



Charter Schools Institute
State University of New York

ACHIEVEMENT ACADEMY CHARTER SCHOOL

FINAL CHARTERED AGREEMENT

Section 2852(5) Submission to the Board of Regents

REDACTED

Volume 1 of 3

Achievement Academy Charter School

12/4/2004

REDACTED



Charter Schools Institute
State University of New York

000 2

R. Merriman

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, New York 12207
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James D. Merriman IV
Executive Director

November 1, 2004

Public School Choice
Programs

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James R. Butterworth, Ph.D.
Assistant Commissioner
New York State Education Department
Office of Regional School & Community Services
Room 475 EBA
Albany, New York 12234

Dear Dr. Butterworth:

Pursuant to Education Law §2852(5-b), the Board of Trustees of the State University of New York (the "Board of Trustees"), at its meeting on October 26, 2004, voted to resubmit the proposed charter for the Achievement Academy Charter School (the "School") to the New York State Board of Regents (the "Regents") for its review and consideration. After due consideration of the Regents' comments and recommendation, as set forth in a letter to me from you dated September 13, 2004, the Board of Trustees, by its vote, determined to resubmit the instant proposed charter without modification.

The proposed charter, submitted to the Regents (including the application appended thereto), together with any amendments to the proposed charter received by State Education Department ("SED") thereafter, shall constitute the resubmission.

The comments and recommendation of the Regents indicate their concern that the Board of Trustees and the applicant seeking to establish the School had not sufficiently addressed issues relating to the learning standards, special education and fiscal controls. Please be assured that, in accordance with § 2852(5-b) of the Education Law, the Board of Trustees has fully reconsidered these issues and satisfied itself that the proposed charter complies with the Charter Schools Act.

On behalf of the Board of Trustees, let me thank the Regents and staff of the State Education Department for their professionalism and collegiality throughout the review process and since the enactment of the Charter Schools Act. In large part because of this strong relationship, we at the State University of New York are more confident than ever in the potential of charter schools to improve public education and learning for all children.

Sincerely,

James D. Merriman IV

James D. Merriman IV

c: Darlene Mengel, State Education Department
William Phillips

NOV - 3 2004

Assistant Commissioner
Office of School Improvement
& Community Services (Regional)



000 3

Charter Schools Institute
State University of New York

August 16, 2004

Charter Schools Unit

AUG 18 2004

James R. Butterworth, Ph.D.
Assistant Commissioner
Office of School Improvement and Community Services (Regional)
New York State Education Department
Room 475 EBA
Albany, New York 12234

Dear Dr. Butterworth:

In response to your request for clarification, dated August 12, 2004 regarding the application for the Achievement Academy Charter School, the Charter Schools Institute provides the following.

- A cover letter from the co-applicant, William A. Phillips, dated August 13, 2004 (the "Applicant Cover Letter"). The Applicant Cover Letter itemizes each of the Department's concerns in numerical order. Where the Applicant has made amendments to the charter application, the letter so notes and directs the reader to those pages. Where the Applicant has declined to make either recommended or required changes, the letter so notes and either provides explanation or directs the reader to the Institute's comments.
- Certain revised pages of the charter application, attached to the Applicant Cover Letter. Consistent with Institute practice, where the applicant has made an amendment to a section of the charter application, the entire revised section has been provided. Accordingly, the Department (after reviewing that section) should insert the revised sections into the charter application, discarding in their entirety the sections that have been replaced.
- The instant letter from the Institute (the "Institute Response"). The Institute Response also itemizes in numerical order each of the Department's requests for clarification and summarizes the response. As with the Applicant Cover Letter, it indicates the nature of the response, e.g., applicant has made the requested amendment. In a number of cases, the Institute has advised the applicant not to make the requested change.

The Institute's comments on the Requests for Clarification follow below.

* * *

Item 1

The Institute takes issue with the Department's request that the applicant revise the assurance found at Attachment 14 of the application. First, the language of that assurance was developed mutually by the Department and the Institute. At the meeting of May 20, 2004 referenced in the Institute's response of August 6, 2004, it was agreed that the Department would hold Institute applicants who were in the review process at that time to the same standards used for previous applications. The application for Achievement Academy is one of the applications that was in the Institute's review process at that time, and therefore should be held to the standards used for previous applications. Secondly, the Institute is well aware that the seven learning standard areas encompass eleven subjects, and the language was crafted with that in mind. So, in essence, by providing the assurance currently found at Attachment 14, the applicant has already agreed to ensure that instruction is provided in the eleven subject areas. Therefore, the Institute sees no reason to revise the current language. However, it is truly up to the applicant whether the school will provide discrete instruction in the areas for which no performance standard has been established. The Institute yet maintains that charter schools do not have to provide instruction in those areas. On that basis, the Institute has advised the applicant not to modify Attachment 14.

Items 2 and 3

The Institute would like to direct the Department's attention to § 2851(2) of New York State Education Law which specifies the information to be included in a charter school application. It states the application must include any other information relevant to the issuance of a charter required by the **charter entity** (emphasis added). The Institute does not require that an application include a purchasing policy, or evidence that demonstrates that adequate internal controls exist for the protection of school assets. Also, there is no requirement in the law that such items be included in the application.

As indicated in the Institute's letter of August 6, 2004, our agencies share a desire for Achievement Academy to have appropriate purchasing policy and adequate internal controls for the protection of school assets. The Institute maintains that these issues are better addressed through the "Initial Statement" process, which we outlined in that letter. The Department's request that the applicant demonstrate that adequate internal controls exist is premature and demonstrates a misunderstanding of the concept of internal controls. For such controls to exist, the school itself must exist and have people in place to implement the internal control process. The implication of the Department's comment that a description of the various office functions serves as sufficient evidence that adequate internal controls exist is an overly simplistic approach to a complex issue. The Institute has advised the applicant not to respond to these requests.

Item 4

Although the Department's letter indicates otherwise, it does appear that the Department is indeed seeking the applicant to prepare for every possible scenario with regard to addressing the needs of students with disabilities. The Charter School Law requires applicants to provide information regarding the "methods and strategies for serving students with disabilities in

compliance with all federal laws and regulations relating thereto." The applicant has clearly indicated the services that the school will provide, as well as those it may contract with a third party to provide. In addition, the applicant has indicated that the school will provide all special education programs and services in compliance with all federal laws and regulations, and in accordance with each student's Individualized Education Program (IEP).

The applicant has reviewed the questions raised by the Department, and will use them during the school's planning year to ensure that, to the greatest extent possible, the school has anticipated issues and prepared for delivering services and programs to students with disabilities. The Institute has advised the applicant not to respond to this request.

Item 5

The applicant did consider the 2003 statewide classification rate of 11.8% [according to the Office of Vocational and Educational Services for Individuals with Disabilities (VESID)] in developing the charter school's first year and subsequent budgets contained in Attachments 45 and 46. The applicant rounded the figure down. The Department is correct, however, that for the City of Albany, the classification rate is almost 15% [specifically 14.9%].

Therefore, the applicant has modified the charter school's one-year and five-year budgets, Attachments 45 and 46, to reflect an increase in the amount directed to providing services for students with disabilities to accommodate the needs of a greater number of such students. In addition, the applicant revised Attachment 47 to ensure that the criteria used in determining the soundness of the budgets used the newly revised information. Finally, the applicant also modified Attachment 53 to align the revised square footage. The revised attachments are submitted hereto.

Item 6

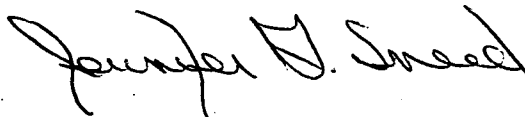
The applicant chose not to make the suggested revisions to Attachment 20 since they were minor corrections.

* * *

Please note that by its signature below the Institute approves of the revisions submitted by the applicant in response to the Department's comments and attests that these "Attachments" and "Exhibits" are hereby incorporated into the proposed charter between the applicant and the State University Board of Trustees and shall be fully binding on the charter school if it comes into being. Moreover, the Attachments and Exhibits submitted hereto shall be deemed to replace in their entirety previous versions of such Attachments and Exhibits, which such previous versions are and shall be null and void

Should you have any question or concerns, please do not hesitate to contact my office.
Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer G. Sneed". The signature is fluid and cursive, with the first name "Jennifer" being more prominent.

Jennifer G. Sneed, Ph.D.
Vice President for Applications

Enclosures

c: James D. Merriman
Darlene Mengel
William A. Phillips

August 16, 2004

VIA FEDERAL EXPRESS

Mr. James D. Merriman IV
Executive Director
Charter Schools Institute
74 North Pearl Street, 4th Floor
Albany, NY 12207

Re: Charter School Application for the Achievement Academy Charter School

Dear Mr. Merriman:

In response to the letter from the State Education Department, dated August 12, 2004 seeking clarification or amendment of the application for the Achievement Academy Charter School, we submit the following responses or amendments to the application. Pursuant to the Institute's advice and recommendation, we have responded only to certain items. Where we have not responded, we have referred the reader to the Institute's response, which we understand will accompany our present submission. Our responses follow below.

Responses to August 12, 2004 letter.

Items 1-4: Please refer to the Institute's response to these items.

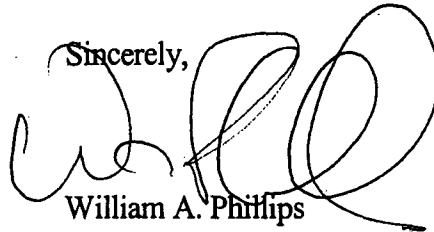
Item 5: In the event the Charter School's student population includes a percentage of students with disabilities comparable to the Albany School District (i.e., 15 percent), we have increased the expenditures for "*Contractual – Special Education*" for each year of the charter. In year one, this amount increases from \$17,000 to \$23,000 and then to \$40,000 by year three. This will better enable the charter school to serve more students directly by reallocated funds possibly for a part-time teacher, other resources/services, or private contractor(s). To maintain budget balance, we reduced slightly the square footage of the building in year four to 37,500 – still more than sufficient space to accommodate 300 students (note also this space will enable the school to potentially add additional classrooms for specialty instruction). Finally, with respect to the 10 percent figure used for special education students, this figure was assumed in the amount of *revenue* from the students' district of residence. To budget conservatively, we have not changed this revenue figure. Revised Attachment numbers 45, 46, 47 and 53 are submitted hereto.

Item 6: We have not made this slight grammatical correction. Thank you nevertheless for pointing this out. (Another 49 sheets of paper would otherwise be required.)

* * *

Please be advised that in submitting to the Institute the enclosed amendments to the charter application for the Achievement Academy Charter School, I, by my signature below, hereby give my consent and agreement that such enclosed amended "Attachments" or "Exhibits" shall be incorporated into the proposed charter between me and the State University Board of Trustees and shall be fully binding on the charter school if it comes into being. I further agree and consent that the Attachments and Exhibits submitted hereto shall be deemed to replace in their entirety previous versions of such Attachments and Exhibits, which such previous versions are and shall be null and void.

Sincerely,

A handwritten signature in black ink, appearing to be 'W. A. Phillips', written over the printed name.

William A. Phillips

Enclosures



Charter Schools Institute
State University of New York

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Charter Schools Unit

AUG 06 2004

August 6, 2004

Mr. James R. Butterworth
Assistant Commissioner
Office of School Improvement and Community Services (Regional)
New York State Education Department
Albany, NY 12234

Dear Mr. Butterworth:

In response to your request for clarification regarding the application for the Achievement Academy Charter School, the Charter Schools Institute provides the following.

- A cover letter from the co-applicant, William A. Phillips, dated August 5, 2004 (the "Applicant Cover Letter"). The Applicant Cover Letter itemizes each of the Department's concerns in numerical order. Where the Applicant has made amendments to the charter application, the letter so notes and directs the reader to those pages. Where the Applicant has declined to make either recommended or required changes, the letter so notes and either provides explanation or directs the reader to the Institute's comments.
- Certain revised pages of the charter application, attached to the Applicant Cover Letter. In most cases, where the applicant has made an amendment to a section of the charter application, the entire revised section has been provided. In this instance, however, since no revisions were made within the body of the curriculum, the applicant has provided only the curriculum overview pages, C1 – C4. Accordingly, the Department (after reviewing that section) should insert the revised sections into the charter application, discarding the sections that have been replaced.
- The instant letter from the Institute (the "Institute Response"). The Institute Response also itemizes in numerical order each of the Department's requests for clarification and summarizes the response. As with the Applicant Cover Letter, it indicates the nature of the response, e.g., applicant has made the requested amendment. In a number of cases, the Institute has advised the applicant not to make the requested change.

The Institute's comments on the Requests for Clarification follow below.

* * *

Items 1 and 2

The Institute would like to refer the Department to the understanding taken from the meeting of May 20, 2004 between Institute and Department staff regarding the standards for review for this application and the current round of applications. The understanding was that the Department agreed to hold applicants for charters to the State University Board of Trustees to the previous standards and agreements with regard to curriculum, special education and other areas where assurances had previously sufficed. The Institute has advised the applicant to revise Attachment 14 to include the previously accepted assurance: "The charter school will ensure that instruction is provided to students in each of the seven learning standard curriculum areas." We understand that the Department will, however, institute its new standards for review, *after review and consideration of concerns raised by the Institute* [which has not occurred at the time of this response].

Items 3 – 5

The applicant has expressed his appreciation, in the Applicant Cover Letter, for the guidance information provided by the Department regarding the provision of programs and services for students who are English Language Learners (ELL). The applicant has indicated that the charter school will provide all necessary staff and specialized curricular materials to enable ELL students to achieve proficiency. Given such an assurance and given that the proposed charter school has a planning year, the Institute does not believe that the applicant must lay out the charter school's plan for addressing the needs of students who are ELL with the degree of specificity requested in the Department's letter. The Institute is sure that the plans for addressing the needs of students who are ELL will be refined during the planning year.

Item 6

The applicant has provided evidence for the loan indicated as revenue in the budget in the form of a commitment letter from the Brighter Choice Foundation. A copy of the letter is submitted hereto.

Item 7

In the professional opinion of the Institute, the applicant has provided sufficient information. In addition, it is our understanding that charter schools are not subject to the competitive bidding requirements contained in the General Municipal Law. [Per Department counsel] The Institute has advised the applicant not to respond to this request.

Item 8

In the Applicant Cover Letter, the applicant has indicated that no related party transactions that result from less-than-arms-length transactions are anticipated.

Item 9

In the professional opinion of the Institute, the applicant has provided sufficient information. The Institute has advised the applicant not to respond to this request.

[The Institute shares the Department's desire that schools have an appropriate purchasing policy and adequate internal controls for the protection of school assets. However, the Institute believes that these issues are addressed more effectively as a part of the "Initial Statement" process rather than in piecemeal fashion as part of the application. Each chartered school must address whether

it has documented appropriate internal financial controls and procedures (among other items) as part of its "Initial Statement" to the Trustees. Subsequently, an agreed-upon procedures engagement performed by an independent certified public accountant is required to assist the Trustees in evaluating the Initial Statement. Follow-up on any deficiencies is monitored by the Institute. Please see paragraph 5.1 of the proposed charter agreement.]

Item 10

The applicant has revised Attachment 24 regarding fiscal impact to include Title I and special education funds. A revised Attachment 24 is submitted hereto.

Item 11

Attached hereto is a revised Attachment 48 that reflects how the school intends to use information gained through programmatic and fiscal audits.

Item 12

Although the applicant has indicated under "Methods and Strategies" in Attachment 18(a) that the proposed charter school would, if necessary, contract with appropriately certified or licensed individuals to provide services, such as speech and audiology, occupational and physical therapy, and psychological counseling, the applicant has revised Attachment 18(a) and submitted it hereto to respond to the Department's request to more specifically indicate the special education programs and/or services to be provided by the charter school. The applicant has also responded in the Applicant Cover Letter to the Department's question regarding the rationale for two special education teachers through the initial charter period.

Items 13

In the Applicant Cover Letter, the applicant has addressed the Department's request for clarification regarding the provision of special education programs and services and the annual \$17,000 designated as "contingency for specialists beyond district staff.

Item 14

The applicant has revised page two of Attachment 18(b) to include an assurance that reflects a broader application of the Family Educational Rights Privacy Act of 1974. The revised attachment is submitted hereto.

Item 15

The applicant has made each of the corrections identified by the Department and submitted them hereto for Attachments 9, 20, 29, 34, and 37, as well as Exhibits C and G. In addition to the corrections requested, pagination has been corrected in Attachment 29 [There were two page 29-2s.] and Attachment 34 [previously numbered 33-6].

* * *

Please note that by its signature below the Institute approves of the revisions submitted by the applicant in response to the Department's comments and attests that these "Attachments" and "Exhibits" are hereby incorporated into the proposed charter between the applicant and the State University Board of Trustees and shall be fully binding on the charter school if it comes

into being. Moreover, the Attachments and Exhibits submitted hereto shall be deemed to replace in their entirety previous versions of such Attachments and Exhibits, which such previous versions are and shall be null and void

Should you have any question or concerns, please do not hesitate to contact my office.
Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer G. Sneed". The signature is fluid and cursive, with a large initial "J" and a stylized "S".

Jennifer G. Sneed, Ph.D.
Vice President for Applications

Enclosures

c: James D. Merriman
Darlene Mengel
William A. Phillips

August 5, 2004

VIA FEDERAL EXPRESS

Mr. James D. Merriman IV
Executive Director
Charter Schools Institute
74 North Pearl Street, 4th Floor
Albany, NY 12207

Re: Charter School Application for the Achievement Academy Charter School

Dear Mr. Merriman:

In response to the letter from the State Education Department, dated July 19, 2004 seeking clarification or amendment of the application for the Achievement Academy Charter School, we submit the following responses or amendments to the application. Pursuant to the Institute's advice and recommendation, we have responded only to certain items. Where we have not responded, we have referred the reader to the Institute's response, which we understand will accompany our present submission. Our responses follow below.

Responses to July 19, 2004 letter.

