



Charter Schools Institute
The State University of New York

Summary of Findings and Recommendations

*Application to Establish the
Explore Excel Charter School*

May 3, 2010

Executive Summary

The application to establish the Explore Excel Charter School (“Excel”) to be located in Community School District 17 or 18 (Brooklyn) of New York City was submitted by Morty Ballen, as lead applicant, to the Charter Schools Institute on January 11, 2010. The applicant and founding team propose to open Excel in August 2011 with 168 students in Kindergarten through 2nd grade and grow to serve 396 students in Kindergarten through 6th grade during the term of its charter. The mission of the proposed charter school would be for its students to demonstrate the academic skills and critical-thinking abilities they need to be successful in a college-preparatory high school. Excel’s founders originally proposed a charter school that would be a “turnaround” model where the charter school would replace a closing or phased-out district school. However, the circumstances to implement that model do not currently exist. If the circumstances do arise in future the proposed school intends to seek a revision to implement such a model.

The proposed school would contract with Explore Schools, Inc., a not-for-profit charter management company that operates two other charter schools in New York City, both authorized by the New York City Schools Chancellor. The SUNY Trustees have not previously authorized any Explore Schools, Inc. schools.

The Institute recommends that the Board of Trustees of the State University of New York approve the charter application for the Explore Excel Charter School.

Background and Description

The Institute conducted a rigorous review of the application, including an extensive staff review as well as a review by a panel of nationally renowned experts in fields such as education (charter and traditional schools), school administration, charter and traditional school policy, finance, and curriculum. The application has also been subject to a fiscal soundness review conducted by the Institute’s school finance expert. Pursuant to its review protocols, the Institute has met with the applicant and the other members of the founding team. The Institute has required the applicant to revise, clarify and otherwise amend the application as needed. In addition, the Chair of the SUNY Trustees’ Charter Schools Committee had an opportunity to interview the lead applicant and founding board members.

Excel would open in August of 2011 as the third school in the Explore Schools network (two previous schools were authorized by the New York City Schools Chancellor). Excel would open with 168 students in Kindergarten through 2nd grade and add one grade each year. Ultimately, the school would enroll 396 students in Kindergarten through 6th grade by the end of the school’s initial charter term. At full capacity, the school’s structure would include two classes of 28 students at each grade level from Kindergarten through 5th grade and three classes of 20 students in 6th grade (in anticipation of establishing a full middle school program with the same structure through eighth grade in the next charter term). Each Kindergarten through 5th grade class would be served by two teachers.

Excel “aims to meet the critical need in New York City for more outstanding public schools that hold its students to the highest academic expectations. Specifically, Explore Excel Charter School seeks to open its school in a building where the traditional public school is failing and is in the process of closing per the direction of the New York City Department of Education” (NYCDOE). The school’s mission would be “for its students to demonstrate the academic skills and critical-thinking abilities they need to be

successful in a college-preparatory high school.” Excel is modeled after two other Chancellor authorized charter schools: Explore Schools in Brooklyn; Explore Charter School (“Explore”) and Explore Empower Charter School (“Empower”). The application highlights the nearly 2,000 families on the waiting list to enter one of the other Explore schools and the large number of low income, special needs, and other at-risk students served by those schools as the rationale for establishing a new charter school.

Excel would use the following key design elements to implement the school’s program:

- Small class sizes and use of in-class, flexible, skill-based groups;
- A longer school year (192 days of instruction) and school day (7:50 a.m. – 4:20 p.m.);
- A combination of explicit skills-based instruction and units that reinforce critical thinking and problem solving;
- Clear academic objectives aligned with curricular materials and regular assessment using a variety of tools, as well as the use of assessments to guide instruction and target student needs;
- A distinct culture where accomplishments are celebrated, teachers reinforce good behavior, students wear uniforms, and positive behavior is rewarded through membership in the “Respect Corps”;
- Increased opportunities for parent involvement, including weekly communication with parents/guardians, progress reports, and conferences. A “State of the School” would be presented to parents each year to disclose information about the school’s academic program, financial stability, student attendance, and governance; and
- A commitment to ongoing professional growth for staff, including early release days to focus on professional development, full time literacy and math specialists that work with teachers, and teacher choice in what professional development they need to serve their students.

Excel’s academic program would address the needs of at-risk students through high expectations, standards-based instruction, extended time to teach mathematics and English language arts, and ongoing and regular assessments to measure student achievement. Remedial instruction would be provided through a learning team that would work with students in small, flexible groupings. In addition, students may be provided with extended mathematics and literacy instruction through programs such as Soar to Success in literacy, and Fast Math in mathematics.

The academic program includes 180 minutes of literacy instruction daily, which would be broken into reading, writing, and vocabulary work, and decoding and phonemic awareness components. Mathematics would be taught for 90 minutes each day. Both science and social studies curricula and instruction would have strong links to literacy and incorporate a wide variety of fiction and non-fiction.

The school principal, academic director, classroom teachers, and members of the school’s learning support team (i.e., special education teachers) will comprise Excel’s academic community. One advantage of such an academic community is that within a week of the administration of a classroom assessment, data would be analyzed and a meeting held between the teacher and an instructional leader

(principal and/or academic director). The data would be used to determine which academic standards need to be re-taught, how re-teaching would occur, and what resources are necessary.

