



Charter Schools Institute  
*The State University of New York*

## Summary of Findings and Recommendations

---

*Application to establish the  
Albany Leadership Charter High School for Girls*

January 7, 2009

## Executive Summary

The Albany Leadership Charter High School for Girls (“Albany Leadership”) application was submitted to the Charter Schools Institute (the “Institute”) by co-applicants Barbara Pryor and Margarita Mayo on October 6, 2008. Albany Leadership will open in Albany, New York, in August of 2010 with 125 ninth and tenth grade female students and grow to serve 375 students in grades nine through twelve during the term of its charter. The school will use the 2009-10 school year as a planning year. The mission of Albany Leadership will be “to prepare young women to graduate from high school within four years of entry with the academic and leadership skills necessary to succeed in college and the career of their choosing.”

The Institute recommends that the Board of Trustees approve the application to establish the Albany Leadership Charter High School for Girls.

## **Background and Description**

The application to establish the Albany Leadership Charter High School for Girls was initially submitted to the Institute on June 2, 2008. However, the application was withdrawn from consideration at that time to allow for further development and clarification. Based on feedback from the Institute, the application was revised and resubmitted on October 6, 2008. The Institute conducted a rigorous review, including an extensive staff review considering the academic, fiscal, organizational and legal aspects of the proposed charter school. Pursuant to its review protocols, the Institute also met with the applicants and the other members of the founding team. In addition, the Institute has required the applicants to revise, clarify and otherwise amend the application in numerous respects. Lastly, member(s) of the Board of Trustees’ Charter Schools Committee have had an opportunity to interview the lead applicant and proposed board of trustees.

Albany Leadership plans to open with 125 girls in 9<sup>th</sup> and 10<sup>th</sup> grades, and to add one grade in each subsequent year of its charter term. After the first year it will enroll 100 students in each incoming class. By the end of its initial charter term, the school will serve 375 students in 9<sup>th</sup> through 12<sup>th</sup> grades with a class size of approximately 20 students. It does not intend to backfill seats after the 10<sup>th</sup> grade. The school day will run from 8:30 a.m. to 4:45 p.m. The application cites the high dropout rate and violence at Albany High School as rationale for proposing Albany Leadership, particularly for minority female students. The application is explicit about the desire to serve economically disadvantaged students.

The application notes the increasing female incarceration rate and the problems associated with teen pregnancy/parenthood, as well as the benefits of single-sex environments on academic achievement, particularly for minority youth as part of the rationale for establishing an all-girls charter school. The application also points out the existence of a single-sex charter high school for boys, but not for girls. There are few high school options in general in Albany, and Albany Leadership would be the only public single-sex, high school option for girls in the community.

The application indicates that Albany Leadership will provide, “a high quality, college-preparatory education in a safe, small-school setting with an extended school day, a longer school year, extensive literacy instruction, and programs that emphasize leadership, environmental awareness and technological proficiency.” The school will provide more instructional time over the four operational years of its charter and an academic program that includes two hours of comprehensive instruction in English composition and literature and 90 minutes of mathematics instruction daily (except for one

hour each on Fridays), five hours of weekly science, lab and technology instruction, and regular periods allocated for tutoring and other instructional assistance. The curriculum will also include Spanish, physical education, career/occupational sciences and the arts.

Albany Leadership will emphasize college-preparation, school culture and leadership development. Specifically, the school will adopt a college-placement program based on the successful Young Women's Leadership School in New York City which serves a similar population of girls. The school will create a mentorship/internship program with women who are members of the State Legislature as part of its leadership development program. In addition, the school's students may work with younger girls at the Brighter Choice School for Girls, an Albany charter school authorized by the Board or Regents. Each student will be assigned an advisor and will meet individually and in small group 30-minute sessions one to three times per week to discuss a variety of issues, ranging from academic to social.

The Albany Leadership Charter High School for Girls will be committed to providing programs and services to address the needs of students with disabilities and students who are English language learners within the school's student population. For students identified by the Committee on Special Education (CSE) of their district of location, the student's Individualized Education Program (IEP) will determine those needs. For students who are English language learners, the school will have in place the necessary assessment(s) and programs to identify such students, provide services, and to determine the extent to which progress is made toward exiting those services. In both cases, services will be provided by appropriately certified staff.