Items 1 and 2: Regarding curriculum, Attachment 14 has been revised to include the assurance that instruction shall be provided to students in each of the seven learning standard areas. A revised Attachment 14 is submitted hereto. Also, please refer to the Institute's response.

Items 3, 4 and 5: Regarding English Language Learners, we appreciate the Department's guidance and meticulousness with respect to serving students with such needs and we are committed to doing so. We note that our response contained in Attachment 19 already reflects a similar level of detail to other charter school applications that were approved by the Regents in 2004. Please refer to the Institute's response to these items.

Item 6: Regarding loan commitments, we have received a commitment letter, enclosed, from a local grant-making and support organization that will enable us either to secure a line of credit, philanthropic funds, or a combination thereof.

Item 7: Regarding fiscal policies, please refer to the Institute's response to this item.

RECEIVED

AUG 05 2004

Charter Schools Institute

Item 8: Regarding LTAL transactions, there are no anticipated related-party transactions that may occur as a result of a less-than-arm's-length relationship with a related party.

Item 9: Regarding internal controls, please refer to the Institute's response to this item.

Item 10: Regarding fiscal impact, we have revised Attachment 24 to include Title I funds. We already had included special education revenue flowing to the Charter School. A revised Attachment 24 is submitted hereto.

Item 11: Regarding findings of annual audits, the Achievement Academy Charter School is committed to improving student learning and achievement and documenting those results and will do so in an educationally and fiscally sound manner. Accordingly, the focus of activities the School conducts throughout the year will inform school-wide decision-making to ensure students meet and exceed standards. For example, we state in Attachment 16 (other assessment) that the student assessment program will "continuously refine and direct classroom instruction and inform school-wide decision-making." Similarly, the findings of our programmatic and fiscal audits—and the process for gathering information for those audits—will inform school-wide decisions, including pedagogy, financial and personnel strategies. This point is now included in a revised Attachment 48, which is submitted hereto.

Item 12: Regarding special education services, the charter school will have consultant teacher services and a resource room available. We project that approximately 10 percent of the students will have IEPs, which means as many as 30 students may need services upon reaching the school's full enrollment of 300. We believe two special education teachers on staff, combined with the district's services to its resident students, and the possibility of private contracting, will be sufficient to meet the needs of students with disabilities. Language is added in Attachment 18a referencing consultant teacher and resource room services. A revised Attachment 18a is submitted hereto.

Item 13: Regarding the \$17,000 annual budgeted item for special education services, this funding is designed for the charter school to ensure that all children attending the school and in need of services are provided for in the event the school must contract with a private provider. We do not want to neglect the needs of a child with an IEP in the event we have insufficient staff or the district is unable to provide timely services.

Item 14: Regarding FERPA, the assurance language was changed to reflect the broader compliance toward all students, including students with disabilities. A revised Attachment 18-b is submitted hereto.

Item 15: Regarding the typographical errors, we thank the Department for its findings and have made each of the changes. Accordingly, the following revised Attachments and Exhibits are submitted hereto:

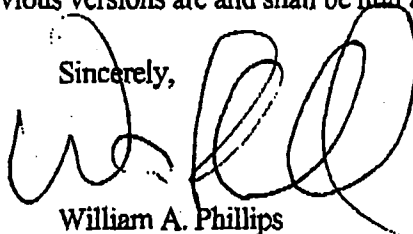
- Attachment 9
- Attachment 20
- Attachment 29

- Attachment 34
- Attachment 37
- Exhibit C (narrative, C-1 thru C-4)
- Exhibit G

* * *

Please be advised that in submitting to the Institute the enclosed amendments to the charter application for the Achievement Academy Charter School, I, by my signature below, hereby give my consent and agreement that such enclosed amended "Attachments" or "Exhibits" shall be incorporated into the proposed charter between me and the State University Board of Trustees and shall be fully binding on the charter school if it comes into being. I further agree and consent that the Attachments and Exhibits submitted hereto shall be deemed to replace in their entirety previous versions of such Attachments and Exhibits, which such previous versions are and shall be null and void.

Sincerely,



William A. Phillips
Co-Applicant

Enclosures



Charter Schools Institute
State University of New York

UL 16

July 13, 2004

James R. Butterworth
Assistant Commissioner
New York Education Department
Office of Regional School & Community Services
Room 475 EBA
Albany, New York 12234

Re: Section 2852(5) submission to the Board of Regents of Proposed Charter for
Achievement Academy Charter School

Dear Mr. Butterworth:

On June 22, 2004, the Board of Trustees of the State University of New York (the "Board of Trustees") approved an application for the following proposed charter school: Achievement Academy Charter School (the "Approved Application"). Subsequent thereto the Institute, on behalf of the Board of Trustees, entered into a proposed charter with the applicant for the Approved Application (the "Proposed Charter").

Now, pursuant to § 2852(5) of the Education Law, the Charter Schools Institute, acting on behalf of the Board of Trustees, hereby submits to the Board of Regents the Proposed Charter and supporting materials for its review and comment. Ten copies of the proposed application were delivered to your office on July 2, 2004

The submission of the Proposed Charter, consistent with the practice of the State Education Department, consists of a binder and appended materials organized as set forth below.

1. An executed transmittal form, placed at the front of the binder.
2. Eleven copies of the Proposed Charter and one copy of the supporting documentation. One copy of the Proposed Charter has been included at Tab 1 of the binder; the other ten copies are provided separately.
3. Written comment (if any) that the Institute has received from the school district in which the charter school is proposed to be located is set forth at Tab 2. In the interest of completeness, pertinent responses, from the applicant or otherwise (if any), are also provided.

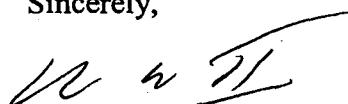
4. Evidence of notification to the school district in which the charter school is proposed to be located is set forth at Tab 3.
5. Evidence of notification to public and non-public schools in the geographic vicinity of the proposed charter school is set forth at Tab 4.

In addition to the above materials, it is apparently 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 Board of Trustees, having considered the applicable statutory factors, set forth at subdivision 2852(3) of the Education Law, and having conducted, or caused to be conducted, any necessary inquiry or investigation, is satisfied that the submitted Proposed Charter does not involve the conversion of a private school. In this regard, we further refer you to Attachment 56 of each of the Approved Application.

Please be advised as well, that, pursuant to § 2852(4) of the Education Law, State and federal fingerprint checks for the applicant for the Proposed Charter have been conducted and completed to the satisfaction of the Charter Schools Institute, acting for the Board of Trustees.

On behalf of the Board of Trustees, the Charter Schools Institute looks forward to working closely with the Board of Regents and the State Education Department in your review of the Proposed Charter.

Sincerely,



Ralph A. Rossi II
General Counsel

Enclosures

c: Darlene Mengel, Supervisor, Charter Schools Unit

**CHARTER SCHOOLS
TRANSMITTAL FORM FOR APPROVED CHARTER SCHOOL APPLICATIONS**

Name of Charter School: Achievement Academy Charter School

DIRECTIONS TO CHARTER ENTITIES

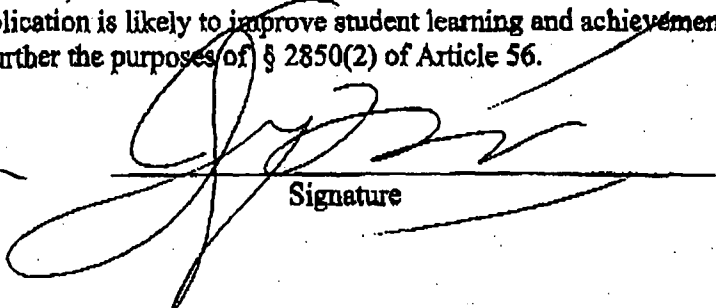
When submitting a proposed charter to the Board of Regents, please provide the following:

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.

James D. Menina
Print Name


Signature

Check one:

- ☐ President, Board of Education of _____
- ☐ 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, New York 12234

ACHIEVEMENT ACADEMY CHARTER SCHOOL

TABLE OF CONTENTS

Proposed Charter Agreement	Tab 1
Comments Received from School District	Tab 2
Evidence of Notification to School Districts	Tab 3
March 4, 2004	Tab 3A
March 11, 2004	Tab 3B
June 22, 2004	Tab 3C
Evidence of Notification to Public and Non Public School	Tab 4
March 11, 2004	Tab 4A
June 22, 2004	Tab 4B

CHARTER

DATED AS OF JULY 12, 2004

BETWEEN

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

AND

**APPLICANT FOR THE
ACHIEVEMENT ACADEMY CHARTER SCHOOL**

TABLE OF CONTENTS

SECTION 1.	ESTABLISHMENT OF SCHOOL	PAGE
1.1	Charter	1
1.2	Effective Date; Term	2
1.3	Prior Actions.....	2
1.4	New Information	2
 SECTION 2.	 OPERATION OF SCHOOL	
2.1	Mission Statement	3
2.2	Age; Grade Range; Number of Students	3
2.3	Admissions; Enrollment; Attendance.....	4
2.4	Educational Program	4
2.5	Evaluation of Students.....	4
2.6	Accountability Plan	5
2.7	School Calendar; Days and Hours of Operation	5
2.8	Student Disciplinary Code.....	6
2.9	Code of Ethics	6
2.10	Governance; School Board; By-laws	6
2.11	Selection of New School Board Members	8
2.12	Complaint Policy.....	8
2.13	Contracting with an Educational Service Provider	9
2.14	Student Transportation	10
2.15	Health Services.....	10
2.16	Food Services	10
2.17	Facility; Location	10
2.18	Change in Location	11
2.19	Monitoring Plan and Oversight.....	12
 SECTION 3.	 SPECIAL EDUCATION	
3.1	Provision of Services.....	12
3.2	Funding of Services.....	12
 SECTION 4.	 PERSONNEL	
4.1	Status	13
4.2	Personnel Policies; Staff Responsibilities	13
4.3	Instructional Providers	13
4.4	Paraprofessionals.....	13
4.5	Background Checks; Fingerprinting	13
4.6	Collective Bargaining.....	13
4.7	Pension Payments.....	14
 SECTION 5.	 FINANCIAL OPERATIONS OF SCHOOL	
5.1	Management and Financial Controls.....	14
5.2	Financial Statements; Interim Reports	15

5.3	Audits	15
5.4	Fiscal Year.....	16
5.5	Annual Budget and Cash Flow Projections.....	16
5.6	Maintenance of Corporate Status; Tax Exemptions.....	16
5.7	Insurance	16
SECTION 6.	REPORTS	
6.1	Annual Reports.....	17
6.2	Financial Reports.....	18
SECTION 7.	OTHER CONVENANTS AND WARRANTIES	
7.1	Compliance with Laws and Regulations.....	18
7.2	Nonsectarian Status	18
7.3	F.O.I.L. and Open Meetings Law.....	18
7.4	Non-discrimination.....	18
7.5	Transactions with Affiliates	19
SECTION 8.	RENEWAL AND TERMINATION	
8.1	Renewal Notice	19
8.2	Approval or Denial of Renewal.....	19
8.3	Corrective Plans	19
8.4	Grounds for Termination or Revocation	20
8.5	Notice and Procedures.....	20
8.6	Dissolution.....	20
SECTION 9.	MISCELLANEOUS	
9.1	Disclaimer of Liability	21
9.2	Receipt of Summons and/or Complaint	21
9.3	Governing Law.....	21
9.4	Waiver	21
9.5	Counterparts; Signature by Facsimile	21
9.6	Terms and Conditions of Operation	21
9.7	Revision.....	22
9.8	Assignment.....	22
9.9	Notices.....	22
9.10	Severability.....	22
9.11	Entire Charter	23
9.12	Construction	23

EXHIBITS

- EXHIBIT A - Application
- EXHIBIT B - Monitoring Plan
- EXHIBIT C- Accountability Plan
- EXHIBIT D - Additional Assurances and Terms
- EXHIBIT E - Prior Action Protocol

TABLE OF DEFINITIONS

	<u>Page</u>
"Trustees"	1
"Applicant(s)"	1
"School"	1
"Act"	1
"Application"	1
"Regents"	1
"Charter Agreement"	1
"Terms of Operation"	1
"Monitoring Plan"	1
"Accountability Plan"	1
"Additional Assurances and Terms"	1
"Prior Action Protocol"	1
"Proposed Charter"	1
"Charter"	2
"School Corporation"	2
"Effective Date"	2
"Prior Actions"	2
"New Information"	2
"Projected Enrollment Structure"	3
"Projected Total Enrollment"	3
"Accountability Plan Guidelines"	5
"Annual Reporting Guidelines"	5
"School Board"	6
"Founding School Trustees"	6
"School Trustee"	6
"By-laws"	6
"School Trustee Disclosure Report"	7
"Annual Report"	7
"School Trustee Background Information"	8
"Educational Service Provider"	9
"Management Contract"	9
"ESP Contracts"	9
"School Facility"	10
"Facility Agreement"	11
"Facility Completion Schedule"	11
"Permits"	11
"Monitoring Plan"	12
"Section 504"	12
"Individualized Education Program"	12
"Commissioner"	13
"Initial Statement"	14

"Independent Accountants' Report"	15
"Accountability Plan Progress Report"	17
"Renewal Application"	19
"Corrective Plan"	20

CHARTER

This agreement is executed on this 12th day of July, 2004 by and between the Board of Trustees of the State University of New York (the "Trustees") and Orville M. Abrahams and William Phillips (the "Applicant(s)") to establish and operate the ACHIEVEMENT ACADEMY CHARTER SCHOOL (the "School"), an independent and autonomous 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 (the "Act") as Article 56 of the Education Law, adding sections 2850-2857 to the Education Law; and

WHEREAS pursuant to section 2852 of the Education Law, 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; and

WHEREAS the Applicant(s) submitted to the Trustees an application for establishment of the School pursuant to section 2851 of the Education Law (as modified and supplemented, the "Application"); and

WHEREAS the Trustees have (i) determined that the Application satisfies each and every requirement set forth in subdivision 2852(2) of the Education Law and (ii) approved the Application; and

WHEREAS pursuant to the Education Law, the Board of Regents (the "Regents") are authorized to approve the proposed charter, issue 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. This agreement (the "Charter Agreement"), which incorporates the Application, attached hereto as Exhibit A and which shall be hereafter referred to as the Terms of Operation (the "Terms of Operation"), the Monitoring Plan, attached hereto as Exhibit B (the "Monitoring Plan"), the accountability plan to be developed by the School during the first year of operation and further described herein, to be attached hereto as Exhibit C (the "Accountability Plan"), the additional assurances and terms, if any, set forth collectively and attached hereto as Exhibit D (the "Additional Assurances and Terms") and the Prior Action Visit Protocol and Checklist, attached hereto as Exhibit E (the "Prior Action Protocol"), shall constitute, before its approval by the Regents, the proposed charter (the "Proposed Charter"). If approved or deemed approved by the Regents, the Proposed Charter shall be

known as the charter (the "**Charter**"). The Charter shall be binding on the education corporation incorporated by the Regents under a certificate of incorporation issued pursuant to subdivision 2853(1) of the Education Law (the "**School Corporation**").

1.2 Effective Date; Term. The Charter shall take effect upon, and only upon, its issuance by the Regents (the "**Effective Date**") subject, however, to any limitations imposed herein and any provision to delay the effective date set forth in the Additional Assurances and Terms. The Charter shall expire five (5) years from the Effective Date, unless earlier terminated or renewed. The Charter is deemed issued upon approval of the Proposed Charter, either by action of the Regents or operation of law pursuant to subdivisions 2852(5-a) and 2852(5-b) of the Education Law. Prior to its issuance, the Proposed Charter is subject to modification or abandonment pursuant to subdivision 2852(5-b) of the Education Law. It is further understood that prior to its issuance, modifications to the Proposed 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 Education Law.

1.3 Prior Actions. Paragraph 1.2 of the Charter Agreement, hereof notwithstanding, the School Corporation shall not provide instruction to any student 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 at Exhibit B (the "**Prior Actions**") to the satisfaction of the Trustees with such conditions as they may require. Upon such confirmation, the restrictions on the 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 September 21 of the year immediately succeeding the year in which the School Corporation is originally scheduled to commence instruction as set forth in the Terms of Operation, 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 any funds, or if it has received funds, any further funds, as would otherwise inure to the School Corporation under section 2856 of the Education Law, if:

(a) the Trustees receive information after the date on which the Proposed Charter is executed which provides substantial reason to believe that either (i) the Terms of Operation contain material misstatements or material 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 section 2856 of the Education Law. 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 or they is or are in, or come(s) into, possession.

SECTION 2. OPERATION OF SCHOOL

2.1' Mission Statement. The School Corporation shall operate under the mission statement set forth in the Terms of Operation. However, the School Corporation may change, amend or otherwise modify its mission statement and such changes shall not require the permission of the Trustees or constitute a revision to the Charter so long as the changes are approved by the board of trustees of the School Corporation and generally consistent with the Terms of Operation, and the School Corporation reports the modification to the Trustees as part of its annual report as required by paragraph 6.1 of the Charter Agreement.

2.2 Age; Grade Range; Number of Students. The School Corporation shall provide instruction to pupils in such ages, grades and numbers in each year of operation under the Charter as is set forth in the Terms of Operation (the "**Projected Enrollment Structure**"), and shall obtain the prior written permission of the Trustees for variances from those terms, except as specifically set forth in subparagraphs a and b below.

(a) The School Corporation may enroll a total number of students different from such number as is set forth in the Projected Enrollment Structure (the "**Projected Total Enrollment**") so long as (i) the total enrollment does not exceed the lesser of one hundred and ten percent (110%) of the Projected Total Enrollment or twenty-five students more than the Projected Total Enrollment; or (ii) the total enrollment is not less than eighty-five percent (85%) of the Projected Total Enrollment or fifty (50) students; and

(b) The School Corporation may vary the number of students in any particular grade and/or number of students within a class from that provided for in the Projected Enrollment Structure for the purpose of accommodating staffing exigencies and attrition patterns and such changes shall not require the permission of the Trustees or constitute a revision to the Charter. Notwithstanding subparagraph a of this paragraph and the immediately foregoing, the School may not make any change in the Projected Enrollment Structure without the written permission of the Trustees that results in or has the effect of (i) eliminating or nearly eliminating a grade or grades the School was scheduled to serve under the Projected Enrollment Structure or (ii) not enrolling any returning student scheduled to be served under the Projected Enrollment Structure or (iii) eliminating any student's seat after the student has been admitted.

