, or the equivalent).

a. Total number of days of instruction: 210 days

b. Length of school day: Start: 8:00 a.m. Dismissal: 4:30 p.m. (includes mandatory extended-day)

c. Attach a description of periods of instruction (classroom times; recess or recreational times; study periods; etc. ["Attachment III-17-c"]).

18. Attach the charter school's student discipline rules and procedures, including proposed guidelines for suspension or expulsion of students, and for due process ("Attachment III-18").

19. Attach any dress code policy ("Attachment III-19").

20. Describe plans for food services to be provided or options under consideration ("Attachment III-20").

21. Describe plans for health services to be provided or options under consideration ("Attachment III-21").

22. Attach a description of methods to be used to accommodate students with disabilities, including procedures for referring students for services within or outside of the charter school ("Attachment III-22"). Include any arrangements to be made with the resident school district committee on special education.

Students with disabilities attending a charter school are to receive services in accordance with the individualized education program (IEP) recommended by the committee or subcommittee on special education of the school district of residence. The charter school may provide such services directly, by contract with another provider, or arrange to have such services provided by the school district of residence

23. Does the proposed charter school include any methods and strategies for dealing with a population of students at risk of academic failure?

Yes ☒ No

If "yes," attach a description of the targeted at-risk student population and describe such methods or strategies ("Attachment III-23")

24. Does the proposed charter school include any methods and strategies for dealing with other targeted student populations?

Yes No ☒

If "yes," attach a description of the targeted student population(s) and describe such methods or strategies ("Attachment III-24")

IV. Academic Standards And Curriculum

25. Attach a description of the student achievement standards for the proposed charter school ("Attachment IV-25"). Charter schools are required to establish student achievement standards that meet or exceed those established for existing public schools by the New York State Board of Regents.

26. Detail by grade the proposed charter school's curriculum ("Attachment IV-26").

27. Does the educational program or philosophy of this proposed charter school track a model curriculum or design?

Yes No ☒

If "yes," provide the model curriculum to be used and/or define and describe the standardized education programs ("Attachment IV-27")

28. If the school serves the 12th grade, attach a description of the requirements for a student to be awarded a diploma ("Attachment IV-28").

V. Student Performance Assessment

29. Attach a description of how the charter school will implement state-required tests ("Attachment V-29"). Charter schools are required to test student performance at least at the level required of public schools by the state Board of Regents.

30. Many traditional public schools, private schools, and charter schools supplement state student testing requirements with other standardized performance testing. List which, if any, supplemental student assessments will be required ("Attachment V-30").

31. List any other assessment tools that will be used by the charter school to measure either attainment of these standards or student performance ("Attachment V-31").

VI. Parental And Community Involvement

32. Describe the process the school will follow to promote parental and staff involvement in the governance and administration of the charter school ("Attachment VI-32").

33. Offer evidence of community support for the proposed charter school, including documentation of sufficient interest by parents and students to meet the school's enrollment targets. Include any methods or strategies to be used to gauge community support of the charter school ("Attachment VI-33").

The Charter Schools Institute and the Board of Regents are required by law to provide "at each significant stage" of the chartering process "appropriate notification" to the school district in which the charter is proposed to be located and to public and nonpublic schools in the same geographic area.

34. Attach a description of the programmatic and fiscal impact of the establishment of this charter school on existing public and non-public schools in the community ("Attachment VI-34").

VII. School Governance

35. List the proposed Board of Trustees for the school: (see Attachment VII-35)

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____
- f. _____
- g. _____

Attach extra sheets as necessary (labeled "Attachment VII-35").

For each Trustee, attach statements of identification and background.