At the time the application to establish Albany Leadership was submitted, the proposed board of trustees included 10 members. Based on conversations with the proposed trustees, they appear to clearly understand the roles and responsibilities of a board of trustees and potential conflicts of interest, and have the ability to ensure the appropriate and effective operation of the proposed charter school.

The proposed initial members of the board of trustees are set forth below.

1. Barbara J. Pryor (Co-Applicant) – Board member and founder of the Capital Region Center for the Arts in Education; a founder and board member of the Women's Fund, a non-profit corporation assisting women in the capital region in the improvement of their economic productivity.
2. Margarita S. Mayo (Co-Applicant) – Recently retired from 21 years of service at the Business Council of New York State where she was responsible for developing the Council's education reform agenda and policy development for education and job training issues of interest to the business community. She served as liaison with the State Education Department and Department of Labor.
3. Marissa Ferrara – Assistant Director of Admissions at Skidmore College. Prior to working in Admissions, she provided academic advising in the Office of the Registrar while completing a MS in School Counseling from Sage Graduate School.
4. Lillian E. Garland – Community Coordinator for the Brighter Choice Foundation, founding trustee of Green Tech High Charter School (companion all-boys schools to the proposed school, approved by the State University Trustees). Past board member of the Albany Girl's Club, Inc.

5. Alexander C. Ma – Test Development Program Manager for Excelsior College in Albany. Prior to joining Excelsior, he worked in the K-12 large-scale assessment industry for nine years.
6. Margaret M. Moree – Director of Federal Affairs for the Business Council of New York State. In her role she coordinates and advocates a public policy agenda in the areas of homeland security, workforce development, education, and unemployment.
7. John A. Taylor, Jr. – Principal of Green Tech High Charter School.
8. James H. Vallee – Employed by M&T Bank representing student lending services and products in the Eastern NY region. Former Director of Financial Aid at St. John Fisher College and Niagara County Community College. Previously worked in education-related sales for ACT, Inc.
9. Thomas W. Carroll – President of the Foundation for Education Reform and Accountability. Chairman of the Brighter Choice Foundation; chairman of the boards of the Brighter Choice Charter School for Boys and the Brighter Choice Charter School for Girls. Previously served as the President of the Empire Foundation for Policy Research, and held various executive and legislative branch positions in state government.
10. Cynthia L. Haskins – Director of Finance and Operations for the Brighter Choice Charter School for Boys and the Brighter Choice Charter School for Girls. Previously the Director of Administration for the New York State Office of the Inspector General.

The founding group for Albany Leadership plans to locate in a permanent facility to be constructed by the Brighter Choice Foundation at 21 Hackett Boulevard in Albany. The location is convenient to public transportation. Albany Leadership will pay a discounted lease amount in the 2010-11 opening year of the school, after which it will increase to equal the debt services costs for each subsequent year of occupancy. The two proposed trustees associated with the Brighter Choice Foundation, Thomas Carroll and Lillian Garland, will recuse themselves from any facility-related negotiations on behalf of the school. A third proposed trustee, Cynthia Haskins, will also recuse herself to avoid any appearance of impropriety since Mr. Carroll is the chairman of the board of her employer.

The fiscal impact of Albany Leadership on the district of residence, the Albany City School District, is summarized below.

<b>Number of Students</b>	<b>Per Pupil Aid (does not include special education and federal entitlement grants)</b>	<b>Total Dollars to Charter School from Albany City School District</b>	<b>Total Budget for Albany City School District</b>	<b>(%) of Total Albany Ed. Budget</b>
125 (2010-11 school year – year 1)	\$12,668	\$1,583,500	\$223,611,593	0.71%
375 (2014-15 school year – year five)	\$14,249	\$5,343,375	\$251,533,631	2.12%

The calculations conservatively assume that there will be a modest (5 %) annual increase in per pupil aid and in the overall budget of the Albany City School District over the life of the proposed charter.