2.3 Admissions; Enrollment; Attendance. The School shall have in place and implement comprehensive policies for admissions, enrollment and attendance, which such policies shall be approved by the board of trustees of the School Corporation and shall be consistent with applicable law. Such policies shall provide in detail the procedures and practices utilized by the School in regards to admission, enrollment, attendance and withdrawal, including, *inter alia*, the period in which applications for admission shall be timely, how to obtain an application for admission, the practices in operating the random selection process, the maintenance of a wait list, the implementation of the preferences required by law and the taking of attendance pursuant to section 104.1 of Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York. The board of trustees of the School Corporation shall have the authority to make changes to such policies and such changes shall not require the permission of the Trustees or constitute a revision to the Charter. Such changes, however, must be consistent with applicable law and regulations. The School Corporation shall utilize reasonable outreach and marketing measures to make potential applicants aware of opportunities for enrollment at the School. The Trustees, upon a finding that the outreach and marketing measures taken by the School Corporation are inconsistent with applicable law or the Terms of Operation, 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. Only to the extent specifically provided for in the Terms of Operation or the Additional Assurances and Terms shall the School provide a preference to students at risk of academic failure and/or limit admission to a single sex and any change to such preferences as are provided for by the Terms of Operation or the Additional Assurances and Terms shall require the prior written approval of the Trustees, it being understood that such changes may also require a revision to the Charter, such determination to be made by the Trustees in consultation with the Regents.

2.4 Educational Program. The School Corporation shall implement and provide educational programs that are designed to permit and do permit the students to meet or exceed the performance standards adopted by the Regents and the goals, and measures of progress towards those goals, of the School as set forth in the Accountability Plan further described below. Subject to the immediately foregoing requirements, the School Corporation shall have the right to make any modifications to the educational program as it deems necessary, including but not limited to the curriculum, pedagogical approach and staffing structure, and such modifications shall not require the permission of the Trustees or be deemed a revision to the Charter, provided however that any such modifications shall be generally consistent with the Terms of Operation and applicable law, and the School Corporation reports such modifications on an annual basis as required by paragraph 6.1 of the Charter Agreement.

2.5 Evaluation of Students. The School Corporation shall implement student assessment requirements applicable to other public schools and administer Regents examinations to the same extent such examinations are required of other public school students, except as otherwise specifically provided by applicable law. In addition, the School shall supplement those assessment tools with the other assessment tools required by the Terms of Operation, if any, or as are required by or set forth in the Accountability Plan further described below.

2.6 Accountability Plan. By May 15 of the school year in which the School Corporation commences instruction, the School Corporation shall create the Accountability Plan, which such plan upon its completion shall be incorporated into the Charter Agreement as Exhibit C pursuant to paragraph 1.1. The Accountability Plan shall replace and substitute for the assessment measures and educational goals and objectives set forth in the Terms of Operation, but shall not provide for less stringent assessment measures or educational goals and objectives than those set forth in the Terms of Operation. The specific terms, form and requirements of the Accountability Plan, including any required goals and measures, are set forth in the Accountability Plan Guidelines (the “**Accountability Plan Guidelines**”) maintained and disseminated by the Trustees and such guidelines shall be binding on the School Corporation. Upon the Accountability Plan’s creation, the School Corporation shall fully implement, maintain, and report progress on, the Accountability Plan pursuant to the requirements of the Accountability Plan Guidelines and the annual reporting guidelines maintained by the Trustees (the “**Annual Reporting Guidelines**”) as well as by paragraph 6.1 of the Charter Agreement. Material amendments to the Accountability Plan shall be approved by the Trustees and shall be consistent with the Accountability Plan Guidelines then in effect. The School Corporation understands that its success in meeting the goals and measures set forth in the Accountability Plan shall be the predominant criterion by which the success of its education program will be evaluated by the Trustees upon the School’s application for renewal of the Charter.

2.7 School Calendar; Days and Hours of Operation. The days and hours of operation of the School shall be determined by the School Corporation at its discretion subject to the following restrictions:

(a) The days and hours of operation shall at all times be sufficient to allow the school to meet the student performance standards set by the Regents and the academic achievement goals and other goals set forth in the Accountability Plan and in no event shall the School provide less instructional time during a school year than is required of other public schools with instructional time to be divided in generally equal amounts over no less than 176 days.

(b) To allow parents to determine whether the School’s program is appropriate for their child(ren), the School Corporation shall in each year of the Charter determine the days and hours of operation of the School for the next school year by February 1 of the then current school year and shall make such information readily available to parents seeking to enroll their children in or return their children to the School and provide a copy of such material to the Trustees in a manner that will allow them to post such information on the website of the Charter Schools Institute. The School shall not thereafter for the next school year make any material changes to the days and hours of operation of the School from those determined on each February 1st date that have the effect of shortening the number of days of instruction or hours in which such instruction is provided without obtaining the prior written permission of the Trustees, it being understood that such permission shall not be forthcoming except for good cause shown.

(c) Notwithstanding subparagraph b above, in the first school year in which the School provides instruction, the days and hours of operation shall be those set forth in the Terms of Operation, except that the School shall have the discretion, and without seeking

permission of the Trustees, to (i) provide ten percent (10%) or ten (10) fewer days of instruction, whichever is less, than that amount set forth in the Terms of Operation and (ii) lengthen the school day and school year as it deems necessary and appropriate so long as the School Corporation provides timely notice to parents of such changes.

2.8 Student Disciplinary Code. The School Corporation shall maintain and implement written rules and procedures for student discipline, including guidelines for suspension and expulsion, and shall disseminate those procedures to students and parents. Such guidelines and procedures must be consistent with applicable law, including but not limited to requirements for due process, provision of alternative instruction and federal laws and regulations governing the placement of students with disabilities. In the first year of operation, the discipline policy must be consistent with the discipline policy set forth in the Terms of Operation. Thereafter, the School Corporation shall have the authority to make such modifications to the student disciplinary code as it deems necessary and appropriate, and such modifications shall not require the permission of the Trustees or be deemed to constitute a revision to the Charter, except that material modifications of the disciplinary code shall be approved by the board of trustees of the School Corporation prior to such modifications becoming effective.

2.9 Code of Ethics. The School Corporation, its trustees, officers and employees shall abide by the code of ethics of the School set forth in the Terms of Operation, and the School Corporation shall disseminate the code in written form to its trustees, officers and employees. Modifications to the code of ethics shall require prior written approval by the Trustees.

2.10 Governance; School Board; By-laws. The School Corporation shall be governed by a board of trustees of the School Corporation (the "**School Board**") which initially shall consist of those individuals specifically named in the Terms of Operation (the "**Founding School Trustees**"). Any member of the School Board thereafter appointed or elected shall be known as a school trustee ("**School Trustee**"). The School Board shall have final authority for policy and operational decisions of the School although nothing shall prevent the School Board from delegating decision-making authority to officers and employees of the School Corporation. The School Board shall be established and operate pursuant to the following requirements and restrictions.

(a) The School Board shall initially operate pursuant to the by-laws set forth in the Terms of Operation. The School Board shall meet within thirty (30) days of the Effective Date and duly ratify such by-laws. Thereafter the School Board shall operate pursuant to the by-laws of the School Corporation whether such by-laws be those initially set forth in the Terms of Operation or as amended pursuant to subparagraph b of this paragraph 2.10 (initially or as amended, the "**By-laws**"), as well as the governance provisions of the Not-for-Profit Corporation and Education Law.

(b) The By-laws may not be amended in any material respect without the prior written approval of the Trustees, such approval not to be unreasonably withheld, and in no event can they conflict with any term of the Charter or law, including provisions of the

Education and Not-for-Profit Corporation law applicable to charter schools. In seeking modification of the By-laws, the School Board shall submit to the Trustees a duly approved resolution of the School Board setting forth the proposed material changes to the By-laws.

(c) The School Board shall have as its members such total number of School Trustees and shall reserve seats on the School Board for such specified members or constituent groups in such numbers as is set forth in the Terms of Operation. The By-laws shall contain provisions consistent therewith.

(d) Notwithstanding any provision to the contrary in the Charter Agreement, Terms of Operation or By-laws, in no event shall the School Board, at any time, be comprised of voting members of whom more than forty (40) percent are directors, officers, employees, agents or otherwise affiliated with any single entity (with the exception of the School Corporation or of another charter school), regardless of whether said entity is affiliated or otherwise partnered with the school. For the purposes of this paragraph, "single entity" shall mean any individual entity, as well as any and all related entities to such entity such as parents, subsidiaries, affiliates and partners. The Trustees may, at their sole discretion, waive this restriction upon a written request from the School.

(e) Where the School Corporation has engaged an educational service provider or other entity that provides comprehensive management services to the school pursuant to a contract between such entity and the School, (whether for or not for profit), no employee, director, officer, agent or individual otherwise affiliated with such entity and/or any related entity, nor any immediate family members of such persons, shall be eligible to serve on the School Board.

(f) The School Board shall notify the Trustees within five (5) business days of the removal of, or resignation by, any member of the School Board.

(g) The School Board shall require that each School Trustee who has served on the School Board during a school year shall file annually a disclosure report (the "**School Trustee Disclosure Report**") with the Trustees, the form and requirements of which shall be provided by the Trustees. The School Trustee Disclosure Report shall set forth and attest to transactions between the School Corporation on the one hand and a School Trustee and any entity with which such School Trustee is affiliated, on the other, as such transactions may be defined by the Trustees. As set forth in paragraph 6.1 of this Charter Agreement, the School Trustee Disclosure Report for each School Trustee shall be submitted yearly as part of the School's annual report ("**Annual Report**"). In the event that any School Trustee fails to file a School Trustee Disclosure Report within thirty (30) days of its due date of August 1, or such report is in material respects incomplete, misleading or untruthful, and the Trustees inform the School Board of its determination in this regard, the School Corporation, notwithstanding any provision of its By-laws, shall in a timely fashion remove such School Trustee pursuant to a vote of the School Board and the failure of the School Board to so act shall be a material violation of the Charter. Should a School Trustee resign from or otherwise leave the School Board without having submitted a School Trustee Disclosure Report for any year in which such School Trustee served, the School Corporation shall provide the Trustees with a record of the transactions

required by the School Trustee Disclosure Report for that School Trustee for each relevant school year, such reports to be signed by the School Corporation and due on August 1 as part of the Annual Report.

(h) During the one-year period from the time that this Charter is declared effective, the School Board shall consist of the Founding School Trustees with such other additional members that are approved consistent with paragraph 2.11 of the Charter Agreement. In the event that more than fifty percent (50%) of the Founding School Trustees resign from or otherwise leave the School Board within one year from the Effective Date, the School shall be deemed in material violation of its Charter and may, at the sole discretion of the Trustees, be placed on probation.

2.11 Selection of New School Board Members. All School Trustees shall possess appropriate qualifications for membership on the School Board, as such qualifications are set forth in the Terms of Operation and shall be seated pursuant to the following procedures. Prior to the appointment or election of any School Trustee who is not a Founding School Trustee, the School Board must submit to the Trustees (pursuant to a duly approved resolution of the School Board) the name of the proposed School Trustee and such individual must timely provide to the Trustees, in writing and/or in person, such background information as the Trustees shall require (the "School Trustee Background Information"). Within forty-five (45) days of receiving the name of the proposed School Trustee, the Trustees shall in writing reject or approve such individual. In the event that the Trustees do not provide in writing an approval or rejection within the forty-five (45) day time period, the proposed School Trustee may be seated. A failure by the School Corporation or the proposed School Trustee to timely provide the School Trustee Background Information to the Trustees shall be grounds for his or her rejection.

2.12 Complaint Policy. The School Corporation shall implement and maintain a complaint policy to receive and handle complaints brought pursuant to § 2855(4) of the Education Law. Initially, such policy shall be that policy set forth in the Terms of Operation. The School Corporation shall have the power to amend the complaint policy in any way it deems necessary and appropriate, so long as, such amendments are approved by the School Board and are consistent with applicable law and due process. A copy of the School Corporation's complaint policy shall be distributed to the parents and/or guardians of students enrolled in the School and made readily available to all others requesting a copy. The School Corporation shall also provide a copy of the School's current complaint policy to the Trustees. Upon resolution of a complaint, the School Corporation shall provide to the complainant:

- (a) its written determination and any remedial action thereto;
- (b) a written notice to the complainant that he or she may appeal the determination of the School Corporation to the Trustees; and
- (c) a copy of the Trustees' policies (as they are posted on the website of the Charter Schools Institute).

2.13 Contracting with an Educational Service Provider. Any entity that provides all or a substantial subset of all services necessary to operate and oversee the School's educational program on a fee basis and pursuant to a fee-based contract shall be known as an educational service provider ("**Educational Service Provider**") and the contract under which such services are provided shall be referred to as the management contract ("**Management Contract**"). Any other contractual arrangements, including but not limited to leases, subleases, lease-purchase agreements, credit facilities, loan agreements, promissory notes, negotiable instruments and other debt instruments, that are contemplated between the School Corporation on the one hand and the Educational Service Provider, its partners, parents, subsidiaries, agents and affiliates (including any entity that holds an economic interest in the Educational Service Provider) on the other shall be known collectively, together with the Management Contract, as ESP Contracts ("**ESP Contracts**"). The following requirements and provisions relating to Educational Service Providers, Management Contracts and ESP Contracts shall apply.

(a) The Trustees reserve the right to review and disapprove for good cause shown any and all ESP Contracts that the School seeks to execute or amend during the time that the Charter is in effect. Good cause shown includes but is in no way limited to a finding that the ESP Contract or ESP Contracts at issue do not, under the totality of the circumstances, allow the School Corporation effective and sufficient means to hold the Educational Service Provider accountable, including means to terminate the Educational Service Provider without placing the School Corporation's further existence in peril. The above terms are in addition to the requirements of paragraph 2.17 of the Charter Agreement.

(b) To facilitate the Trustees' rights of review and disapproval, the School Corporation shall provide the Trustees with any proposed ESP Contract (or proposed material amendment of an ESP Contract) not later than thirty (30) days prior to the proposed date of execution. In addition to the foregoing, prior to its first year of operation, and where no prior Management Contract has been in place, the School Corporation must submit the proposed Management Contract to the Trustees by no later than May 1 immediately preceding the start of the school year. When submitting an ESP Contract, the School Corporation must include a written opinion of the School Board's legal counsel stating that the ESP Contract has been reviewed by legal counsel to the School Board. Within thirty (30) days of receiving the proposed ESP Contract, the Trustees shall notify the School Board if the agreement is disapproved, except that the Trustees, at their discretion, may extend the review period an additional thirty (30) days. It is expressly understood that should the Trustees not disapprove an ESP Contract, the Trustees by such action are in no way endorsing or approving the contract, the fee arrangements if any or any other provisions contained therein.

(c) The School Corporation shall not enter into a Management Contract with any Educational Service Provider not identified as such in the Terms of Operation without receiving prior written approval from the Trustees.

(d) To the extent that the Terms of Operation contemplate that the School Corporation was to be operated with the assistance of an Educational Service Provider pursuant to a Management Contract, the School Corporation shall obtain the prior written approval of the Trustees prior to operating the School without such Educational Service Provider's assistance.

Notwithstanding the above, it is understood that circumstances may require the School Corporation to terminate a Management Contract and/or not renew a Management Contract and thereafter operate the School without the services of the Educational Service Provider identified in the Terms of Operation (or otherwise subsequently approved by the Trustees) prior to obtaining the permission of the Trustees. Where the Trustees determine, at their sole discretion, that such circumstances exist, and the School Corporation has made good faith efforts to timely inform the Trustees of the circumstances, the Trustees may waive the School Corporation's breach of the prior permission requirement and allow the School Corporation to seek permission *ex post facto*.

(e) Management Contracts shall set forth with particularity inter alia, the extent of the Educational Service Provider's participation in the organization, operation and governance of the School.

(f) To further and facilitate their review, the Trustees may require the School Corporation to submit together with any ESP Contract, additional information or assurances.

(g) Upon the execution of an ESP Contract, and any revision thereto, a copy of such contract or revised contract shall be promptly provided to the Trustees.

2.14 Student Transportation. The School Corporation shall meet the transportation needs of students ineligible for transportation pursuant to section 3635 of the Education Law only to the extent provided for in the Terms of Operation. 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 Terms of Operation 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.

2.15 Health Services. The School Corporation shall provide such health services as are set forth in the Terms of Operation or their equivalent, so long as the services provided meet applicable law.

2.16 Food Services. The School Corporation shall provide appropriate food services consistent with or equal to those outlined in the Terms of Operation.

2.17 Facility; Location. The building(s) in which the School is to be located shall be known as the school facility (the "**School Facility**"). Prior to May 15 of the year that the School intends to provide instruction for the first time, the School Corporation shall have:

(a) entered into a lease, purchase agreement or other such agreement which has been reviewed by counsel to the School Corporation. The School Corporation shall provide to the Trustees a letter from counsel attesting to such review prior to the May 15 deadline. The lease, purchase agreement or other such agreement shall provide the School with all rights and permissions as are necessary to operate as a school in the School Facility according to the plan set forth in the Terms of Operation (the "Facility Agreement"); 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, together with the dates upon which such steps will be completed (the "Facility Completion Schedule"). The Facility Completion Schedule shall indicate the 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 detailed construction/renovation timeline (if applicable), which describes the work to be completed and the dates on which such work will be completed, and an updated and detailed budget for all costs associated with preparing the School Facility for occupancy.