36. Describe the school's policy of qualifications for Trustees ("Attachment VII-36").

37. State the terms established for each Trustee ("Attachment VII-37").

38. Describe the school's method for appointment/election as a Trustee ("Attachment VII-38").

39. Describe the responsibilities and obligations of the school's Board of Trustees ("Attachment VII-39").
40. Outline the reporting structure of school officials to the Board of Trustees ("Attachment VII-40").
41. Attach policies and procedures governing access to school records and provision of public documents, in compliance with the Freedom of Information Law [Article 6, Public Officers Law] ("Attachment VII-41").
42. Attach proposed policies and procedures for public meetings and executive session of the Board of Trustees and of the school administration, in compliance with the Open Meetings Law [Article 7, Public Officers Law] ("Attachment VII-42").
43. Attach a description of the process by which individuals may bring complaints to the charter school's Board of Trustees ("Attachment VII-43"). Any individual or group may bring a complaint to the Board of Trustees of a charter school for alleged violations of the law or the charter regarding the management and operation of the charter school.
44. Attach the code of ethics applicable to the trustees, officers and employees of the charter school ("Attachment VII-44").
45. Outline the organizational reporting structure and managerial control established within the charter school ("Attachment VII-45").

VIII. Personnel

46. Attach a description of the charter school's personnel policies. Include in this description: (a) hiring and dismissal policies; (b) qualifications for hiring teachers, school administrators, and other employees; and (c) a description of staff responsibilities ("Attachment VIII-46").
47. State the planned number of classroom instructors at the charter school, offering detail on the number of such instructors for each classroom, each grade, and total number in the school ("Attachment VIII-47").
48. Of the total number of instructional staff, describe the number, if any, of teachers expected to be hired without New York State certification, or alternative certification by the Commissioner, and include a description of the credentials for each of such instructional staff ("Attachment VIII-48"). Charter schools may allow up to 30 percent of the instructional staff or up to 5 teachers, whichever is less, to teach without having required New York State certification or alternative certification by the Commissioner of Education.
49. Attach proposed policies and procedures for any collective bargaining between the management and staff of the charter school. Include whether (a) the staff is expected to be represented by any organization engaged in collective bargaining, and (b) whether staff will be subject to any existing collective bargaining agreements between the school district and its employees ("Attachment VIII-49"). Include in such policies and procedures any guidelines for "reasonable access" to school personnel by employee organizations.

For charter schools with more than 250 students at any point during its first year of operation, instructional employees eligible for representation are deemed to be represented in a separate negotiating unit of the collective bargaining organization representing instructional employees in the local school district. Charter schools with no more than 250 students at any point during its first year of operation are not required to enlist its employees as members of the existing local school district's collective bargaining unit and may be established free of any collective bargaining agreement.

50. The SUNY Board of Trustees can, by law, exempt up to 10 charter schools from the requirement that instructional employees in schools with more than 250 students at any time during their first year of operation are deemed represented in a separate negotiating unit of the collective bargaining organization of the school district. Do you request an exemption from the instructional employee representation requirement?

Yes No ☒

If "yes," provide a statement explaining the rationale for this request ("Attachment VIII-50").

51. Describe whether any employees of the charter school are expected to be members of a public employee retirement system ("Attachment VIII-51").

IX. Finances And Accountability

52. Detail a start-up budget for the charter school ("Attachment IX-52").

53. Document the availability of start-up capital, and the proposed use for such funds ("Attachment IX-53").

54. Detail the charter school's proposed annual budget ("Attachment IX-54").

55. Provide a five-year financial plan for the charter school ("Attachment IX-55").

56. Offer evidence that the start-up financial plans, the annual budget, and the five-year fiscal plan are sound ("Attachment IX-56").

57. Detail the charter school's requirements for the performance of program audits and independent fiscal audits ("Attachment IX-57"). Audits must, at a minimum, meet the scope of audits required of other public schools, and all audits must be performed annually.

58. Describe the insurance coverage to be carried by the charter school, including amounts of liability, property loss, and student personal injury insurance ("Attachment IX-58").

X. Physical Facilities

59. Where will the charter school be located [city, address (if known), school district]?

1512 Webster Avenue / Bronx, NY 10457 in Community School District 9, New York City

If facility is not known at the time of application, the applicant must notify the Charter Schools Institute within 10 days of securing facilities.

60. a) If you already have identified the charter school facility, is it:

In a newly constructed facility?

In part of an existing public school?

In part of an existing private school?

In all or part of an existing public building?

☒ In all or part of an existing private building?

Other: _____

Describe the facility ("Attachment X-60-a").

b) If you have not identified a charter school facility, describe plans for doing so ("Attachment X-60-b").

