



Charter Schools Institute
The State University of New York

Summary of Findings and Recommendations

*Application to establish the University
Preparatory Charter School for Young Men*

June 12, 2009

Executive Summary

The application to establish the University Preparatory Charter School for Young Men (“University Prep”) to be located in Rochester, New York, was submitted by co-applicants Hussain Ahmed and Joseph Munno to the Charter Schools Institute (the “Institute”) on January 9, 2009. The applicants and founding team propose to open University Prep in September 2010 with 150 students in 7th and 8th grades in the first year, growing to serve 375 students in grades 7-11 during the term of its charter. The mission of the proposed charter high school for boys is for its students to master higher order thinking skills, productive life skills and to develop the quest for learning needed to graduate from high school, succeed in higher education, and to be successful in the work place.

The Charter Schools Institute recommends that the Board of Trustees approve the charter application for the University Preparatory Charter School for Young Men.

Background and Description

The application to establish the University Preparatory Charter School for Boys was originally submitted to the Institute on January 14, 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 However, the application was withdrawn from consideration at that time to allow for further development and clarification.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 January 9, 2009. The Institute conducted a rigorous evaluation of the application, including an extensive review of the academic, fiscal, organizational and legal aspects of the proposed charter school by both Institute staff and by an external panel of charter school and educational experts. Pursuant to its review protocols, Institute staff also met with the co-applicants and the other members of the founding team. In addition, the Institute has required the applicant to revise, clarify and otherwise amend the applications in numerous respects. Lastly, members of the Board of Trustees’ Charter Schools Committee have had an opportunity to interview the co-applicants and proposed board of trustees.

To achieve its mission, University Prep’s academic program will provide a complete middle and high school curriculum, based on both state standards and the Experiential Learning Outward Bound (E.L.O.B.) program, which will culminate with students earning Regents diplomas. The school will implement E.L.O.B.’s proven methods and strategies that are built around its core practice of active pedagogy. The program will engage students using E.L.O.B. structures that encourage rigor, collaboration, leadership skills, and character building. E.L.O.B utilizes learning expeditions that cross disciplines to engage students in real world applications of required curriculum content. E.L.O.B. is implemented in 160 urban, rural and suburban schools in 29 states, the District of Columbia and Puerto Rico, reaching 45,000 students. Two thirds of the schools are middle and high schools. Tapestry Charter School in Buffalo, authorized by the State University Trustees, uses E.L.O.B. and its 9th and 10th grade students outperformed all but one of Buffalo’s non-selective high schools on the state assessments in English language arts and mathematics in its first year of including high school grades; 90% of its students passed the Living Environment Regents exam, and 88% passed the Math A exam.

The application provided information regarding numerous studies and experts that support single sex education, including Lee, Bryk, Marks, Mael and Riordan. These researchers confirm that single-sex schools improve student achievement. Also, it was noted that even though single-sex schools are effective for both boys and girls, the greatest effect is seen in students from the lower end of the socioeconomic spectrum and those who have been historically disadvantaged. Clinical psychologists M. Thompson, D. Kindlon and W. Pollack, pointed out that behavioral and performance expectations

in coeducational schools tend to favor female students. Finally, data from the federal Department of Education indicates that boys earn worse grades, spend less time on homework, make up smaller portions of Advanced Placement enrollments, avoid enrolling in high-level mathematics and science courses and seldom engage in extracurricular leadership roles outside of sports. In addition, the application noted the lack of a public single-sex high school for boys in the Rochester area.

The proposed educational program for University Preparatory Charter School for Young Men includes: an extended school day and year; daily time for individualized learning support called QuadE (enrichment, enhancement, expansion or exploration) in relation to a given subject area; daily time for guided study to allow students to obtain homework support, study groups and academic support services; a mentor from the community for each student; and daily advisory or crew time to allow for consistent support and guidance among a small group of 10 - 12 students. The school also intends to establish partnerships with local institutions of higher learning to enhance its academic program, initial partners include: SUNY Geneseo, Nazareth College, St. John Fisher College, Monroe Community College and Bryant and Stratton College. University Prep plans to hold a summer institute each year to orient new students.

The school's founding board of trustees has identified the school's first principal, who will sit on the board as an ex-officio member. The founding group has expended significant energies in obtaining community interest and support. The application included a number of letters from both elected officials and local community based organizations, as well as a petition with approximately 650 signatures of those who support the proposed charter school.

The school's founding board of trustees consists of individuals with different areas of expertise and a variety of experiences, such as education, business, law, and community leadership. Based on Institute staff's conversations with the proposed trustees, they appear to 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 schools.