In the event that a Facility Agreement is not in place by May 15 of the calendar year in which the School intends to first provide instruction, the School Corporation may not commence instruction until the start of the school year succeeding such scheduled start, subject, however, to having entered into a Facility Agreement and provided such agreement as well as the Facility Completion Schedule by May 15 of such succeeding year. Notwithstanding the immediately foregoing sentence, the Trustees may waive the restrictions contained therein upon good cause shown and extend the date upon which the Facility Agreement and Facility Completion Schedule would be otherwise due. In the event that the Trustees find, through their review of the Facility Completion Schedule, the Facility Agreement or any other inquiry and investigation, that it is unlikely that the School Facility will be completed and that all Permits will be obtained in time for the opening of the School on the School's scheduled opening date, the Trustees may require the School Corporation to delay commencement of instruction until the next academic year or such other date as the Trustees may designate. In the event that the Trustees require such delay, they shall provide their reasons in writing to the School Corporation by July 15 of the year in which the School is then scheduled to provide instruction. Pursuant to subdivision 2851(2)(j) of the Education Law, and notwithstanding any contrary provision of this paragraph, in the event that the Terms of Operation do not identify the School Facility, the School shall notify the Trustees and the Regents within ten (10) business days of the School Facility having been identified. 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.

2.18 Change in Location. The School may change the physical location of the School Facility or obtain additional buildings for the School Facility within the same school district or specified section thereof if so identified in the Terms of Operation (in the case of the New York City School District, the borough or specified section within the district if so identified in the Terms of Operation) or obtain additional space in a building it already occupies provided that the School Corporation satisfies the provisions of the Act, including but not limited to subdivision 2853(1)(b-1) of the Education Law, and provided further that:

(a) the School Corporation notifies the Trustees 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 provides the Trustees with (i) a Facility Completion Schedule, (ii) a statement setting forth the material terms of the lease or purchase agreement, and (iii) a letter from legal counsel indicating that such counsel has reviewed such terms; and provided further that

(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 with the notice and schedule required by this paragraph, together with 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. Notwithstanding the immediately foregoing, the Trustees may shorten or otherwise waive the sixty (60) day notice requirement for good cause shown. A failure to obtain the permission of the Trustees as specified above shall cause any Facility Agreement entered into without such permission to be voidable at the discretion of the Trustees.

2.19 Monitoring Plan and Oversight. The School Corporation and the School Board acknowledge that the Trustees, or their authorized agents, and the Regents have 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 the monitoring plan that the Institute will implement (the "**Monitoring Plan**"), the requirements of which are set forth at Exhibit B.

SECTION 3. SPECIAL EDUCATION

3.1 Provision of Services. The School Corporation shall provide services and accommodations to students with disabilities as set forth in the Terms of Operation and in accordance with the Individuals with Disabilities Education Act (20 U.S.C. §1401 et seq.), the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794) ("**Section 504**"), including providing services to attending students with disabilities in accordance with the individualized education program ("**Individualized Education Program**") recommended by the committee or subcommittee on special education of the student's school district of residence. Pursuant to subdivision 2853(4)(a) of the Education Law, the School shall provide such appropriate and required services either directly or by contract with another provider, and, to the extent not otherwise indicated in the Terms of Operation, the School Corporation may, elect to have certain services provided by a student's school district of residence. The School Corporation may seek reimbursement from a student's district of residence for special education and related services provided by the School Corporation, pursuant to a student Individualized Education Program or Section 504 plan, to the extent permitted under section 2856 of the Education Law.

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 personnel. The School Corporation shall provide written notice to the Trustees within five (5) business days of the hiring or departure (by resignation or dismissal) of the director/principal of the School. The organizational structure of the School shall be consistent with the structure set forth in the Terms of Operation.

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 Terms of Operation.

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 Education Law and applicable federal law. 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 Education Law shall not in total comprise more than thirty percent (30%) of the instructional employees of the School, or five (5) teachers, whichever is less and shall have the qualifications required by state and federal law, including, but not limited to, those imposed under the No Child Left Behind Act of 2001. 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 Paraprofessionals. Paraprofessionals employed by the School Corporation must meet all credentialing requirements imposed by applicable federal law.

4.5 Background Checks; Fingerprinting. 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 employees and agents of any company or organization which is a party to a contract to provide services to the School) to the extent required by law. The School Corporation may, but is not required, to conduct any and all other background checks permitted by law.

4.6 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 2854(3)(b-1) of the Education Law and the School's enrollment exceeds two hundred fifty (250) at any point during the first year;

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.

4.7 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 section 119.2 of Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York.

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. To better ensure this outcome from the School's commencement, the School Corporation shall provide a statement to the Trustees no later than sixty (60) days from the Effective Date concerning the status of management and financial controls (the "**Initial Statement**"). The Initial Statement must address whether the School Corporation has documented adequate controls relating to:

(a) Preparing financial statements in accordance with generally accepted accounting procedures;

(b) payroll procedures;

(c) accounting for contributions and grants;

(d) procedures for the creation and review of quarterly financial statements, which procedures shall specifically identify the individual who will be responsible for preparing and reviewing such financial statements; and

(e) appropriate internal financial controls and procedures.

The Initial Statement shall be reviewed and ratified by the School Board prior to its submission to the Trustees. The School Corporation shall thereafter retain an independent certified public accountant or independent certified public accounting firm licensed in New York State to perform an agreed-upon procedures engagement (the "**Independent Accountants' Report**") in accordance with attestation standards established by the American Institute of Certified Public Accountants. The purpose of the engagement will be to assist the School Board and the Trustees in evaluating the Initial Statement and the procedures, policies and practices established thereunder. The engagement shall commence within forty-five (45) days after the date on which the school has received and disbursed more than \$50,000 in monies received from payments from school districts, under section 2856 of the Education Law, or from grants or other revenue sources. The resulting Independent Accountants' Report should be provided to the School Board no later than forty-five (45) days after the commencement of such engagement with a copy to the Trustees. In the event that the Independent Accountants' Report reveals that any of the above management and financial controls (subparagraphs a-e of this paragraph) are not in place, the School Corporation shall remedy such deficiencies no later than forty-five (45) days from the date the Independent Accountants' Report was received by the School Board and shall provide to the Trustees within that forty-five (45) day period a statement that all deficiencies identified in the Independent Accountants' Report have been corrected. Such statement shall identify the steps undertaken to correct the identified deficiencies. The Trustees may require additional evidence to verify the correction of all such deficiencies.

5.2 Financial Statements; Interim Reports. All financial statements that 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 annually 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 Auditing Standards (GAAS) and Government Auditing Standards issued by the Comptroller General of the United States, as well as any additional requirements and guidelines provided by the Trustees. The audited financial statements must be submitted to the Trustees by November 1 of each year. In addition, and pursuant to the same timetable, the School Corporation must

require its independent certified public accountant 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 to the Trustees together with a corrective plan addressing any weaknesses or problems identified in the planning and performance of the audit. The corrective plan must address each suggestion for consideration of management contained in the compliance report and include a timetable that identifies the date by which each corrective step will have been completed. The School Corporation shall also conduct programmatic audits when and to the extent required of other public schools, 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 June 30 of the immediately preceding fiscal year. The School Corporation shall provide its annual budget and cash flow projection for the first fiscal year in which it provides instruction by August 1 of such year in the event that the budget or projection differs in any material respect from that set forth in the Terms of Operation.

5.6 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, it being understood that the School Corporation shall not be in violation of this provision during such time as the application for federal tax-exempt status is pending, but only if such application was timely filed and such filing was materially complete. 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.

5.7. 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 Terms of Operation 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 (5) 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 Education Law.

SECTION 6. REPORTS

6.1 Annual Reports. No later than August 1 succeeding a school year in which the school provided instruction (or received funding under section 2856 of the Education Law), the School Corporation, pursuant to subdivision 2857(2) of the Education Law, shall submit to the Trustees and the Regents an 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 be in such form and provide such data as set forth at section 119.3 of Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York; and

(b) a discussion of the progress made towards achievement of the goals set forth in this Charter, including the Accountability Plan, and the Terms of Operation; 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, as part of the Annual Report, the School Corporation shall provide the following information to the Trustees:

(d) a report on the progress of the School in meeting the goals and measures of the Accountability Plan during the last school year (the "**Accountability Plan Progress Report**"). The Accountability Plan Progress Report must contain data addressing each goal and measure in the Accountability Plan and should report data as required by the Trustees in order for the Trustees to substantiate outcomes. The Accountability Progress Report shall be prepared pursuant to any requirements set forth by the Trustees in the Annual Reporting Guidelines as such guidelines appear on the website of the Charter Schools Institute. To the extent permitted by the Regents, the Accountability Plan Progress Report may be submitted in satisfaction of the requirement set forth at paragraph 6.1(b) of this agreement. Should the Accountability Plan Progress Report indicate that the School has not met one or more of the goals in its Accountability Plan, the Trustees may require the School to submit a Corrective Plan pursuant to paragraph 8.3 of the Charter Agreement.

(e) the school calendar for the past as well as present school year, such calendar to be consistent with paragraph 2.7(b) of the Charter Agreement, setting forth the days and hours of operation for the regular school session as well as the summer session in the succeeding calendar year, if any is to be provided; and

(f) a statement of assurances relating to compliance with requirements under the Charter and applicable law, the form and requirements of which shall be determined by the Trustees and contained in the Annual Reporting Guidelines; and

(g) a School Board Trustee Disclosure Report for each School Trustee who served on the Board during the preceding year in such form and manner as prescribed by the Trustees and as contained in the Annual Reporting Guidelines; and

(h) a statement regarding rates of attrition for both students and teachers during the previous fiscal and school year, the form and requirements of which shall be determined by the Trustees and as contained in the Annual Reporting Guidelines; and

(i) a brief statement, as more fully described in the Annual Reporting Guidelines, setting forth changes to the School's educational program and mission as well as governing and organizational structures, during the previous fiscal and school year.

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

6.2 Financial Reports. The School Corporation shall provide the financial reports required by paragraphs 5.1, 5.2, 5.3 and 5.5 of the Charter Agreement pursuant to the terms and dates specified therein.

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 other applicable laws and shall meet the same health and safety, civil rights, and student assessment requirements as are applicable to other public schools, except as otherwise set forth in the Act.

7.2 Nonsectarian Status. The School shall be nonsectarian in its programs, admissions policies, employment practices and all other operations. The School Corporation shall not be wholly or in part under the control or direction of any religious denomination.

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

7.4 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. It shall take all steps necessary to ensure that discrimination does not occur, as required by federal civil rights law.

7.5 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 past or present of the School Board or any employee past or present of the School Corporation, or any immediate family member of the foregoing individuals, 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 or an individual related thereto.

SECTION 8. RENEWAL; CORRECTIVE PLANS; TERMINATION

8.1 Renewal Notice. No later than August 1 in the calendar 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 Education Law (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; and
- (c) copies of each of the Annual Reports of the School, including the School report cards and the certified financial statements; and
- (d) evidence of parent and student satisfaction; and
- (e) such other material and information as is required by the Trustees.

8.2 Approval or Denial of Renewal. 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 Education Law as supplemented by paragraph 8.6 of this Charter Agreement. In the event that the Renewal Application is granted, the Trustees, pursuant to subdivision 2851(4) and section 2852 of the Education Law, 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 Corrective Plans. 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 or governance practices are not satisfactory, or that the School Corporation is not in compliance with the terms and conditions of the Charter, including but not limited to the requirements of the Charter Agreement and the Monitoring Plan, then the Trustees, in consultation with the School Corporation, may develop

and require the School Corporation to implement a corrective plan (the "Corrective Plan"). Nothing contained herein shall require the Trustees to undertake the development of a Corrective Plan or 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 paragraphs 8.4 and 8.5 of the Charter Agreement.

8.4 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 Education Law; or

(b) by mutual agreement of the parties hereto.

8.5 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 (30) 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 the 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.

8.6 Dissolution. In the event of termination of the Charter (whether prematurely or otherwise), the School Corporation shall follow procedures consistent with those set forth in the Terms of Operation, as required by subdivision 2851(2)(t) of the Education Law, 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. The Trustees may require the creation of an escrow account for the purposes of dissolution in an amount to be determined but not to exceed \$25,000 and may require such account to be established pursuant to terms and conditions determined by them.

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 Charter Schools Institute, the Trustees or the Regents except as required by law or this Charter, and that none of the Charter Schools 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; or

(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 Charter Schools Institute, the Trustees, the Regents or the public schools to any third party.

9.2 Receipt of Summons and/or Complaint. The School Corporation shall provide written notice to the Trustees within five (5) business days of the 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.

9.3 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.

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

9.5 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.

9.6 Terms and Conditions of Operation. The parties hereto expressly agree that the Terms of Operation set forth overall goals, standards and general operational policies of the School, and that the Terms of Operation are 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 Terms of Operation, the School Corporation shall be permitted to implement such policies, procedures, and specific terms of operation without seeking the permission of the Trustees or a revision to the Charter, provided that such policies, procedures

and terms of operation and any changes thereto are not otherwise prohibited, circumscribed or limited by the Act, other applicable law or the Charter. Where there is a conflict between the terms of the Charter Agreement and the Terms of Operation, the terms of the Charter Agreement shall govern. Where a provision of the Charter Agreement provides additional terms or conditions as to modifying a specific policy, provision or term of operation, such specific terms and conditions shall govern. Where a provision of the Additional Assurances and Terms conflicts with the Terms of Operation or the Charter Agreement such provision of the Additional Assurances and Terms shall govern.

9.7 Revision. This Charter may be revised only by written consent of the parties hereto and, in the case of material revisions, only pursuant to subdivision 2852(7) of the Education Law.

9.8 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.

9.9 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
74 North Pearl Street, 4th Floor
Albany, New York 12207

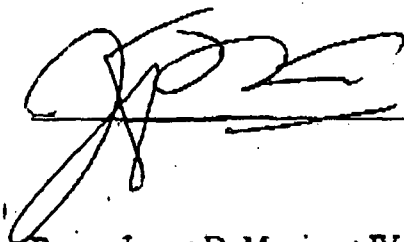
9.10 Severability. In the event that any provision of this Charter or the Terms of Operation thereof to any person or in any circumstances shall be determined to be invalid, unlawful, or unenforceable to any extent, the remainder of this Charter and the application of such provision to persons or circumstances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

9.11 Entire Charter. The 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 Terms of Operation and the other terms of this Charter, such other terms of this Charter shall control.

9.12 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

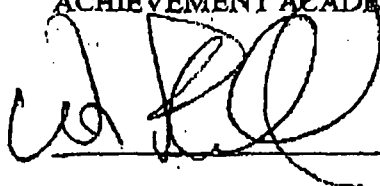


7/12/04
Date

By: James D. Merriman IV, acting for the Board of
Trustees of the State University of New York

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

ACHIEVEMENT ACADEMY CHARTER SCHOOL



7-12-04
Date

By: W.A. Phillips

Title: Applicant

Date

By:

Title: Applicant

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

Date

By: James D. Merriman IV, acting for the Board of
Trustees of the State University of New York

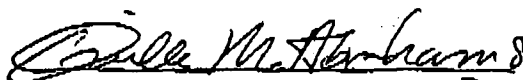
Title: Executive Director, Charter Schools Institute,
State University of New York

ACHIEVEMENT ACADEMY CHARTER SCHOOL

Date

By:

Title: Applicant

 7/12/2004

Date

By:

Title: Applicant

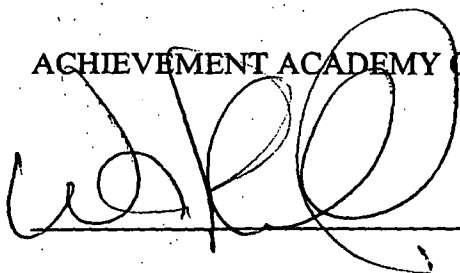
BOARD OF TRUSTEES OF THE
STATE UNIVERSITY OF NEW YORK

Date

By: James D. Merriman IV, acting for the Board of
Trustees of the State University of New York

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

ACHIEVEMENT ACADEMY CHARTER SCHOOL



Date

7-12-04

By: W.A. Principi

Title: Applicant

Date

By:

Title: Applicant

EXHIBIT A

TERMS OF OPERATION

EXHIBIT B

MONITORING PLAN

Monitoring Plan

As provided in Paragraph 2.19 of the Charter Agreement, 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 or applicable law, 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 Education Law.

A. 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, resignation, 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) of the Education Law, 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; and
17. Documents sufficient to substantiate the School's progress on the measurable goals set forth in the Accountability Plan.

B. 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 at least two 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 A of the Monitoring Plan, interviews with the 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. Require the School to make available necessary information in response to the Trustees' inquiries, including information necessary for the Trustees to prepare annual or semi-annual evaluations of the School's financial operations, academic program, future outlook and other areas;
4. 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 Education Law. Where appropriate, the Trustees shall issue remedial orders as permitted by subdivision 2855(4) of the Education Law;
5. Review as necessary the school's operations to determine whether any changes in such operations require formal revision of the charter pursuant to subdivision 2852(7) of the Education Law and, if so, determine whether such revision should be recommended for approval; and
6. Encourage relevant officers, employees and agents of the School Corporation to attend conferences, seminars and training sessions identified or sponsored by the Trustees and which are designed to assist the School Corporation to fulfill its mission.

- C. The School Board shall provide the Trustees with a copy of all minutes from each of its meetings and executive sessions on a timely basis.

EXHIBIT C

**ACCOUNTABILITY
PLAN**

[PLAN TO BE DEVELOPED]

EXHIBIT D

**ADDITIONAL ASSURANCES
AND TERMS**

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EXHIBIT E

**PRIOR ACTION VISIT PROTOCOL
AND
CHECKLIST**

EXHIBIT E

**PRIOR ACTION VISIT PROTOCOL
AND
CHECKLIST**

Prior Action Visit Protocol

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 of this Charter Agreement, 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 (or, if the School is scheduled to provide instruction prior to that date, by such date as required by the Trustees), 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 _____

Date _____

GOVERNANCE AND MANAGEMENT

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

STAFFING

Satisfactorily Completed	Item	Comments	Date Completed
	The number of teachers is adequate and their assignments match the staffing plan.		
	Teachers are certified in accordance with Section 2854(a-1) of the Charter Law.		
	There is documentation that required background checks for all staff have been completed.		