The Institute's calculations do not account for special education, federal Title I funds or other grants or funds provided by the district and to be received by the school. The calculations also do not include any transitional aid that may be due to the district.

It should be noted that although the impact of the school on the Albany City School District only reaches 2%, the impact of all charter schools in the City of Albany is greater than 5% of the Albany City School District's budget. Therefore, pursuant to the Charter Schools Act, the applicant would need to either (1) provide evidence that the school district of location approves of the establishment of the proposed charter school, or (2) explain how the establishment of the proposed charter school will have a "significant educational benefit" to the students who attend the school. The significant educational benefit to students who will attend the school are laid out in the earlier sections of this document.

The applicant made an assessment that the programmatic and fiscal impact of the proposed school on both the Albany City School District and nonpublic schools in the same geographic area would be modest.

The Institute has notified the school district as well as public and private schools in the same geographic area of the proposed school about the pending action on this application. As of January 7, 2009, the Board of Trustees had not received any comments. However, the Albany City School District indicated that it would comment on the application. If such comments are received prior to Board of Trustees' action on this resolution they will be distributed to the Board.

As a gauge of parent and community support, the applicants collected over 400 community member signatures during the period of consideration of the resubmitted application. A previous petition with about 80 signatures was submitted shortly after the initial application submission signed by parents whose daughters would be of the appropriate age/grade to attend the proposed charter school and/or community members who expressed support for the school.

As part of the legal review of the application, the Institute examined the female-only admissions policy of the school. The Charter Schools Act, specifically, New York Education Law subdivision 2854(2), allows single-sex charter schools ("nothing in this article shall be construed to prevent the establishment of a single-sex charter school"). However, New York charter schools must also follow applicable federal law, including Title IX of the Education Amendments of 1972 and regulations promulgated thereunder, which prohibit discrimination on the basis of sex in education programs. The Institute's view that single-sex elementary and secondary education programs (that are not vocational programs) are not prohibited by Title IX so long as comparable facilities are available to both genders is supported by non-regulatory guidance of the U.S. Department of Education, Office of Civil Rights from May of 2000 (available at [http://www.uscharterschools.org/pdf/fr/civil\\_rights.pdf](http://www.uscharterschools.org/pdf/fr/civil_rights.pdf)). Comparable facilities for males are available *inter alia* in the Albany area including the Green Tech Charter High School, a single-sex male charter school authorized by the State University Trustees, which provides substantially similar education facilities to the ones proposed by the applicants. Thus, the application describes a school that complies with federal law and regulations.

The second federal issue raised by Albany Leadership's proposed admissions policy, and examined by the Institute, is the Equal Protection Clause of the 14th Amendment of the United States Constitution, which the United States Supreme Court has interpreted to prohibit gender-based discrimination in the provision of governmental services. The Supreme Court visited single-sex

admission at the college level in 1996 in the case of *United States v. Virginia*, 518 U.S. 515 (1996). In order to be permissible, gender separation in education must serve "important governmental objectives" and be "substantially related to the achievement of those objectives." The proposed school meets this justification requirement by serving the unique needs of high school aged Albany female students, who may have difficulty in or drop out of Albany High School as referenced by the applicants. The school's goal of promoting equal educational opportunity for females, therefore, serves an important governmental objective, and its single-sex admission policy is substantially related to that objective, and not based on invidious discrimination against males. Lastly, the addition of a single-sex high school for females in Albany will promote public school diversity and choice, which not only is an objective of the Charter Schools Act, but also an important governmental objective itself. It also provides additional comparable facilities for the existing single sex male high school in Albany.

### **Findings**

Based on the comprehensive review of the application and interviews of the applicant and the proposed board of trustees, the Institute makes the following findings.