Excel's organizational chart reflects the principal managing daily operations of the school. The principal would be both supported and overseen by Explore School's Executive Director. The principal would be assisted by the academic directors for both the lower (K - 4th grade) and upper (5th -8th grade) schools. Teachers would report to the principal while deans (i.e. dean of culture) report to academic directors. The principal would also oversee a director of operations who would function as the school's chief operating officer and oversee non-instructional staff.

Excel anticipates contracting with Explore Schools, Inc. Explore Schools, Inc. is an Internal Revenue Code 501(c)(3) not-for-profit charter management organization that establishes, supports, and transforms public schools in educationally under-served communities. On the 2008-09 state assessments in English language arts (ELA), 84% of students in 3rd through 8th grade at Explore scored proficient or higher; 98% of those students scored proficient or higher on the state assessment in mathematics. Explore students also demonstrated strong scores on the previous year's State assessments. Students in the 4th and 8th grades performed strongly on the 2008-09 state science assessment with 92% and 82% achieving proficiency or higher in the respective grade. On the State social studies assessment, 91% of Explore's elementary grade students were at proficiency or higher. However, only 66% of the school's middle grade students achieved that level of performance on the social studies assessment. Empower has not yet enrolled students in grades that participate in the State assessment system during the 2008-09 school year. The network provides services to the original Explore Charter School and Empower Charter School in the Flatbush neighborhood of Brooklyn. Explore Schools, Inc. would provide Excel with a full range of services, including start-up, staff recruitment and evaluation, instructional and governance support, financial services, human resources, student enrollment and information, and reporting requirements. Excel would pay Explore Schools, Inc. 10% of its per pupil revenues for its services. Ten percent would be approximately \$1,300 per student. (As with all management agreements, the Charter Schools Institute will review the contract pursuant to the charter and on behalf of the SUNY Trustees).

Based on Institute staff's conversations with members of the proposed board of trustees, they appear to clearly understand the roles and responsibilities of a board of trustees, and have the ability to ensure the appropriate and effective operation of the proposed charter school. The proposed board recognizes the role of Explore Charter Schools, Inc. as a partner for the proposed charter school and anticipates establishing a thorough and ongoing evaluative process to ensure accountability, performance of school related functions, and maintenance of Explore Charter Schools, Inc.'s capacity to serve the school.

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

1. **Catherine Barufaldi** – Chief Operating Officer of Explore Schools, Inc; formerly a policy analyst with the New York City Housing Authority; taught for Teach for America; M.P.A./New York University.
2. **Emily S. Gould** – Founding Principal of Harlem Success Academy 3; formerly Upper School Academic Director, Resident Principal, and Dean of Students for Explore Charter School; M.S. in Education/Pace University.
3. **Adel Hageb** – Financial Analyst, Amana Limo Corp; M.B.A./Eastern University.

4. **Caleb Perkins** – Senior Academic Office for the New York City Department of Education; former Teach for American teacher; Ph.D. Candidate/University of Washington.
5. **Carey S. Swanson** – Lower School Academic Director at Explore Charter School; former teacher at Reisenbach Charter School (closed by the SUNY Trustees) and teach for America; M.Ed. in Building Leadership/Columbia University Teachers College.
6. **Kyle J. Westaway** – Founding Partner, Westaway Law; Director of Business Development and Operations for The Blind Project; J.D. and M.A in Public Policy/Regents University School of Law/School of Government.
7. **Vacant** – reserved for the president of the parent organization.
8. **Vacant** – reserved for parent of a student enrolled in the proposed charter school.
9. **Vacant** – reserved for a teacher of the school.

At the time of submitting the application to establish the Explore Excel Charter School the applicant and founding team had been in contact and met with the NYCDOE relative to identifying a failing traditional public school that would ultimately be closed in order for the proposed charter school to serve as a replacement. At the time of application, such a school had not yet been identified. However, the NYCDOE did provide a letter to the applicant indicating that Excel is a strong candidate for public school space and noted the significance of Excel’s willingness to serve students from failing or closing schools. Excel’s founding team hopes the NYCDOE will identify such space some time during the winter of 2010. The school is committed to opening in Central Brooklyn, particularly in the Flatbush or East Flatbush neighborhoods (Community School Districts 17 or 18).

The fiscal impact each of the proposed Excel Explore Charter School the New York City School District is summarized below.