CURRICULUM AND INSTRUCTION

Satisfactorily Completed	Item	Comments	Date Completed
	Needed instructional materials and supplies have been distributed to classrooms at every grade level.		
	A school calendar and class schedules exist and provisions have been made for them to be available to every student and every family.		
	Provisions have been made for assessing and serving students with special needs.		
	The school is prepared to provide instruction in each approved grade and only in such grades.		

STUDENTS AND PARENTS

Satisfactorily Completed	Item	Comments	Date Completed
	Parent and student orientation is completed or scheduled.		
	Student enrollment procedures have been documented and a student roster is available to teachers.		
	Student records have been received or requested and are/will be available to teachers for planning.		
	A preliminary count of students with special needs is available.		
	Student policies (including suspension and expulsion policies) have been established and are available to students and parents in written form.		
	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
	Arrangements have been made for food service.		
	Provisions have been made for health services and immunizations, if appropriate.		
	Provisions have been made for supplemental transportation of students if any are to be provided.		
	There are written plans for such life safety procedures as fire drills and emergency evacuation.		

FINANCE

Satisfactorily Completed	Item	Comments	Date Completed
	There is evidence of an accounting system with internal controls and fiscal policies.		
	A payroll system has been established.		

FACILITIES, FURNISHINGS AND EQUIPMENT

Satisfactorily Completed	Item	Comments	Date Completed
	Available space (including classrooms, restrooms, and special purpose space) meets the requirements of the program and the number of students enrolled.		
	Space is accessible, clean, and well-lighted.		
	A certificate of occupancy is on file.		
	Certificates of insurance are on file, meeting at least the minimum levels required by the Charter Schools Act.		
	Space is safe and secure; entrance and egress from the school's space is adequately controlled.		

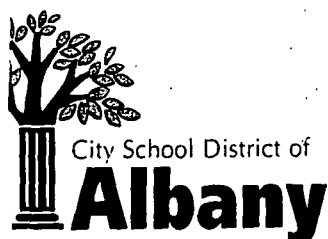
ACCOUNTABILITY

Satisfactorily Completed	Item	Comments	Date Completed
	There is a staff person who is assigned the responsibility for accountability.		

JUN 70

OTHER

Satisfactorily Completed	Item	Comments	Date Completed



MICHAEL A. JOHNSON, SUPERINTENDENT OF SCHOOLS

May 25, 2004

Mr. James D. Merriman IV
Executive Director
Charter Schools Institute
State University of New York
74 North Pearl Street, 4th Floor
Albany, New York 12207

RECEIVED

MAY 27 2004

Charter Schools Institute

Dear Mr. Merriman:

This correspondence comes on behalf of the City School District of Albany as a statement of the fiscal and programmatic impact of the proposed *Albany Achievement Charter School* on this School District. Your review and careful consideration of the comments and information presented here—in clear support of the City School District of Albany's position that this charter school application be denied—is respectfully requested.

So that there is no misunderstanding, please bear in mind that it has been the longstanding position of the City School District of Albany to support choice opportunities for its students and their families as evidenced by the School District's own establishment of magnet schools and its open enrollment policy, as well as the recognition of the recently approved charter school, KIPP (Knowledge Is Power Program). However, this application along with the application for the Albany Preparatory Charter School that was submitted concurrently to the Board of Regents, represents more than a competitive choice opportunity. Rather, the compounded and centrally focused efforts of these applications represent a strategic incursion of charter schools aimed directly at middle level education in the City of Albany. Together and if approved, these collective middle level charter schools would essentially eliminate middle level programs for the School District and serve to desolate its middle level programs rather than accelerate the School District's capacity to develop and offer quality competitive educational programs.

Bearing this information in mind, however, it is the poor quality and fundamental weaknesses of the **educational** program being presented here in the application for the Albany Achievement Charter School from a pedagogical perspective, along with the critical **fiscal** impact, that support the most compelling arguments for a strong and dissenting voice against approval of this charter school.

Crucial information presented later in this document shows the cumulative and debilitating fiscal impact of all existing and recently approved charter schools on the City School District of Albany at an overwhelming level of 14.4% of the School District's net general fund budget at the time of full implementation of this proposed charter school.

This represents an irrefutably extreme and extraordinary burden to the District that for all intent requires consideration of a moratorium on any new charter schools for the City of Albany. Keep in mind that concomitant with the submission of the application for the Albany Achievement Charter School to the Charter Schools Institute, a separate and similar application for another middle level charter school, the Albany Preparatory Charter School, has been submitted to the Board of Regents. Should that proposed charter school be approved in addition to the Albany Achievement Charter School, the distressing impact would be even further exacerbated to a level of 17.1% at full implementation.

It must be noted that regulations pertaining to the establishment of charter schools specifically prohibit the submission of a charter school application to different authorizing bodies. Even though the Albany Achievement Charter School application itself was not submitted in duplicate form to the Board of Regents, a mirror image application for the so-named Albany Preparatory Charter School was; clearly, a "smoke and mirrors" effort to disingenuously comply with the intent of this regulation. Examples can be found in the text of the applications for both charter schools where the exact words and phrases were used; specifically, regarding the financial impact to the School District (page 59), English as a Second Language (ESL) services (pages 408-410), discipline and suspensions (pages 412-415), provision of instruction (page 416), and projected Title I enrollment (pages 55, 427).

Additionally, both recent charter school applications—that for the Albany Achievement Charter School and for Albany Preparatory Charter School—were, in fact, supported by the Brighter Choice Public School Choice Project. This Project is headed by the same individual who established the present Brighter Choice Charter School in Albany and belies the honorability of the intent of the total organization called Brighter Choice; it begs the question, are these charter schools being proposed to provide choice options for Albany's children or deliberately intended to significantly diminish the School District's ability to function? By design, the Brighter Choice Public School Choice Project was to assist the School District with strengthening and promoting its magnet school programs as choice options for its students, however, the School District has not been engaged in that effort. Rather, as one can see by the attached flyer recently mailed to all Albany residents—as just one example—its outreach has focused on creating, establishing, and strengthening charter schools as an overwhelming force for the School District here in Albany. Should these two charter school applications be approved, Albany will become one of the most densely "charterized" school districts in the nation; a disabling perspective both fiscally and educationally.

Just as recently as last week, the Board of Regents for the New York State education system itself conveyed lack of clarity about what middle level education should be and the Regents continue to develop conceptual directives for the field. Why, then, would a charter school at the middle level pre-anticipate in its application a high level of success in competing with the School District's present middle schools? In fact, the New Covenant Charter School here in Albany has been mandated to eliminate its middle level program for students in grades 7 and 8 due to poor performance and lack of success; direct evidence of

an unsuccessful middle level charter school. Now, the School District is looked back on to pick up the pieces of this failed endeavor regardless of the consequences.

Further, Article 56 of the New York State Education Law as it pertains to charter schools states the purpose of charter schools as being one of 'improving student learning and achievement' and 'encouraging the use of different and innovative teaching methods'. It is Albany School District's informed assertion that while the primary components of the educational program for this charter school (the *Amistad Program*, *Connecticut*, *Core Knowledge*, and *New York State Standards and Curriculum*) are presented and described in the application as "different" and "innovative" to "improve student learning and achievement", these elements, in fact, are better described as simply "knowledge" not teaching methods or approaches or simply a reiteration of methods that already exist in practice by New York State certified teachers in public schools rather than an approach that is "innovative". Specific examples elaborating on these points are provided in the Education Plan response section of this document.

In essence, the application for the Albany Achievement Charter School in total presents nothing more than a "cookie-cutter" compilation of programs and information pulled together to give the semblance of different and innovative. The previously mentioned receipt of yet another charter school application for Albany, the Albany Preparatory Charter School, further supports this contention. Also, the presumptions made regarding the effectiveness of the application of the Amistad program to a New York State school may be flawed. The practical basis for the Albany Achievement Charter School is built upon the supposed success of the Amistad Academy. As stated in the application, this institution located in New Haven, Connecticut will be the site for intense training of the charter school's chief school leaders and will also be the basis for the development of curriculum to be used in the Albany Achievement Charter School. This curriculum is based on Connecticut's learning standards and that state's assessment program. While this may present a sound educational program in and by itself, it fails to address the fact that students in New York State—including those attending the Albany Achievement Charter School—must achieve success on the New York State Assessments. No accommodation for alignment of the Amistad Program to New York State standards is mentioned or addressed in the charter school application. Rather, the implication is that the Amistad Program will be instituted in total.

Further, the most recent data regarding the Amistad Program's success shows 38% of its students scoring at a proficient level in reading and 35% of its students scoring at a proficient level in mathematics on the Connecticut Mastery Test (CMT). This is very similar to the performance of Albany School District's middle school students at this time, though the applicants purport that this Program will yield results that out-perform Albany's middle schools. The curricular and programmatic changes presently being implemented in the Albany School District will improve results well ahead of any measured accountability available from this charter school.

To continue, as one reviews the details of the application, it becomes apparent that the authors have a complete misunderstanding of the City School District of Albany.

Throughout the application, they expose their lack of knowledge of the School District and its academic programs through the use of broad and often inaccurate statements. Targeted remarks such as "The Albany School District's initiative to construct an additional middle school without major reforms in programming and approach will not mitigate this problem. There is no indication from the District that either is forthcoming" and statements that depict the School District as "...driving large numbers of student into an academic underclass..." and as leaving students "...so neglected academically as to stand at-risk of permanent exclusion from prosperity and opportunity" are disparaging and defamatory.

The City School District of Albany continues to provide a culture and climate for learning focused on doing what is best for all students. Major reforms for programmatic improvements and cutting-edge instructional methodologies are occurring in the District, such as:

- Districtwide curriculum alignment and pacing calendar mapping for all core subjects;
- The Teachers College Writing Project (Columbia University);
- Saturday and Summer Science Programs;
- Math, Science, Technology labs in all middle schools;
- Implementation of a math reform program, the Connected Math Program, at grades 6, 7, and 8;
- New Contextual Resources for the K-8 Science Program;
- Implementation of a Regents Test Bank for common/effective assessments at the middle schools.

The collective instruction and operations leadership of the City School District of Albany has made a very thoughtful and deliberate review of the application for the Albany Achievement Charter School and in response provides the following specific comments and impact statements regarding the educational plan and fiscal components.

EDUCATIONAL IMPACT

In essence, School District officials contend that ensuring student success in a standards-focused middle-level educational program is more complex than presented within the proposal for this charter school. In fact, the lack of attention in the charter school proposal on the essential elements of standards-focused middle-level schools raises concern that students may be challenged to higher expectations without the appropriate academic and social supports, thereby creating high levels of student frustration and failure.

The points listed below are made with respect to questionable assertions or ambiguous processes put forward in the charter school application.

- **Absence of Highly Qualified Staff** – The stated absence of certification requirements for teachers is in violation of *No Child Left Behind* with respect to hiring "highly

qualified", particularly since the application indicates the charter school will be seeking Title I funds.

- **No Affirmative Action Plan** – Absent is a plan for student and staff recruitment that allows for the establishment of diverse student and staff bodies, along with no plan for diversity sensitivity training vital to the health, well-being, and success of a diverse school community.
- **Questionable Longer School Day** – The schedule is presented as providing a longer school day for students than Albany middle schools—it does not. A careful review of the charter school's proposed daily schedule yields, in fact, less direct instructional time-on-task per day than presently afforded students at either of the School District's middle schools when the blocks of time built into the charter school schedule for "Morning Circle", "Advisory Time, and "Tutoring", Enrichment" and "Homework" are subtracted. What results is a regular length school day—nothing longer. Both of the School District's existing middle schools have had extended school day programs in operation for the past five (5) years.
- **Questionable Service to High Needs Students** – As for Title I, the application references only 25% of the students to be Free/Reduced lunch eligible. This is not a statistic representative of serving students of need. The Albany School District's Free/Reduced lunch eligible average is 68% with its two middle schools exceeding that level.

The tutorial model included in the application is designed to embed tutoring into the school day on a daily basis for students who "have the greatest learning challenges". Yet, it is specified that the tutoring sessions will be provided by the qualified teachers who otherwise teach students in the classroom. Using the tutorial ratio described in the application of 1 teacher to 3 students, there are not enough qualified staff to provide services that would '...not be haphazard and lax' stated as the goal of this charter school.

No formative assessments have been identified by name that would qualify a student for receiving services, nor discontinue the student who has made progress. Statements such as "we will push students to excel" and "we will evaluate student performance on a teacher-constructed rubric" are vague and fail to identify acceptable levels of achievement.

- **Absence of a School Library** – The Albany Achievement Charter School application makes no mention of including a school library nor do the floor plans for the proposed building accommodate space for a library facility. Not only has there been a long-standing State mandate for school libraries at the secondary level, but also a clearly established link between well-designed, fully staffed library media programs and student achievement. To the School District's knowledge, the applicants have not reached out to the Albany School Library system to implement a plan. Although \$4,000 has been set-aside in the budget for library/research materials, this is considered

a paltry sum yielding only 209 books based on the average cost of a library book (School Library Journal, 3/1/03). This amounts to less than three (3) books per pupil at start up when the minimum national standard is set at fifteen (15) books per pupil.

- **Lack of State Accountability for Student Achievement** – The charter school is not holding itself accountable to State student performance measures. Students will be phased-in one grade level at a time beginning with grade 5 in 2005, adding a grade each successive year thereafter. This means that no State performance assessment in English language arts or mathematics will be administered to students at the school until they reach grade 8 in 2008-2009. By that time, the charter school will be in its charter renewal year and will already have applied for its renewal **absent any accountability for student performance within the State assessment system.**
- **Questionable Services for English Language Learners** – The charter school is required to provide English as a Second Language (ESL) services in compliance with Part 154 of the Commissioner's Regulations. However, the information presented in the application does not address its compliance with this mandate. The charter school application indicates that it would mail parents of newly enrolled students the Home Language Questionnaire to be completed at home. The Home Language Questionnaire is available in ten languages. There is no indication in this proposal of how the charter school would determine what language version to send home, or how the school would ensure that the parents were responding in an informed manner. The City School District of Albany shares information about its programs with the parent during the student registration interview, and the District provides a certified TESOL staff member to assist the parent in completing the Questionnaire.

The School District is seriously concerned about the instructional support component that is relegated to the end of the school day. The charter school application states, "Within the School's extended day schedule, there is ample time that can be used for additional intensive English language instruction." The application cites outdated exit criteria and proposes to offer individual/group counseling and parent counseling to struggling ELL students—the School District questions why?

- **No Continuum of Special Education Program Services** – The charter school application does not identify the provision of a continuum of special education program services as they are provided by the City School District of Albany. Consequently, the application offers limited program options for the wide range of need presented by students with disability presently enrolled in the School District's existing middle schools. The application clearly states that when this charter school cannot provide student services to the extent necessary, it will rely on the School District of residence; an indication that any high needs student with a disability will not be accepted to this charter school. It has been the School District's experience that when prescribed Individualized Education Plan (IEP) program services and placements are not available in the charter school, the charter school either subjects the student and family to a protracted review process to changing the IEP to fit with the charter school's program and services rather than meet the student's need *or* counsels the

parents out of enrolling their child in the charter school. Both clearly demonstrative of the charter school's exclusivity toward not enrolling or serving high needs students. The staffing plan for the charter school indicates that the students with disabilities cannot be provided more than one (1) resource period of instruction.

- **Absence of a Student Attendance Plan** – Completely missing from this charter school's proposal is any plan, process, and/or interventions directed toward maintaining a high level of student attendance, minimizing truancy and tardiness, and cutting classes and school. While a charter school is not specifically required to provide an attendance policy with its application per se, given the importance of attendance with this age group, the lack of any information on this topic is particularly telling. Attendance plays a vital role in the successful attainment of student achievement and success, especially in the middle years, and it also serves as a barometer of how well a school is doing by all of its enrolled students.
- **Questionable Student Discipline Practices**– This topic raises serious concerns for Albany Schools since it has been the School District's considered experience for the duration of the establishment of charter schools in Albany that the students who present the highest degree of disciplinary problems for the charter schools are returned without hesitation to the School District. The application's Student Disciplinary Code and Order Procedures are excerpted directly from the New York State Education Department website. Again, while this gives the impression of planning to meet State regulations and requirements, it has been the School District's experience that these regulations do not prevent or preclude a charter school from "dis-inviting" students to be enrolled on a regularly recurring basis should the student present a high degree of disciplinary—or, perhaps, even academic—difficulty and not fit the student profile for whom the school has been designed.

Missing from the application or with minor mention is a plan related to Students Rights and Responsibilities, Due Process Protections, and Disciplinary Procedures for Students with Disabilities.

- **Subject Area Plan Concerns** – The following information is provided in relation to the core academic areas and highlights broad concerns in these subjects:
 - **English Language Arts** – The plan for English Language Arts does not indicate evidence of the Center for English Learning and Achievement's (CELA) *Six Features of Effective Instruction in Middle and High Schools*. CELA is a nationally recognized institute in the field of reading instruction and has an ongoing relationship with Albany Schools' middle school English teachers.