The board bylaws indicate that board membership can range in size from five to twenty-five members. The co-applicants and proposed trustees have a clear structure and processes for operation of the board given its unusually large size. The proposed initial members of the board of trustees are set forth below.

1. Hussain Ahmed (Co-Applicant) – Executive Director of the Center for Change in Rochester. Doctoral candidate in Education at the University of Rochester. Formerly taught at the elementary and secondary levels in public schools, and 8th and 9th grade science at the Charter School of Science and Technology, a school closed by the State University Trustees. Counselor at the Urban League of Rochester, and Senior Counselor and Assistant Professor at Rochester Institute of Technology.
2. Joseph Munno (Co-Applicant) – Ex-officio board member; anticipated school principal. Retired administrator for the Rochester City School District; former social studies and special education teacher.
3. Jill C. Avila – Medical Transcriptionist at Ridgewood Medical. Formerly Assistant Account Administrator for Exeter Trust Company/Manning & Napier Advisors, Inc.

4. Charles Beyah - Retired administrator/teacher of the Rochester City School District; taught Global Studies/American History (grades 9-11).
5. Jackie Campbell – Director of the Bureau of Youth Services for the City of Rochester’s Department of Recreation and Youth Services; has served in several positions within the department.
6. Vincent Carfagna – Has served in a variety of positions for the Rochester City School District including Chief Financial Officer, Director of Finance, and Director of Accounting.
7. Marie Cianca – Assistant Professor at St. John Fisher College’s School of Education in Rochester, N.Y. Previously Chief of the Division of School Development and Academics for the Rochester City School District.
8. Mike Coniff - Currently Deputy Director of the Bureau of Neighborhood Initiatives for the City of Rochester. Previously Deputy Director of the Bureau of Neighborhood Initiatives for the City of Rochester. Currently serves on other community non-profit boards.
9. Anthony J. Jordan – Area Manager for the City of Rochester Department of Parks, Recreation and Human Services. Previously the Program Coordinator for the city’s Social Service Department through the city’s housing authority.
10. Raheem S. Miller – Teacher and Student Support Coordinator for the Rochester City School District. Previously a Youth Advocate for the Hillside Work Scholarship.
11. Elizabeth Ortiz – Owner/Operator of the Silk Creations Flower Shop in Rochester, N.Y.
12. Melissa M. Piccarreto – Has served in variety of positions at the John Marshall High School in Rochester, N.Y. including registrar, special education teacher. Previously taught at James B. Duffy elementary school.
13. C. Michael Robinson – Formerly employed by the Rochester City School Districts in various positions, including Chief of Operations, Chief of School Development and Academics, and principal of John Marshall High School.
14. Maria F. Scalise – Market Director of Admissions for Bryant and Stratton College in Rochester, N.Y. Previously Director of Admissions.
15. Sam Valleriani – Recent law school graduate and previously taught law and government at John Marshall High School.
16. José Vazquez Jr. – Zone Sergeant/Detail Supervisor/Operation IMPACT for the New York State Police Troop E.
17. Todd D. Williams – Executive Director and Founder of Rochester Fatherhood Resource Initiative, Inc. Previously served as a Unit Supervisor for the Urban League of Rochester.

The applicants intend to lease the second floor of an existing building in downtown Rochester that would be renovated in the first year to accommodate the 150 students and staff. Ultimately, this space would be renovated to accommodate the school throughout its charter term.

The fiscal impact of UPrep on the proposed district of location, the Rochester City School District, is summarized below:

Charter School Year of Operation *	Number of Students	Per Pupil Aid	Other Revenue (special education, federal entitlement grants, food service, etc.)	Total Revenue	Total Dollars to Charter School from Rochester CSD	Total Budget for Rochester CSD	% of Total Budget
Year 1 (2010-11)	150	1455,525	674,541	2,129,767	1,949,727	720,385,314	0.271%
Year 4 (2013-14)	375	3,975,409	1,793,514	5,768,923	5,323,560	741,996,873	0.717%

* The school will take 2009-10 as a planning year.

The calculations assume that there will be a (3%) increase in per pupil aid each year over the initial charter term for both regular per pupil funding as well as special education funding. This assumption would mean a 3% increase from the proposed 2009-10 budget to the 2010-11 school year, and an additional 3% for each of the combined years 2010-11 to 2013-14 (3 years). A 2013-14 budget was not available for the Rochester City School District. However, the latest 2009-10 budget for Rochester can be found at: http://www.rcsdk12.org/pdfs/0910_Final_Budget.pdf.

It should be noted that the final per pupil aid amount remained flat from 2008-09 to 2009-10. Due to state fiscal issues, this trend could continue. Should this be the case, the school will need to re-evaluate its budget and make the necessary changes to ensure the school's fiscal soundness. The Institute characterizes the fiscal impact on both the Rochester City School District and private schools in the same geographic area as negligible.