1. The charter school described in the application meets the requirements of Article 56 of the Education Law and other applicable laws, rules, and regulations as reflected in (among other things):
  - the inclusion of appropriate policies and procedures for the provision of services and programs for students with disabilities, English language learners, and students at-risk of academic failure;
  - the required policies for addressing the issues related to student discipline, complaints, personnel matters, health services, Freedom of Information Law (FOIL), and the Open Meetings Law;
  - the inclusion of proposed by-laws for the operation of the board of trustees;
  - the inclusion of an analysis of the projected fiscal and programmatic impact on surrounding public and private schools; and
  - a single-sex admissions policy that complies with the Charter Schools Act, federal law and regulations and the U.S. Constitution.
2. The applicant has demonstrated the ability to operate the schools in an educationally and fiscally sound matter as reflected in (among other things):
  - the articulation of a culture of self-evaluation and accountability at both the administrative and board level;
  - the student achievement goals articulated by the applicant;
  - the appropriate roster of educational personnel;

- a sound mission statement;
  - a comprehensive assessment plan;
  - the provision of sound start-up, first-year, and five-year budget plans;
  - the plan to acquire comprehensive general liability insurance to include any vehicles, employees, and property;
  - evidence of adequate community support for, and interest in, the charter school sufficient to allow the school to reach its anticipated enrollment; and
  - the inclusion of procedures for programmatic and independent fiscal audits, at least, annually.
3. The Board of Trustees' approval of the application is likely to improve student learning and achievement and materially further the purposes of the Charter Schools Act (as amended). This finding is reflected by (among other things):
- a low student-teacher ratio of approximately 12:1;
  - the inclusion of a curriculum framework document that specifies how the proposed curriculum will ensure that students will meet or exceed the performance standards of the Board of Regents;
  - a data-driven instructional approach that helps teachers identify student learning gaps, refine teaching methods and resources, and prepare students for passing all required Regents exams;
  - a college preparatory focus, including rigorous academic curriculum that fulfills the state's commencement-level performance standards and course credits to obtain a Regents diploma or Advanced Regents diploma;
  - a focus on high-quality teachers to allow for concentrated, focused and differentiated instruction;
  - the inclusion of significant opportunities for professional development of the school's instructional staff throughout the year;
  - daily blocks of time scheduled for literacy and numeracy;
  - the plan for the education of students at-risk of academic failure; and
  - a commitment to providing an educational program focused on outcomes, not inputs.
4. Based on all of the foregoing, granting the application would have a significant educational benefit to the female students expected to attend the proposed charter school as reflected in (among other things):

- Albany Leadership being the only public single-sex, high school option for girls in the community;
- the school providing more instructional time over the four operational years of its charter;
- an academic program that includes two hours of comprehensive instruction in English composition and literature and 90 minutes of mathematics instruction daily (except for one hour each on Fridays), five hours of weekly science, lab and technology instruction, and regular periods allocated for tutoring and other instructional assistance;
- a curriculum that will include Spanish, physical education, career/occupational sciences and the arts;
- an educational program that will emphasize college-preparation, school culture and leadership development; and
- a mentorship/internship program for students with women who are members of the State Legislature.

### **Conclusion and Recommendations**

Based on its review and findings, the Charter Schools Institute recommends that the Board of Trustees approve the application for the Albany Leadership Charter High School for Girls to open in Albany, New York in August 2010.

# Albany Leadership Charter High School for Girls

## Basic Identification Information

Lead Applicant(s):	Margarita S. Mayo and Barbara Pryor
Management Co.:	None
Other Partners:	None
Location (District):	Albany, New York
Student Pop./Grades:	Opening with 125 female students in 9 <sup>th</sup> and 10 <sup>th</sup> grades; growing to 375 students in 9 <sup>th</sup> through 12 <sup>th</sup> grades
Opening Date:	August 2010

## School District of Proposed Location Profile

<b>Albany City School District</b>			
Enrollment (2006-07):		8,603	
Percent (2006-07):			
White:		20%	
African-American:		63%	
Hispanic:		11%	
Asian, Other:		7%	
Percent Participating in Federal Lunch Program (2006-07):		67%	
Percent Proficient on State Exams (2006-07)			
<b>English Language Arts</b>		<b>Mathematics</b>	
Grade	Percent Proficient	Grade	Percent Proficient
3	50	3	65
4	50	4	63
5	50	5	51
6	45	6	57
7	40	7	35
8	28	8	23

Source: demographic data is from the New York State Accountability and Overview Report 2006-07; test data are from the 2006-07 results on the State Education Department website.