The Achievement Academy Charter School will plan to use the Amistad Academy Reading Program for grades 5-8, Corrective Reading Decoding (SRA) for 5 and 6 intervention, Worldly Wise 3000 (EPS) as a reading supplement for all grades and the Amistad Academy Writing for grades (5-8). An analysis of the referenced curricula follows:

- The **Amistad Reading Program** is based on the premise that students are engaged in a bottom-up approach, rather than a comprehensive or balanced literacy approach to core reading instruction. Students begin with study of phonemic awareness and phonics, and then focus on fluency skills and strategies before “shifting to comprehension. This approach is not integrative and aligned with the philosophy espoused in the New York State English Language Arts Core Curriculum Guide, nor the SED Early Literacy Guidance curricular document, which specifically outlines the core elements of reading (phonemic awareness, phonics, word-building and vocabulary, fluency, comprehension and motivation to read) be taught in a systematic and integrated instructional schematic, such that through text, skills and strategies inherent in each of the core elements are taught concurrently and not as separate or scaffolded entities. Teachers of reading must plan effective instruction such that students who evidence weakness or deficits in any of the areas are provided intensive instruction to ensure that students have control of, for example, hearing sounds in words, reading to the end of a sentence without hesitation or delay or thinking along/aloud as they read to confirm or reject their predictions, to analyze characters or to summarize text. The best methods for teaching these critical skills are guided reading, interactive writing and read-aloud and shared reading and word work activities. None of these are evident in the ELA plan presented.
- The **Corrective Reading (SRA)** program is designed, according to the publishers, as “a proven solution to solve the problems of struggling readers.” Further, “it is a program designed for students who misidentify reverse or omit words, who have a limited attention span, who have little recall, and read without understanding.” It is a teacher-directed program, which is in direct conflict with the CELA research, which purports the belief that the most effective programs for students at the middle level are student-centered and learner directed. This program is, in essence, a series of tightly sequenced lessons that are primarily paper and pencil tasks, many of which are isolated skill sets with little, if any, transfer to the core reading program. For students, what happens in their “tutorials” should have a direct link to what is happening in their English class, in order for students to see the value and necessary learning connections.
- The same premise holds true for **Daily Oral Language**, a segmented program that focuses, again in isolation on skills primarily related to the conventions of Standard English – punctuation, capitalization, sentence run-ons and fragments, verb tense agreement, etc. It is a stand-alone program with no proven record of transfer to student narrative or expository writing.
- **Worldly Wise** is a vocabulary program that is another program add-on. Students complete blackline masters and study vocabulary in isolation, without any textual context for word-building or vocabulary acquisition. It is not clear as to whether students will be receiving a workbook for word study, or whether

the program's home connection workbook will be purchased for students. There is no mention in the application of the attempt to teach skills in context, save for the connection of the Amistad program to the NYS Learning Standards, which on examination, is really a cut and paste of the State document with skills identified as core to the Amistad program. In reality, it is a re-arrangement, in a horizontal platform of the performance indicators, learning objectives and student learning tasks that New York State has established for its middle grade students.

- The Writing Program is non-descript in the applications Exhibit marked C-2. The reader learns that the charter school will offer "a rigorous writing curriculum", but does not identify the protocol for instruction – workshop teaching, process writing, portfolio-driven protocols, etc. There is mention of the fact that students will "learn step-by-step how to create excellent sentences, paragraphs and papers, using *templates and teacher modeling*." There is no explanation of either of these blueprints, models or demonstrations in the narrative.

- Mathematics – The proposal refers to the use of the Amistad curriculum in mathematics, but provides no specific detail as to what that curriculum is or how it is different from other curricula that could be employed. The outline of year-by-year math curricula is drawn from the NYS MST Standards, specifically standard three, and the seven key Ideas, which are outlined in two-year blocks (5-6 and 7-8). The annual targets may come from the Amistad curriculum, but are not listed as such, and they are not, by themselves, particularly unique or remarkable.

In its description of the mathematics goals, the proposal states, "Students will master middle school mathematics and Algebra I by the end of grade 8." Algebra I is the primary focus of Math A, year one. This curriculum is typically taught in ninth grade. Some (not all) of our middle school students are enrolled in Math A as eighth graders (about 150 students). Does the Charter School really intend to have all students master mathematics through the first year of Math A? Is this a reasonable goal?

The description of a math instructional period sounds very traditional in its outline as well. It is described as follows: "*Math lessons will follow a structured lesson plan designed for maximum success. The first 25 minutes of class and all homework assignments will include cumulative review. There will also be daily sections for basic facts review and problem solving. Concepts will be introduced in a set sequence, emphasizing both step-by-step approaches and explanations for all mathematical processes.*"

This sounds like the description of a typical, traditional, textbook based mathematics program. It ignores fifteen years of steady improvement in student performance in mathematics on the NAEP (National Assessment of Educational Progress). This improvement coincides with the publication and implementation of

the NCTM (National Council of Teachers of Mathematics) Standards, the basis for our own NYS mathematics standards. The NCTM Standards call for a constructivist, problem centered, context based approach that does not implement the traditional process of "algorithm first, understanding later". The brief description of a typical lesson given sounds quite traditional and therefore does not align with the NCTM standards.

The School District, on the other hand, has implemented two reform mathematics programs, developed under National Science Foundation grants, that embody the NCTM Standards. Math Trailblazers is used K-5 and Connected Mathematics is used in grades 6-8. Both programs have been recognized for their quality, with Connected Mathematics being recommended by both the US Department of Education and the American Association for the Advancement of Science (AAAS). The School District's most recent data shows student achievement after one and two years in these programs respectively. The School District is already beginning to see improvements in student achievement that nearly matches the most recently published scores of the Amistad Academy *after four years*. This growth is expected to continue. In addition, the School District offers two versions of Math A (a ninth grade curriculum) to advanced and accelerated eighth graders, giving them a head start with high school and college mathematics. The charter school appears to be offering a "one-size-fits-all" approach to mathematics, which is not appropriate or acceptable. The School District's *advanced* students are students with potential who need support and encouragement. As such, they receive 330 minutes of mathematics instruction each week, on par with that proposed for the charter school.

In short, the mathematics program as proposed in this application does not seem to offer anything new, innovative or cutting edge in its outline. In fact, it seems quite traditional in its approach, an approach that is out of step with the past fifteen years of practice and research in mathematics. The School District offers a more relevant mathematics program, consistent with the NCTM and NYS Standards, that is beginning to show signs of success.

- Science – First, it must be stated that the City School District of Albany's middle schools achieved scores on the New York State Grade 8 Science Assessment in 2003 that far surpassed the State Education Department and *No Child Left Behind* Performance Indicator (PI) and Annual Measurable Objective (AMO) of 100, and in addition, all subgroups surpassed the Annual Measurable Objective (AMO) as noted below. The application does not provide supportive evidence on how the charter school will improve upon student achievement in sciences, when the current performance of Albany Public Middle Schools far surpasses state and federal benchmarks. Provided on the next page is a chart detailing the School District's New York State Grade 8 Science Assessment performance indices (by subgroup) for 2003.

Performance on 2003 New York State Science 8

Philip Livingston Magnet Academy

- Total Population = 166
- Students with Disabilities = 154
- White = 180
- Hispanic = 172
- Black = 161
- Asian/Pacific Islander = 200
- Economically Disadvantaged = 160

Hackett Middle School

- Total Population = 158
- Students with Disabilities = 115
- American Indian/Alaskan Native = 200
- White = 187
- Hispanic = 141
- Black = 144
- Asian/Pacific Islander = 156
- Economically Disadvantaged = 143

It should also be noted that many of the School District's Middle School students take a Regents Living Environment and/or Regents Earth Science course in grade 8 and are successful on the Regents Examinations. These students enter high school with a head start on meeting graduation requirements. Some statistical data to highlight the student offerings and achievement rates can be seen from the Hackett Middle School:

- 94% of students taking the June 2003 Regents Examination in Living Environment, passed;
- 100% of students taking the June 2003 Regents Examination in Physical Setting: Earth Science, passed;
- 43% of all Hackett Middle School students achieved a Regents credit in grade 8.

A review of the proposed charter school schedule for science brings into question its ability to adequately cover the NYS Core Curriculum for Intermediate Level Science in time for best preparation and success on the NYS Grade 8 Science Assessment.

Further, the charter application cites the Core Knowledge Sequence as its foundation for the science curriculum. Core Knowledge only provides a detailed outline of specific knowledge to be taught in science for Kindergarten through Grade 8. The content specified in the Sequence complements the general skills and objectives typically found in state and local curriculum guides. Core Knowledge is

not a method, approach, or teaching methodology. This does not articulate or evidence "different and innovative teaching methods" to be implemented. The application merely presents a rewriting of the New York State Learning Standards for Mathematics, Science, and Technology and New York State Intermediate Level Science Core Curriculum which all public schools and certified teachers currently follow.

- Social Studies - The application emphasizes content/performance indicators to be covered, yet the content is simply a restatement of the New York State learning standards with little or no connection among or between the five standards. In addition, while indicating that the social studies program will be aligned to the New York State suggested courses of study, course content titles are not included for any of the grade levels. Also, there is no mention of the instructional materials or texts to be used at each of the grade levels.

In essence, the proposed social studies curricula is *not* in alignment with the New York State Social Studies Core Curriculum, as the "Core Knowledge" sequence is not a New York state pure alignment strategy. The NYS program suggests the following content be instructed: at Grade 5 – United States, Canada, and Latin America; Grade 6 – The Eastern Hemisphere; and Grades 7/8 – a two-year survey of United States and New York State History. The Social Studies curriculum portion of the application is simply composed of photocopied pages of the New York State learning standards, which contain no evidence of locally-developed curriculum pacing and/or planning (which will ensure that ALL content is instructed), and, on the surface, reflects little content connection.

The time allocation for social studies instruction (backed with Science) commits 175 minutes per week to direct instruction, compared to the City School District of Albany's middle school construct of a minimum of 200 minutes per week of direct instruction. Also, Attachment 11-3 states that, "History includes US history and world cultures." If, indeed, the "social studies program" is, ultimately, one of history, students will NOT be adequately prepared for the Grade 8 "New York State *Social Studies*" Assessment. History is a component of the social studies, not the recommended focus of the New York State suggested course of study.

- The Arts – The application lists the New York State Learning Standards for the arts exactly as they are written by the State Education Department. Missing from the proposal are the resources and teaching methods that will be used to support each of the learning standards, and there are no connections between the arts and the core subjects.
- Foreign Language The application lists only the teaching of Spanish in grades 7 and 8. Spanish instruction "likely will occur" during the Tutoring/Reading/Enrichment period from 3:15-3:55 p.m. However, the application does not present a curriculum for Spanish instruction. If this charter school's students need AIS and receive tutoring, they will be precluded from taking Spanish. Currently, the School

District offers Spanish, French, and Latin in its middle schools. Foreign Language instruction begins in the School District's elementary schools, and at the District's magnet schools foreign language instruction begins in prekindergarten, while fifth and sixth grade students have up to 120 minutes of foreign language instruction each week. The non-magnet schools begin foreign language instruction in grade 4, and before entering middle school (grade 7), these students have 120 hours of foreign language instruction.

FISCAL IMPACT

The applicant does not deal in great detail with the fiscal impact of the proposed Achievement Academy Charter School on the City School District of Albany's budget. However, the School District believes that it is important to review this impact. Further, the impact cannot be assessed in isolation of the total impact of the three (3) other charter schools that do or will exist at the time that this applicant opens its doors to students.

During 2004-05, should all of the charter schools enroll the maximum number of students for which they are chartered (1,135 students), School District expenditures would climb to 7.7% of the net general fund budget. In 2005-06, with the addition of the Achievement Academy Charter School, the percentage of charter school costs to Albany Schools as a percent of the net general fund budget would grow to 9.5%; in 2006-07 to 11.4%; in 2007-08 to 12.9%; and in 2008-09 to 14.4%. In terms of both percentages and actual dollars, this trend will cause increasing and very serious financial distress for the City School District of Albany. **These calculations are identified on the attached Chart 1 entitled, *Charter School Costs Associated with Maximum Enrollment Projections*, which also shows that continued charter enrollment to maximum levels in each of the ensuing years would cause an annual tax levy increase between 3.2% and 3.7% through 2008-09. This is in addition to any tax levy increase necessary for the School District's own instructional program.**

More dramatic are the calculations in the same format but with the addition of the proposed Albany Preparatory Charter Academy. These calculations, included in Chart 2 (attached) are 10.2% in 2005-06, 12.6% in 2006-07, 14.8% in 2007-08, and 17.1% in 2008-09.

Comments Specific to the Fiscal Impact Portion of the Charter School Application

Attachment 45:

Revenue and Expenditures for First Operating Year (2005-06):

Per pupil "aid" from the City School District is predicted using the same final AOE figure (\$8,393) currently in place for 2003-04. This assumption is unrealistic and certainly does not follow actual experience over the last several years. The State has already published preliminary adjusted expense per pupil to be used by school districts in 2004-05. The figure published for the City School District of Albany is \$8,894, which represents an increase of 6%. Assuming that same increase is reflected in the rate for 2005-06, the

calculation is then \$9,428 per pupil, or a grand total of \$707,100 for the proposed 75 students. That is .47% of our anticipated general fund budget that year, but there is more that needs to be included in the equation. The projected cost of \$4,000 for special education placements similarly falls far short of the actual figure. Starting from the 2003-04 actual figure, the School District's projection is \$4,452 in 2005-06, for an estimated total cost of \$58,085. In addition to the AOE and special education costs to the School District, the School District will incur approximately \$133,376 in other hidden costs the City School District that year for social workers, speech therapists, nurses, and transportation caused by the separate charter placements, totals \$898,561. In short, the charter applicant's projection of less than one-half of one percent on the district's budget is, in fact, greatly understated. Six-tenths of one percent is the accurate impact of only this one school and only in the first year. The impact would grow substantially from that base year.

Also noted is the fact that the charter applicant shows almost \$59,000 as rollover surplus funds from the start-up year, which is understated due to the incorrect projection of anticipated receipts from the School District. However, even at \$59,000, such rollover should not be allowed when public school districts are held at a level of 2% of proposed expenditures for fund balance calculations. The School District suggests that this double standard be carefully reviewed both for this planning year and later operational years.

Attachment 46:

Revenue and Expenditures for Four Operating Years (2005-06 through 2008-09):

Following the corrected information stated above, the projections for the Approved Operating Expense (AOE) figures shown in each of years shown are flawed. In the years subsequent to 2005-06, assuming current rates of increase, the AOE cost to the School District will be \$9,993 in 2006-07, \$10,593 in 2007-08, and \$11,228 in 2008-09. The applicant's assumption of 3% increases some years and no increase at all in others shows a significant disconnect from reality. Similarly, the statement that payment rates in other areas such as special education is not fully reflective of actual experience. On the expenditure side, the School District would also draw attention to calculations made in the area of health insurance. Assuming a 6% annual increase in fringe benefits is lacking, if only on the basis of typical annual change in the cost of health insurance. Further, unless only individual coverage is being planned, or an unusually high level of employee contribution toward the premium for family coverage, the amount projected for health insurance is understated.

Attachment 47:

Supporting Evidence:

The applicant indicates that its "conservative assumption allows for modest 3 percent inflationary increases", while, "more than likely, the Albany City School District will raise its spending far in excess of inflation, consistent with recent and extended history." This statement seems to minimize factors affecting the School District's spending, charter schools being one prime example. The School District estimates that

only approximately one-third of its payments to charter schools results in actual savings in its budget. Because certain fixed costs do not change, the only potential savings might be in instructional staff, the amount of which does not equal full multiples of the AOE provided to the charter school per pupil. For example, twenty-five (25) students leaving the School District at grade 5 to enroll in a class at the charter school might depart from twenty-two (22) separate grade 5 class sections throughout the District. In this instance, the School District would not be able to appreciably reduce its teaching staff, however, the cost of these students enrolling in the charter school would be \$235,700. It is unnecessary and unfair for the applicant to make statements concerning School District finances when their very existence represents one of the most significant fiscal challenges facing the School District

It is difficult for the School District to achieve modest savings in terms of a reduced rate of budget growth as we prepare to bear the budgetary impact of this additional charter school program. Significant unknowns include how many students would first attend this charter program and how many might later return if dissatisfied with their educational outcomes there. In the final analysis, the School District must have sufficient capacity to deal with changing charter enrollments, the projections of which could be considered somewhat speculative at this time.

Further, there is continuing impact to the School District for this charter school after the charter school is fully enrolled due to the fact that both the required AOE payment and the special education payment (which is tied to public high cost figures) increase each year. Even if student enrollment remains constant, the School District's costs rise. This fact is shown in the last two columns of the School District's analysis (again, reference the attached chart) where total charter expenses projected for 2009-10 and 2010-11 show budgetary increase impact of at least one million dollars in each of those years.

Fiscal Impact Summary

The School District strongly believes its analysis concludes that the School District's actual charter school expenses place an extreme burden on the School District's fiscal resources. The District's real charter school costs for 2003-04 are 6.8% of the general fund budget. The School District projects the impact to grow to 7.7% in 2004-05 if the two existing charter schools are at maximum enrollment. Further, as two additional charter programs come on line in 2005-06 (KIPP Tech Valley Charter School and the proposed Albany Preparatory Charter School), the percent of budget increases to 9.5%. As charter enrollment continues to climb, the budget impact also rises, to 11.4% in 2006-07; to 12.9% in 2007-08; to 14.4% in 2008-09; to 14.7 % in 2009-10; and by 2010-11 to 15%; that figure being almost double the impact projected based on the same maximum enrollment variables for next year. The impact on the tax levy never goes away. The School District requests that careful consideration be given to whether or not this ever-increasing burden is, in fact, appropriate and reasonable. Steps should be taken to limit the expansion of competing charter programs that place an unnecessary and oppressive burden on the School District instead of targeting finite resources to continued attention within the School District to existing instructional offerings.

As for the middle schools of the City School District of Albany itself, the future for the School District's middle schools is both bright and promising! The Albany Achievement Charter School has laid forth a plan that competes with the School District from "status quo" perspective, when in fact, the School District has developed comprehensive plans to improve the present status of its middle schools through:

- A comprehensive facilities construction and reconstruction project that beginning in September 2005 (the same start date as the Albany Achievement Charter School) provides three (3) new or soon to be reconstructed middle schools, thereby affording new and/or updated facilities to support the provision of strong educational programs.
- The development of small public middle schools of approximately 600 students each for grades 6-8 for added support in developing the middle school programs to meet high expectations.
- The development, and hopeful receipt of, a comprehensive magnet program that will provide a pre-International Baccalaureate program at the middle schools to support comprehensive, rigorous, and diverse academic themes of science and technology, performing and visual arts, and communications and the professions—and be available to *all* middle school children.