Number of Students	Per Pupil Aid Rate Assumed	Per Pupil Aid Revenue Only	Total Dollars to Charter School from NYC (includes SPED)	Total Ed Budget for New York City (in billions)	(%) of Total NYC Ed. Budget
168 (2011-12 school year – year 1)	\$12,443	\$2,090,424	\$2,290,424	\$18.821	0.012%
396 (2015-16 school year – year 5)	\$12,443	\$4,927,428	\$5,338,302	\$20.308	0.026%

The school’s calculations conservatively assume that there will be no annual increase in per pupil aid over the span of the charter period. In measuring the fiscal impact on the district, the Institute utilized budgetary information made available by the New York City School District in their latest Financial Status Report (FSR), February 2010, published on the NYCDOE website. There was no information available for 2015-16 so a 3% increase in spending was assumed for that year, which was the average increase for the last two fiscal years provided in the report. It should be noted that the school district estimate is subject to unpredictable increases and decreases in any given year. The

Institute's calculations of the total dollars provided to the charter school from the district does include SPED funding. It does not account for federal Title I funds, other federal grants and/or funds provided and to be received by the school since the school's main funding stream comes from per pupil aid. However, the school has included in the application calculations accounting for federal Title I funds, other federal grants and/or funds provided by the district and to be received by the school.

The applicant made an assessment, and the Institute concurs, that the fiscal impact of the proposed school on both the New York City School District and nonpublic schools in the same geographic area would be negligible.

The Institute has notified the NYCDOE as well as private schools in the geographic area of the proposed school and as of the date of this summary had received no comment from these entities. (Copies of the notification letters are on file in the Albany office of the Institute.)

The applicant and founding team of the proposed Explore Excel Charter School provided evidence of community interest and support sufficient to ensure that the school would meet its initial enrollment projections through multiple methods. First, the application contained copies of the wait lists from the current Explore Schools, Inc. charter schools in Brooklyn (same anticipated geographic area as the proposed charter school). The wait list includes the names of 1,869 children/families waiting to gain entry to one of the two schools. Of the 1,869 names, the list includes the names of 725 families waiting for their children to be awarded seats in Kindergarten, first or second grades (the grades that Excel would initially enroll). Second, the application included letters of support from national and state legislators, government officials and community based organizations, including Congresswoman Yvette Clarke/11th District, Senator Eric Adams/District 20, Senator Kevin Parker, Assemblyman Karim Carama, Assemblyman Joseph Lentol, Assemblyman Walter T. Mosely III/District 57, City Councilwoman Latitia James, Brooklyn Borough President Marty Markowitz, the Crown Heights Community Mediation Center, Children of Promise NYC, Caribbean Women's Health Association, Inc., Madison Square Boys and Girls Club, Talk It, Up and Community Counseling and Mediation.

Findings

Based on the comprehensive review of the applications, discussion with national experts 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 and English language learners;
 - 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 the proposed by-laws for the operation the board of trustees; and
 - the inclusion of an analysis of the projected fiscal and programmatic impact on surrounding public and private schools.
2. The applicant has demonstrated the ability to operate the school in an educationally and fiscally sound matter as reflected in (among other things):
- the provision of an educational program that meets or exceeds the State performance standards;
 - 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;
 - an 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 SUNY Trustees' approval of each 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):
- 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 comprehensive plan for the school to assess student achievement through the use of State tests, externally-verifiable standardized tests and other diagnostic assessments;
 - an intense focus on English language arts (ELA) and mathematics;
 - staffing Kindergarten through fifth grade classrooms with two teachers;
 - the plan for the education of students at-risk of academic failure;
 - a commitment to ongoing professional growth for staff, including early release days to focus on professional development, full time literacy and math specialists that

work with teachers, and teacher choice in what professional development they need to serve their students;

- increased opportunities for parent involvement, including weekly communication with parents/guardians, progress reports, and conferences; and,
- a commitment to providing an educational program focused on outcomes, not inputs.

Conclusion and Recommendations

Based on its review and findings, the Charter Schools Institute recommends that the SUNY Board of Trustees approve the application to establish the Explore Excel Charter School in Brooklyn in the fall of 2011.

Explore Excel Charter School Brooklyn

Basic Identification Information

Applicant:	Morty Ballen
Management Co.:	Explore Schools, Inc.
Other Partners:	None
Location (District):	New York: CSD 17 or 18
Student Pop./Grades:	Opening with 168 students in K – 2 nd grade and growing to include 396 students in K – 6 th grade
Opening Date:	August 2011

School District of Proposed Location Profile

New York City School District 17			
Enrollment (2008-09):		27,264	
Percent (2008-09):			
White:		1	
African-American:		86	
Hispanic:		11	
Asian, Other:		2	
Percent Participating in Federal Lunch Program (2008-09):		88	
Percent Proficient on State Exams (2008-09)			
English Language Arts		Mathematics	
Grade	Percent Proficient	Grade	Percent Proficient
3	65	3	87
4	66	4	82
5	68	5	80
6	68	6	69
7	65	7	75
8	49	8	60

School District of Proposed Location Profile

New York City School District 18	
Enrollment (2008-09):	18,852
Percent (2008-09):	
White:	2
African-American:	90
Hispanic:	7

New York City School District 18 (continued)			
Asian, Other:		1	
Percent Participating in Federal Lunch Program (2008-09):		76	
Percent Proficient on State Exams (2008-09)			
English Language Arts		Mathematics	
Grade	Percent Proficient	Grade	Percent Proficient
3	67	3	90
4	70	4	84
5	73	5	85
6	66	6	68
7	67	7	81
8	51	8	68

Source: Demographic data is from the New York State Accountability and Overview Report 2008-09; test data are from the 2008-09 results released on the State Education Department website.