All other numbers presented by the school were rational with the only issue being the school cannot count on federal Charter School Program (CSP) grant dollars in year one to fund its operations, since the grant will be offered on a competitive basis. Therefore, the school obtained a commitment letter from Centurion Capital Corp. in Rochester to offset such funds.

As the Rochester City School district has an open enrollment policy beginning in the 7th grade, and 16 buildings housing grades 7-12, and most parents expecting to attend University Prep would not be able to afford non-public schools, the applicants expect negligible programmatic (educational) impact on public and private schools in the area. University Prep hopes to serve as a positive example in terms of programming, choice and efficiency with taxpayer dollars.

The Institute has notified the Rochester City school district as well as private schools in the geographic area of the applications. At the time this Summary of Findings was issued, no comments had been received.

As part of the legal review of the application, the Institute examined the male-only admission 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, as federal law has supremacy over state law, 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 educational programs. The Institute’s view that single-sex secondary educational 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. The applicant stated that it will provide an academic program and curriculum founded on the identical 28 New York State Learning Standards taught in Rochester district schools (and throughout New York), and provide a course of study to enable students to earn a Regents high school diploma, which also mirrors the opportunities for girls in the Rochester City School District. The Institute does not view the E.L.O.B. portions of the University Prep program to be such a significant departure from what is offered in the Rochester City Schools that girls are at a disadvantage by not being able to attend University Prep. Based on the foregoing, the Institute finds that comparable facilities and programs for females do exist in the Rochester City School District at the middle and high-school level. Thus, the application describes a school that complies with federal statutes.

The second federal issue raised by the school’s proposed admission 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 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 school meets this justification requirement by serving the needs of middle and high-school aged Rochester-area male students, whose difficulties in the Rochester City School District have been documented by the applicant. Further, the applicant submitted and referenced evidence showing that urban and disadvantaged males, who are the targeted population of the school, have experienced higher failure rates, higher incidents of violence, arrest and gang-related activity, and higher drop out rates than their female counterparts. The school’s goal of promoting equal educational opportunity for males that are not receiving the benefits of public education in Rochester in proportion to 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 females. Moreover, the addition of a single-sex, public, middle - high school to the Rochester area 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.

Findings

Based on the comprehensive review of the applications, discussion with national experts and interviews of the applicants and the proposed board of trustees, the Institute makes the following findings.

1. The charter school described in the applications meet 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 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 applicants have 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 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):
- 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;
 - the incorporation of the Experiential Learning Outward Bound program, including its active pedagogy as part of the school's instructional strategies;
 - creating and promoting strategies that facilitate differentiated instruction;

- the inclusion of significant opportunities for professional development of instructional staff throughout the year;
- the establishment of partnerships with local colleges to enhance the school's program;
- instituting multiple methods to assist students who are struggling, including daily time for individualized learning support called QuadE (enrichment, enhancement, expansion or exploration), daily guided study time, a mentor from the community for each student, and daily advisory or crew time to allow for consistent support and guidance for small groups of 10 - 12 students; 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 Board of Trustees approve the application for the University Preparatory Charter School for Young Men in the city of Rochester.

University Preparatory Charter School for Young Men

Basic Identification Information

Lead Applicant:	Hussain Ahmed and Joseph Munno
Management Co.:	None
Other Partners:	Expeditionary Learning Schools, SUNY College at Geneseo, Nazareth College, St. John Fisher College, Monroe Community College and Bryant and Stratton College (all in Rochester)
Location (District):	Rochester
Student Pop./Grades:	Opening with 150 students in 7 th and 8 th grades and growing to include 375 students in 7 th – 11 th grades
Opening Date:	September 2010

School District of Proposed Location Profile

Rochester City School District			
Enrollment (2007-08):	K-8	32,147 students	
	9-12	9,261 students	
Percent (2007-08):			
White:	11%		
African-American:	65%		
Hispanic:	21%		
Asian, Other:	2%		
Percent Participating in Federal Lunch Program (2007-08):	81%		
Percent Proficient on State Exams (2008-09)			
English Language Arts		Mathematics	
Grade	Percent Proficient	Grade	Percent Proficient
7	53.1	7	58.5
8	43.1	8	42.9
High School Performance			
2004 Accountability Cohort:		ELA: 46 % passing Regents exam	
		Math: 53% passing Regents exam	
2003 Graduation Cohort:		49% of students graduated in four years	

Source: demographic data is from the New York State Accountability and Overview Report 2007-08; test data are from the 2007-08 results on the State Education Department website.