The School District further contends that the applicant did not put forth due diligence in determining community support for this charter school and challenges the validity of the community survey. Absent are any parent letters of support, petitions, or personal parent commitment to the establishment of this charter school. The results of a sterile telephone survey conducted by a remote polling group in Washington, D. C. to 300 community residents from a city of 95,000 inhabitants is not a good indication of what the community wants or needs nor a reflection of "an extensive public opinion survey" as described in the application. Many School District employees who are Albany residents have reported that when they were called as a result of the survey and indicated that they did not have children attending Albany Schools, the caller just hung up. Also, the School District challenges the technical merits of the survey itself, since questions such as "Do you want a longer school day?" may presume an answer of "yes" rather than a question that might be more open-ended or less leading.

Of the Board of Trustees named in this application, only one (1) of the five (5) is a resident of the City of Albany. The School District questions these trustees and their ability to respond to the children of greatest need in the Albany communities of Arbor Hill, the South End, and Westland Hills.

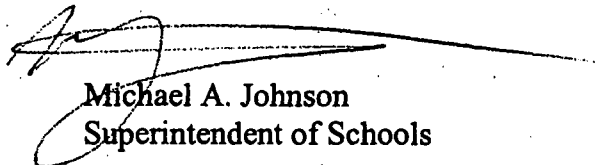
The grave consequences to the School District of approving this charter school along with the two (2) that presently exist (New Covenant Charter School and Brighter Choice) and the newly approved KIPP Tech Valley Charter School must be seriously considered, especially with the possibility of approval of yet another, the proposed Albany Preparatory Charter School. The cumulative effect of the drain of students, fiscal resources, and resulting loss of programs has the potential to derail all of the School District's carefully thought-out improvement efforts. Surely, the question that must be asked and answered is: "How much can the District sustain before the consequences experienced by the District compromise and diminish all that it is able to provide for the vast majority of its community's children?"

Summarily, it can be concluded that the Albany Achievement Charter School will not provide nor meet expectations for students and their families at the same level or beyond what presently exists in the middle schools of the City School District of Albany.

Further, a strong case has been made that the fiscal impact on the City School District of Albany would create a financial crisis that would preclude the School District from providing continued program improvement efforts for the vast majority of the communities children and virtually render the capacity of the School District to provide competitive middle level programs for the non-existent.

The City School District of Albany has provided a body of information in this correspondence that makes clear the serious threat to the School District that this charter school presents. In light of that, and with strong consideration for the numerous educational and management flaws and weaknesses contained in the application for the Albany Achievement Charter School, your consideration to deny a charter for this school is requested.

Sincerely,



Michael A. Johnson
Superintendent of Schools

c: Mr. Michael Stevens

Attachment

9 out of 10 African-American students in Albany
flunk the state's middle-school reading test.



Our children deserve better. *Find out your options.*



Fifty years after the U.S. Supreme Court's landmark civil-rights decision in *Brown v. Board of Education*, 9 out of 10 African-American students in Albany flunk the state's middle-school reading test.

Our children deserve better:

Please call (518) 694-5010 or 1 (866) 694-5010 to learn about your child's options:

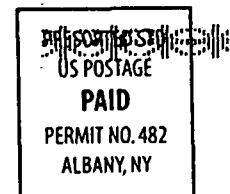
1. free tutoring in reading or math if he or she now attends Hackett or Livingston Middle Schools;
- or
2. attending a high-performing middle school if he or she will be starting 5th grade in September 2005 or later.



The contents of this postcard were developed under a grant from the U.S. Department of Education. However, these contents do not necessarily represent the policy of the U.S. Department of Education, and you should not assume endorsement by the Federal Government.

Brighter Choice Public School Choice Project
One Commerce Plaza, Suite 402
99 Washington Avenue
Albany, NY 12210

NON-PROFIT ORG.



6615
256*****ECRWSS**C009
RESIDENT
183 N LAKE AVE APT 2
ALBANY NY 12206-2722

CHART #1: INCLUDES ONLY ACHIEVEMENT ACADEMY CHARTER SCHOOL IN ADDITION TO EXISTING APPROVALS

Enrollment by School		2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
New Covenant	Grades K-6	935	935	935	935	935	935	935	935
Brighter Choice	Grades K-5	150	200	250	300	300	300	300	300
KIPP	Grades 5-8	0	0	90	180	270	360	360	360
Achievement Charter	Grades 5-8	0	0	75	150	225	300	300	300
Total Enrollment		1,085	1,135	1,350	1,565	1,730	1,895	1,895	1,895
Annual Enrollment Increase			50	215	215	165	165	-	-
Costs Per Pupil - Regular Education		\$8,393	\$8,894	\$9,428	\$9,993	\$10,593	\$11,228	\$11,902	\$12,616
annual \$ increase			\$501	\$534	\$566	\$600	\$636	\$674	\$714
annual % increase			5.97%	106.00%	106.00%	106.00%	106.00%	106.00%	106.00%
Regular Ed Enrollment Total Cost		\$9,108,405	\$10,094,690	\$12,727,314	\$15,639,512	\$18,325,711	\$21,277,951	\$22,554,628	\$23,907,906
Estimated Special Education	0.15	163	170	203	235	260	284	284	284
Enrollment % of total									
Additional Cost Per Pupil - Special Ed		\$3,962	\$4,200	\$4,452	\$4,719	\$5,002	\$5,302	\$5,620	\$5,957
annual \$ increase			\$238	\$252	\$267	\$283	\$300	\$318	\$337
annual % increase			106.00%	106.00%	106.00%	106.00%	106.00%	106.00%	106.00%
Special Ed Enrollment Additional Cost		\$644,816	\$715,002	\$901,470	\$1,107,740	\$1,298,002	\$1,507,108	\$1,597,534	\$1,693,386
CSDA Transportation & Additional Staff		\$377,170	\$428,055	\$742,368	\$961,046	\$1,155,656	\$1,309,245	\$1,375,236	\$1,445,550
CSDA Grand Total Charter Costs		\$10,128,391	\$11,237,747	\$14,371,152	\$17,708,298	\$20,779,368	\$24,094,303	\$25,527,398	\$27,046,842
Anticipated Additional Savings due to Increased Charter Enrollment				\$668,891	\$709,025	\$576,783	\$611,390	\$0	\$0
General Fund Budget Net of Charter Costs & Savings		\$139,939,415	\$145,536,992	\$150,689,580	\$156,008,139	\$161,671,681	\$167,527,158	\$174,228,245	\$181,197,374
annual % increase			104.00%	104.00%	104.00%	104.00%	104.00%	104.00%	104.00%
Charter % of General Fund Net		7.24%	7.72%	9.54%	11.35%	12.85%	14.38%	14.65%	14.93%
Budget									
Tax Levy Impact				0.69%	3.71%	3.22%	3.28%	1.34%	1.34%
Increase in CSDA Total Charter Costs				\$3,133,405	\$3,337,146	\$3,071,070	\$3,314,935	\$1,433,095	\$1,519,444
1% Tax Levy Increase Equals		\$750,000	\$800,250	\$848,265	\$899,161	\$953,111	\$1,010,297	\$1,070,915	\$1,135,170

CHART #2: INCLUDES APPLICATIONS OF BOTH ALBANY PREPARATORY AND ACHIEVEMENT ACADEMY CHARTER SCHOOLS

Enrollment by School		2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
New Covenant	Grades K-6	935	935	935	935	935	935	935	935
Brighter Choice	Grades K-5	150	200	250	300	300	300	300	300
KIPP	Grades 5-8	0	0	90	180	270	360	360	360
Preparatory Charter	Grades 5-8	0	0	88	176	264	352	352	352
Achievement Charter	Grades 5-8	0	0	75	150	225	300	300	300
Total Enrollment		1,085	1,135	1,438	1,741	1,994	2,247	2,247	2,247
Annual Enrollment Increase			50	303	303	253	253	-	-
Costs Per Pupil - Regular Education		\$8,393	\$8,894	\$9,428	\$9,993	\$10,593	\$11,228	\$11,902	\$12,616
annual \$ increase			\$501	\$534	\$566	\$600	\$636	\$674	\$714
annual % increase			5.97%	106.00%	106.00%	106.00%	106.00%	106.00%	106.00%
Regular Ed Enrollment Total Cost		\$9,106,405	\$10,094,690	\$13,556,946	\$17,398,333	\$21,122,235	\$25,230,372	\$26,744,195	\$28,348,846
Estimated Special Education	0.15	163	170	216	261	299	337	337	337
Enrollment % of total									
Additional Cost Per Pupil - Special Ed		\$3,962	\$4,200	\$4,452	\$4,719	\$5,002	\$5,302	\$5,620	\$5,957
annual \$ increase			\$238	\$252	\$267	\$283	\$300	\$318	\$337
annual % increase			106.00%	106.00%	106.00%	106.00%	106.00%	106.00%	106.00%
Special Ed Enrollment Additional Cost		\$644,816	\$715,002	\$960,282	\$1,232,316	\$1,496,078	\$1,787,056	\$1,894,279	\$2,007,936
CSDA Transportation & Additional Staff		\$377,170	\$428,055	\$781,636	\$1,000,719	\$1,195,737	\$1,349,739	\$1,416,147	\$1,486,883
CSDA Grand Total Charter Costs		\$10,128,391	\$11,237,747	\$15,298,816	\$19,631,367	\$23,814,050	\$28,367,167	\$30,054,621	\$31,843,665
Anticipated Additional Savings due to Increased Charter Enrollment				\$942,670	\$999,230	\$884,401	\$937,465	\$0	\$0
General Fund Budget Net of Charter Costs & Savings		\$139,939,415	\$145,536,992	\$150,415,802	\$155,433,204	\$160,766,131	\$166,259,311	\$172,909,684	\$179,826,071
annual % increase			104.00%	104.00%	104.00%	104.00%	104.00%	104.00%	104.00%
Charter % of General Fund Net Budget		7.24%	7.72%	10.17%	12.63%	14.81%	17.06%	17.38%	17.71%
Tax Levy Impact				3.68%	3.71%	3.46%	3.58%	1.68%	1.58%
Increase in CSDA Total Charter Costs				\$3,118,398	\$3,333,323	\$3,298,282	\$3,615,652	\$1,687,454	\$1,789,044
1% Tax Levy Increase Equals		\$750,000	\$800,250	\$848,265	\$899,161	\$953,111	\$1,010,297	\$1,070,915	\$1,135,170



Charter Schools Institute
State University of New York

00 95

4th Pearl Street, 4th Floor
New York 12207
(518) 433-8277
(518) 427-6510
newyorkcharters.org

James D. Merriman IV
Executive Director

MEMORANDUM

TO: Superintendents of Public School Districts in New York State

FROM: James D. Merriman, Executive Director

DATE: March 4, 2004

RE: Applications for 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, as of today, received seven applications for new public charter schools. We enclose, for your information, a chart summarizing these applications. As you review this chart to determine whether one or more of the applications propose a charter school within your district's boundaries, please keep in mind that much of the information is preliminary, including the location of the proposed charter school.

The Institute is now in the process of reviewing all applications received. It is expected that sometime in May or June 2004 a formal recommendation will be made to the Board of Trustees regarding which applications should be either advanced for further consideration or considered for approval. The Board of Trustees may vote thereafter to formally approve applications, after which the proposed charters will be forwarded to the Board of Regents for its review.

At the time the Board of Trustees takes action, we will notify all relevant public and non-public schools of that fact as required by §2857(1) of the New York State Education Law. We will also provide such notification to affected public and non-public schools at each subsequent stage of the chartering process.

In addition, the Institute makes available for inspection any application it receives. Because the release of applications to the public, without first removing certain information, would constitute an unwarranted invasion of personal privacy (and possibly a violation of federal privacy law), the applications are made available only after such information is redacted. If your district was specified as the proposed location of a charter school, you will receive a courtesy copy of the redacted application under separate cover.

Should you have any questions on the above, or on charter schools generally, please feel free to contact the Institute. Thank you.

CSI ID No.	Status	Location	School District	Proposed Charter School Name	Grade(s) Yr. 1	# of Students Yr. 1	Media Contact	Media Contact Telephone #	Management Company or Significant Partner (If Any)	Management Company Contact
2004-185	Pending	Manhattan	NYC CSD 5	Harlem Link Charter School	K, 1	108	Steve Evangelista	917-670-4770	N/A	N/A
2004-186	Pending	Bronx	NYC CSD 9	Grand Concourse Academy Charter School	K-2	175	Rev. Dr. Joe Bush, Sr.	917-287-9928	N/A	N/A
2004-187	Pending	Erie County	Buffalo CSD	The Young Women's Collegiate Charter School	6-8	180	Teena Jackson	716-228-6161	N/A	N/A
2004-188	Pending	Rensselaer County	Troy CSD	Capital Academy Charter School	6-8	120	Murat Yuksel	518-892-6563	N/A	N/A
2004-189	Pending	Brooklyn	NYC CSD 14	Masters Charter School	6, 7	150	David Mertens or Eddie Calderon-Melendez	917-309-6460 or 718-599-9224 718-387-8100	N/A	N/A
2004-190	Pending	Brooklyn	NYC CSD 20, 21 and 22	Liberty Academy Charter School	K-4	240	Patrick Condren	718-491-1705	National Heritage Academies	Nick Paradiso 518-221-9730
2004-191	Pending	Albany County	Albany CSD	Achievement Academy Charter School	5	75	Orville Abrahams	518-374-9136 Ext. 143	Achievement First, Inc.	Doug McCurry 203-773-0390

ny City School District
Superintendent
Salem Park
Albany, NY 12207

Berne-Knox-Westerlo Central School District
Superintendent
1738 Helderberg Trail
Berne, NY 12023

Lehigh Central School District
Superintendent
Madams Place
Nazareth, NY 12054

Ravena-Coeymans-Selkirk Central School District
Superintendent
26 Thatcher Street
Selkirk, NY 12158

Albany City School District
Superintendent
Hudson Street
Albany, NY 12047

South Colonie Central School District
Superintendent
102 Loralee Drive
Albany, NY 12205

South Colonie Central School District
Superintendent
Huddlers Lane
Albany, New York 12110-5349

Menands Union Free School District
Superintendent
17 Wards Lane
Menands, NY 12204

Pleasantwood Common School District
Superintendent
Cohoes Road
Saratoga Springs, NY 12189

Green Island Union Free School District
Superintendent
171 Hudson Avenue
Green Island, NY 12183

erland Central School District
 intendent
 State Farm Road
 erland, NY 12084

Voorheesville Central School District
 Superintendent
 432 New Salem Road
 Voorheesville, NY 12186

rvliet City School District
 intendent
 Avenue & 25th Street
 rvliet, NY 12189

Alfred-Almond Central School District
 Superintendent
 6795 Route 21
 Almond, NY 14804

ver Central School District
 intendent
 Elm Street
 ver, NY 14806

Genesee Valley Central School District
 At Angelica Belmont
 Superintendent
 24 South Street
 Belmont, NY 14813

st Central School District
 rintendent
 King Street
 st, NY 14711

Canaseraga Central School District
 Superintendent
 4-8 Main Street
 Canaseraga, NY 14822

dship Central School District
 rintendent
 est Main Street
 dship, NY 14739

Fillmore Central School District
 Superintendent
 P.O. Box 177
 Fillmore, NY 14735

Wellsville Central School District
 Superintendent
 Main Street
 Wellsville, NY 14897

Cuba-Rushford Central School District
 Superintendent
 5476 Route 305
 Cuba, NY 14727

Central School District
 Superintendent
 Washington Street
 NY 14880

Wellsville Central School District
 Superintendent
 126 West State Street
 Wellsville, NY 14895

War-Richburg Central School District
 Superintendent
 School Street
 War, NY 14715

Chenango Forks Central School District
 Superintendent
 One Gordon Drive
 Binghamton, NY 13901

Binghamton City School District
 Superintendent
 Hawley Street
 Binghamton, NY 13901

Harpursville Central School District
 Superintendent
 54 Main Street
 Harpursville, NY 13787

Quehanna Valley Central School
 Superintendent
 Conklin Road
 Conklin, NY 13748

Chenango Valley Central School District
 Superintendent
 1160 Chenango Street
 Binghamton, NY 13901

Endwell Central School District
 Superintendent
 Arm-to-Market Road
 Endwell, NY 13760

Deposit Central School District
 Superintendent
 171 Second Street
 Deposit, NY 13754

Key Point Central School District
 Superintendent
 Eibel Road
 Key Point, NY 13862

Union-Endicott Central School District
 Superintendent
 1100 East Main Street
 Endicott, NY 13760

Johnson City Central School District
 Superintendent
 Reynolds Road
 Johnson City, NY 13790

Vestal Central School District
 Superintendent
 201 Main Street
 Vestal, NY 13850

Lyons Central School District
 Superintendent
 Main Street
 Lyons, NY 13865

West Valley Central School District
 Superintendent
 5359 School Street
 West Valley, NY 14171

Orangetown - Limestone Central School District
 Superintendent
 Five Mile Road
 Orangetown, NY 14706

Ellicottville Central School District
 Superintendent
 5873 Route 219
 Ellicottville, NY 14731

Linville Central School District
 Superintendent
 North Main Street
 Linville, NY 14737

Hinsdale Central School District
 Superintendent
 3701 Main Street
 Hinsdale, NY 14743

Franklin-Little Valley Central School District
 Superintendent
 Lock City Street
 Valley, NY 14755

Franklin City School District
 Superintendent
 West Sullivan Street
 Franklin, NY 14760

Gowanda Central School District
 Superintendent
 10674 Prospect Street
 Gowanda, NY 14070

Franklin Central School District
 Superintendent
 Street
 Franklin, NY 14770

Randolph Central School District
 Superintendent
 18 Main Street
 Randolph, NY 14772

Randolph Academy Union Free School District
 Superintendent
 Main Street
 Randolph, NY 14772

Salamanca City School District
 Superintendent
 50 Iroquois Drive
 Salamanca, NY 14779