61. Will the charter school or its applicants or partners own or lease its facility?

Own ☒ Lease

Describe the ownership or lease arrangement of the facility ("Attachment X-61").

62. Describe the layout of the school: number and size of classrooms; common areas; recreational space; use of community facilities; etc. ("Attachment X-62").

63. Describe residential facilities, if any, at the charter school, such as dormitories, faculty housing, etc. ("Attachment X-63").

64. Attach a description of the transportation arrangements made for charter school students. Include a description of how transportation will be handled for students who would not qualify for public school transportation under state law [Education Law §3635] ("Attachment X-64"). Include in such description any proposed contractual arrangements between the charter school and a school district for any supplemental transportation arrangements, which must be provided at cost to the charter school.

School districts must transport resident charter school students in the same manner as resident students attending private school, that is, students living beyond 2 miles (for elementary) or 3 miles (for high school) must be transported to any charter schools for up to a distance of 15 miles. However, school districts may waive this 15-mile limit.

XI. Future Planning

65. Describe any intention to expand the charter school, including physical expansion, anticipated growth in the school's budget or other financial expansion, expansion in the grade levels served, or expected increases in the student population ("Attachment XI-65").

66. Describe plans for the transfer of students and student records, and for the disposition of school assets, including the satisfaction of any outstanding debts in the event of dissolution of the charter school ("Attachment XI-66"). In the event of dissolution, remaining assets of a charter school are to be transferred to the local school district or another charter school within that school district.

Attachment I-2
Other Applicants

- a) **Morton Ballen** is a New York City public schoolteacher. He began his career teaching humanities at Baker High School in Baker, Louisiana through the Teach For America program. He has also taught at the Sol Plaatje Educational Center in Kimberley, South Africa and the New York Settlement School on the Lower East Side of New York City. He has spent three summers as a teacher trainer and then school director of the Teach For America Institute.
- b) **Roberto Garcia** returned to teaching in 1996 after eight years of public service in Connecticut, first as the director of welfare for the city of Bridgeport, and later as a special funds administrator in the office of the state Treasurer. He has served in a number of for-profit and not-for-profit organizations, including a five-year service as the national program director for the National Puerto Rican Forum. He has taught various subjects in a wide variety of school settings, including Spanish at PS 83, a middle school in the Bronx. He is currently teaching math and history at Stamford High School in Stamford, CT. He was born and raised in the South Bronx.
- c) **Eric Grannis** is an associate at the law firm of [REDACTED]. Before attending Columbia Law School he served for two years as a legislative assistant to Congressman Charles B. Rangel of Harlem and then as a teacher of mathematics and biology in East Harlem's District 4. As a lawyer he has served as a law clerk for Judge Peter K. Leisure of the US District Court, S.D.N.Y. and as an associate at Debevoise and Plimpton.
- d) **Kristin Kearns Jordan** is the executive director of the School Choice Scholarships Foundation, a private scholarships program for low-income elementary schoolchildren in New York City. She began her career at the Student/Sponsor Partnership, a financial aid and mentoring program for at-risk high school students in New York City, serving as associate director for three years, and then served as a special projects director at the Center for Educational Outreach and Innovation at Teachers College, Columbia University.
- e) **Année Kim** is the executive director of the Patrons Program, a financial and educational development program for elementary schools in New York City's low-income communities. She sits on the Board of Facing History and Ourselves, a not-for-profit organization that teaches students about moral choices through the lens of the Holocaust, and on the Board of Camp Fiver, a new summer camp for disadvantaged youths. She began her career in the financial services field as a trader at Lehman Brothers.
- f) **Jane Martínez** is the executive director of the Student/Sponsor Partnership. She began her career as a teacher in Washington Heights' District 6 through the Teach For America program, and then served as executive director of Teach For America-New York. She has also served as the development director of La Salle Academy, a high school on the Lower East Side and as the associate director of the School Choice Scholarships Foundation.
- g) **Franklin Sanchez** is a professor of teacher education at Mercy College in the Bronx. He spent many years teaching and serving in administrative roles in the public schools of New York City. He is also one of the co-founders of the proposed Brooklyn Collegiate Charter School, whose application is currently being prepared for submission to the SUNY Charter Schools Institute.
- h) **Richard Schubart** is a teacher of history and a former dean of admission and financial aid at Phillips Exeter Academy. He was appointed to the Exeter faculty in 1973 after earning his Ph.D. in history at the State University of New York at Binghamton. He is the author of two dozen books on the teaching and learning of history, curriculum development and independent schools. He has also

served as the executive director of the Association of Boarding Schools and as the chairman of the Federation of American and International Schools.

- i) **John M. Walderman, CFC** is the President of Rice High School in Harlem. Over the course of his career he has taught every grade level from 5-12 in Catholic schools throughout New York City and the surrounding area, and has served as dean, assistant principal and principal in various schools. He is currently the regional associate of the National Catholic Education Association and the Chairman of the Middle States Evaluation Team of the Immaculate Conception School in Lodi, NJ.

TAB

II

MISSION

Attachment II-11

Mission

The Bronx Preparatory Charter School seeks to graduate men and women who (1) think critically and creatively; (2) have attained strong skills in mathematics, language, literature, history, science, technology, and the arts; and (3) are committed to a lifetime of learning and civic involvement. The school will empower students through high intellectual and conduct standards- building on their promise, as they prepare for college, career, and citizenship.

Inspiration comes from the *Paideia Proposal*, a 1982 prescription for making American schools both more rigorous and more democratic. The Paideia Group, led by University of Chicago philosopher, Mortimer Adler, was dedicated to three predecessors – Horace Mann, John Dewey, and Robert Hutchins – all of whom were beacons in bringing intellect, character, and democratic principles to education. Mann made popular the belief that all children can learn, bringing the public to support the universal “common school.” Dewey sought to commit American schools to a sense of community and scientific inquiry. And Hutchins stood for the classical search for wisdom through analysis of the “great thinkers.”

Bronx Prep will be a 5th – 12th grade school in the predominantly Latino and African-American community of the South Bronx. At Bronx Prep students will become creative, critical thinkers, using the intellectual tools to communicate ideas and engage in fulfilling work. In school students will expand their understanding in three different ways, relying on different methods of instruction. (1) They will acquire organized knowledge with help of didactic instruction from their teachers. (2) They will develop intellectual skills such as problem solving and applications of critical judgement, with help from teachers as coaches. (3) They will build their ideas, values, and aesthetic appreciation through Socratic seminars and artistic endeavors. Faculty will reinforce the message of the *Paideia Proposal*, that “education is a lifelong process of which school is only a small but a necessary part . . . it forms the habit of learning and provides the means for continuing to learn after all schooling is completed.”

To earn a Bronx Preparatory Charter School diploma, students must be able to write a clear, well-organized essay that makes an interesting, well-substantiated argument; read literary, historical and scientific material for understanding; communicate in a second language; design, perform and analyze a scientific experiment; deliver an interactive oral presentation to the school community that makes and defends an ethical and/or intellectual position; demonstrate advanced skills in athletics, music, and the visual arts; use mathematics, science and computer technology to solve problems; recite and interpret important literary passages, speeches, and poetry; and complete a substantial independent study project. The curriculum will prepare students to meet and exceed the New York State Regents learning standards.

The preparation for a lifetime of learning will also be means for earning a living. A classical, college-preparatory curriculum will be required for all, because we believe it leads to further and higher education work, career and life. As the workplace and the workforce are changing, Bronx Prep will prepare students to be flexible, productive adults. To pave the way to the future, we shall expose students to diverse careers, using bi-monthly school assemblies to invite visiting adults to talk about their work and how they prepared for it.

Above all, Bronx Prep’s success depends on building a nurturing school community and culture of achievement, developed in deliberate collaboration with parents, guardians and community. Every adult in the school will communicate high expectations, individual affirmation and support, and genuine human caring. The result will be a school culture that reflects our seven core values, the Seven Cs: curiosity, commitment, competence, character, confidence, caring and community. The double entendre, Seven Seas, is an apt metaphor for a school in an immigrant community, as it is the earth’s seas that connect us to one another and that set us free.