Shire-Pioneer Central School District
Superintendent
County Line Road
Shire, NY 14173

Auburn City School District
Superintendent
78 Thornton Avenue
Auburn, NY 13021

Isport Central School District
Superintendent
East Brutus Street
Isport, NY 13166

Cato-Meridian Central School District
Superintendent
2851 State Route 370
Cato, NY 13033

Northern Cayuga Central School District
Superintendent
Route 34B
Cato, NY 13026

Port Byron Central School District
Superintendent
30 Maple Avenue
Port Byron, NY 13140

Avia Central School District
Superintendent
South Main Street
Avia, NY 13118

Union Springs Central School District
Superintendent
239 Cayuga Street
Union Springs, NY 13160

Northwestern Central School District
Hamestown
Superintendent
Hunt Road
Hamestown, NY 14701

Frewsburg Central School District
Superintendent
26 Institute Street
Frewsburg, NY 14738

Adaga Valley Central School District
Superintendent
Box 60
Mayville, NY 14782

Chautauqua Lake Central School District
Superintendent
100 North Erie Street
Mayville, NY 14757-9755

Valley Central School District (South Dayton)
Superintendent
Route 83
Dayton, NY 14138

Clymer Central School District
Superintendent
8672 East Main Street
Clymer, NY 14724

Clark City School District
Superintendent
Marauder Drive
Clark, NY 14048

Bemus Point Central School District
Superintendent
3980 Dutch Hollow Road
Bemus Point, NY 14712

Donner Central School District
Superintendent
West Avenue, North
Donner, NY 14733

Silver Creek Central School District
Superintendent
Dickinson Street
Silver Creek, NY 14136

Westville Central School District
Superintendent
Water St
Westville, NY 14062

Panama Central School District
Superintendent
41 North Street
Panama, NY 14767

stown City School District
intendent
ast Fourth Street
stown, NY 14701

Fredonia Central School District
Superintendent
425 East Main Street
Fredonia, NY 14063

on Central School District
intendent
West Main Street
on, NY 14716

Ripley Central School District
Superintendent
12 North State Street
Ripley, NY 14775

nan Central School District
intendent
Park Street
nan, NY 14781

Westfield Central School District
Superintendent
203 East Main Street
Westfield, NY 14787

ra City School District
intendent
Hoffman Street
ra, NY 14905

Horseheads Central School District
Superintendent
One Raider Lane
Horseheads, NY 14845

ira Heights Central School District
intendent
Robinwood Avenue
ira Heights, NY 14903

Afton Central School District
Superintendent
29 Academy Street
Afton, NY 13730

ridge-Guilford Central School District
 intendent
 iand Street
 ridge, NY 13733

Greene Central School District
 Superintendent
 40 South Canal Street
 Greene, NY 13778

illa Valley Central School District
 intendent
 School Street
 Berlin, NY 13411

Norwich City School District
 Superintendent
 112 South Broad Street
 Norwich, NY 13815

getown-South Otselic Central School District
 intendent
 County Road, Box 13A
 Otselic, NY 13155

Oxford Academy & Central School District
 Superintendent
 10 Fort Hill Park
 Oxford, NY 13830

urne-Earlville Cental School District
 intendent
 School Street
 urne, NY 13460

Ausable Valley Central School District
 Superintendent
 1273 Route 9N
 Clintonville, NY 12924

mantown Central School District
 rintendent
 Route 22
 Box 829
 burgh, NY 12901

Northeastern Clinton Central School District
 Superintendent
 103 Route 276
 Champlain, NY 12919

Union Free School District
 Superintendent
 Liner Farm Road
 , NY 12921

Northern Adirondack Central School District
 Superintendent
 Route 11
 Ellenburg Depot, NY 12935

Central School District
 Superintendent
 School Street
 NY 12972

Plattsburgh City School District
 Superintendent
 49 Broad Street
 Plattsburgh, NY 12901

Canaan Central School District
 Superintendent
 Commons Street
 Canaan, New York 12929

Berkshire Union Free School District
 Superintendent
 13640 Route 22
 Canaan, NY 12029

Adirondack Hills Central School District
 Superintendent
 County Route 11A
 Canaanville, NY 12521

Germantown Central School District
 Superintendent
 123 Main Street
 Germantown, NY 12526

Hamden Central School District
 Superintendent
 Woodbridge Avenue
 Hamden, NY 12037

Hudson City School District
 Superintendent
 621 State Route 23B
 Hudson, NY 12534

rhook Central School District
 intendent
 Route 9
 e, NY 12184

New Lebanon Central School District
 Superintendent
 14665 Route 22
 West Lebanon, NY 12195

mnatus Central School District
 intendent
 Cincinnatus Road
 mnatus, NY 13040

Cortland City School District
 Superintendent
 One Valley View Drive
 Cortland, NY 13045

aw Central School District
 intendent
 est Academy Street
 3ox 556
 aw, NY 13101

Homer Central School District
 Superintendent
 80 South West Street
 Homer, NY 13077

thon Central School District
 intendent
 East Main Street
 thon, NY 13803

Andes Central School District
 Superintendent
 Delaware Avenue
 Andes, NY 13731

1sville Central School District
 rintendent
 e Avenue
 1sville, NY 13755

Charlotte Valley Central School District
 Superintendent
 Route 23
 Davenport, NY 13750

Central School District
 Superintendent
 Madison Drive
 Franklin, NY 13753

Franklin Central School District
 Superintendent
 15 Institute Street
 Franklin, NY 13775

Franklin Central School District
 Superintendent
 Madison Lane
 Franklin, NY 13783

Margaretville Central School District
 Superintendent
 415 Main Street
 Margaretville, NY 12455

Franklin Central School District
 Superintendent
 Madison Street
 Franklin, NY 12474

Sidney Central School District
 Superintendent
 95 West Main Street
 Sidney, NY 13838

Franklin Central School District
 Superintendent
 Madison Street
 Franklin, NY 12167

South Kortright Central School District
 Superintendent
 58200 State Highway 10
 South Kortright, NY 13842

Franklin Central School District
 Superintendent
 10 Stockton Avenue
 Franklin, NY 13856

Beacon City School District
 Superintendent
 10 Education Drive
 Beacon, NY 12508

Union Free School District
 Superintendent
 Route 22
 Plains, NY 12522

Hyde Park Central School District
 Superintendent
 386 Violet Avenue
 Hyde Park, NY 12538

East Central School District
 Superintendent
 State Road
 Easton, NY 12501

Pawling Central School District
 Superintendent
 7 Haight Street
 Pawling, NY 12564

Plains Central School District
 Superintendent
 Church Street
 Plains, NY 12567

Poughkeepsie City School District
 Superintendent
 11 College Avenue
 Poughkeepsie, NY 12603

Wadsworth Central School District
 Superintendent
 Dutchess Turnpike
 Wadsworth, NY 12603

Spackenkill Union Free School District
 Superintendent
 15 Croft Road
 Poughkeepsie, NY 12603

Hook Central School District
 Superintendent
 Hook Road
 Hook, NY 12571

Rhinebeck Central School District
 Superintendent
 45 North Park Road
 Rhinebeck, NY 12572

Wappingers Central School District
 Superintendent
 29 Marshall Road
 Wappingers Falls, NY 12590

Brook Central School District
 Superintendent
 100 Brook Building-Maple Road
 Brook, NY 12545

Alden Central School District
 Superintendent
 13190 Park Street
 Alden, NY 14004

First Central School District
 Superintendent
 1000 Kings Highway
 First, NY 14226

Williamsville Central School District
 Superintendent
 105 Casey Road
 East Amherst, NY 14051

Sweet Home Central School District
 Superintendent
 Sweet Home Road
 First, NY 14228

East Aurora Union Free School District
 Superintendent
 430 Main Street
 East Aurora, NY 14052

Brooklyn City School District
 Superintendent
 City Hall
 Brooklyn, NY 14202

Cheektowaga Central School District
 Superintendent
 3600 Union Road
 Cheektowaga, NY 14225

Cheektowaga-Maryvale Union Free School District
 Superintendent
 Maryvale Drive
 Cheektowaga, NY 14225

Cleveland Hill Union Free School District
 Superintendent
 105 Mapleview Road
 Cheektowaga, NY 14225

Cheektowaga Union Free School District
 Superintendent
 Terrace Boulevard
 Cheektowaga, NY 14043

Cheektowaga-Sloan Union Free School District
 Superintendent
 166 Halstead Avenue
 Sloan, NY 14212

Springville Central School District
 Superintendent
 Main Street
 Springville, NY 14031

Springville-Griffith Institute Central School District
 Superintendent
 307 Newman Street
 Springville, NY 14141

Central School District
 Superintendent
 Box 267
 Cheektowaga, NY 14057

Iroquois Central School District
 Superintendent
 2111 Girdle Road
 Elma, NY 14059

West-Brant Central School District (Lake Shore)
 Superintendent
 Erie Road
 Cheektowaga, NY 14006

Grand Island Central School District
 Superintendent
 1100 Ransom Road
 Grand Island, NY 14072

Arg Central School District
Superintendent
Abbott Road
Arg, NY 14075

Hopevale Union Free School District at Hamburg
Superintendent
3780 Howard Road
Hamburg, NY 14075

Ar Central School District
Superintendent
30 Orchard Avenue
Arg, NY 14075

Holland Central School District
Superintendent
103 Canada Street
Holland, NY 14080

Arden City School District
Superintendent
Mason Street
Arden, NY 14218

Lancaster Central School District
Superintendent
177 Central Avenue
Lancaster, NY 14086

Arden Central School District
Superintendent
Bromfield Avenue
Arden, NY 14001

North Collins Central School District
Superintendent
2045 School Street
North Collins, NY 14111

Arden Park Central School District
Superintendent
Baker Road
Arden Park, NY 14127

Tonawanda City School District
Superintendent
202 Broad Street
Tonawanda, NY 14150

ore-Tonawanda Union Free School District
 ntendent
 olvin Boulevard
 o, NY 14223

West Seneca Central School District
 Superintendent
 1397 Orchard Park Road
 West Seneca, NY 14224

i Point Central School District
 ntendent
 Main Street
 i Point, NY 12928

Elizabethtown-Lewis Central School District
 Superintendent
 Court Street
 Elizabethtown, NY 12932

: Central School District
 ntendent
 t Street
 : Valley, NY 12943

Minerva Central School District
 Superintendent
 1466 County Route 29
 Olmstedville, NY 12857

h Central School District
 ntendent
 R. 1, Box 7A
 Henry, NY 12974

Newcomb Central School District
 Superintendent
 5535 Route 28N
 Newcomb, NY 12852

Placid Central School District
 ntendent
 ummins Road
 Placid, NY 12946

Schroon Lake Central School District
 Superintendent
 1125 Route 9
 Schroon Lake, NY 12870

deroga Central School District
intendent
herst Avenue
deroga, NY 12883

Westport Central School District
Superintendent
55 Sisco Street
Westport, NY 12993

boro Central School District
intendent
rell Road
boro, NY 12996

Tupper Lake Cental School District
Superintendent
294 Hosley Avenue
Tupper Lake, NY 12986

augay Central School District
intendent
ver Street
augay, NY 12920

Salmon River Central School District
Superintendent
637 County Route 1
Fort Covington, NY 12937

lac Lake Central School District
intendent
pan Highway
lac Lake, NY 12983

Malone Central School District
Superintendent
80 West Street
Malone, NY 12953

nton-Moira Central School District
intendent
Road
nton, NY 12916

St. Regis Falls Central School District
Superintendent
92 North Main Street
St. Regis Falls, NY 12980

Gloversville Union Free School District
 Superintendent
 State Highway 10
 Gloversville, NY 12032

Gloversville City School District
 Acting Superintendent
 243 Lincoln Street
 Gloversville, NY 12078

Mayfield Central School District
 Superintendent
 27 School Street
 Mayfield, NY 12095

Mayfield Central School District
 Superintendent
 27 School Street
 Mayfield, NY 12117

St. Johnsville Central School District
 Superintendent
 South Third Street
 St. Johnsville, NY 12134

Oppenheim-Ephratah Central School District
 Superintendent
 6486 State Highway 29
 St. Johnsville, NY 13452

Albion-Perth Central School District
 Superintendent
 School Street
 Albion, NY 12025

Alexander Central School District
 Superintendent
 3314 Buffalo Street
 Alexander, NY 14005

Washington City School District
 Superintendent
 Washington Avenue
 Washington, NY 14021

Byron-Bergen Central School District
 Superintendent
 6917 West Bergen Road
 Bergen, NY 14416

entral School District
ntendent
th Main Street
Y 14058

Le Roy Central School District
Superintendent
2-6 Trigon Park
Le Roy, NY 14482

ld-Alabama Central School District
ntendent
ewiston Road
ld, NY 14125

Pavilion Central School District
Superintendent
7014 Big Tree Road
Pavilion, NY 14525

oke Central School District
ntendent
s 5 & 77
NY 14036

Cairo-Durham Central School District
Superintendent
424 Main Street
Cairo, NY 12413

ill Central School District
intendent
est Main Street
ill, NY 12414

Coxsackie-Athens Central School District
Superintendent
24 Sunset Boulevard
Coxsackie, NY 12051

ville Central School District
intendent
Route 81
ville, NY 12083

Hunter-Tannersville Central School District
Superintendent
6094 Main Street
Tannersville, NY 12485

Ham-Ashland-Jewett Central School District
Superintendent
Main Street
Ham, NY 12496

Piseco Common School District
Superintendent
Route 8
Piseco, NY 12139

Long Lake Central School District
Superintendent
West Main Street
Long Lake, NY 12842

Inlet Common School District
Superintendent
Route 28
P.O. Box 207
Old Forge, NY 13420

Pleasant Central School District
Superintendent
Lake Road
Pleasant, NY 12164

Long Lake Central School District
Superintendent
School Street
Long Lake, NY 12847

Little Lake Union Free School District
Superintendent
Route 28
Little Lake, NY 13436

Wells Central School District
Superintendent
Route 30
Wells, NY 12190

Canada Valley Central School District
Superintendent
State Route 28
Frankfort, NY 13416

Frankfort-Schuyler Central School District
Superintendent
605 Palmer Street
Frankfort, NY 13340

Central School District
 Superintendent
 Avenue
 NY 13357

Mohawk Central School District
 Superintendent
 28 Grove Street
 Mohawk, NY 13407

ner Central School District
 intendent
 West German Street
 mer, NY 13350

Little Falls City School District
 Superintendent
 15 Petrie Street
 Little Falls, NY 13365

ville Central School District
 intendent
 wson Street Extension
 ville, NY 13329

Poland Central School District
 Superintendent
 74 Cold Brook Street
 Poland, NY 13431

ornesville-Owen D. Young
 ral School District
 intendent
 State Route 80
 Hornesville, NY 13475

Town Of Webb Union Free School District
 Superintendent
 3002 Main Street
 Old Forge, NY 13420

gewater-West Winfield Central School District
 intendent
 airground Road
 Winfield, NY 13491

South Jefferson Central School District
 Superintendent
 131-80 US Route 11
 Adams Center, NY 13606

ndria Central School District
 intendent
 lton Avenue
 ndria Bay, NY 13607

Indian River Central School District
 Superintendent
 327-35B County Route 29
 Philadelphia, NY 13673

al Brown Central School District
 intendent
 3 Cemetery Road
 r, NY 13634

Thousand Islands Central School District
 Superintendent
 8483 County Route 9
 Clayton, NY 13624

ville Henderson Central School District
 intendent
 County Route 75
 ville, NY 13611

Sackets Harbor Central School District
 Superintendent
 Broad Street
 Sackets Harbor, NY 13685

e Central School District
 rintendent
 58 Academy Street
 mont, NY 13622

La Fargeville Central School District
 Superintendent
 205-03 Sunrise Avenue
 La Fargeville, NY 13656

ertown City School District
 rintendent
 Butterfield Avenue
 ertown, NY 13601

Carthage Central School District
 Superintendent
 250-59 County Route 197
 Carthage, NY 13619

Wagen Central School District
Superintendent
Mechanic Street
Wagen, NY 13626

Harrisville Central School District
Superintendent
Mill Street
Harrisville, NY 13648

Wheeler Academy & Central School District
Superintendent
State Street
Wheeler, NY 13367

South Lewis Central School District
Superintendent
East Road
Turin, NY 13473

Wright River Central School District
Superintendent
Road
Wright Falls, NY 13305

Avon Central School District
Superintendent
191 Clinton Street
Avon, NY 14414

Wheatonia-Mumford Central School District
Superintendent
North Street
Wheatonia, NY 14423

Geneseo Central School District
Superintendent
4050 Avon Road
Geneseo, NY 14454

Wheatfield Central School District
Superintendent
Lyon Lane
Wheatfield, NY 14487

Mount Morris Central School District
Superintendent
30 Bonadonna Avenue
Mount Morris, NY 14510

ille Central School District
intendent
lain Street
ille, NY 14437

Dalton-Nunda Central School District (Keshequa)
Superintendent
15 Mill Street
Nunda, NY 14517

Central School District
intendent
Genesee Street
f, NY 14539

Brookfield Central School District
Superintendent
1910 Fairground Road
Brookfield, NY 13314

novia Central School District
intendent
nory Avenue
novia, NY 13035

DeRuyter Central School District
Superintendent
711 Railroad Street
DeRuyter, NY 13052

isville-Eaton Central School District
rintendent
bridge Avenue
isville, NY 13408

Hamilton Central School District
Superintendent
West Kendrick Avenue
Hamilton, NY 13346

istota Central School District
rintendent
Roberts Street
istota, NY 13032

Madison Central School District
Acting Superintendent
7303 Route 20
Madison, NY 13402

City School District
 Superintendent
 Styles Street
 a, NY 13421

Stockbridge Valley Central School District
 Superintendent
 6011 Williams Road
 Munnsville, NY 13409

nango Central School District
 Superintendent
 Fyler Road
 nango, NY 13037

Brighton Central School District
 Superintendent
 2035 Monroe Avenue
 Rochester, NY 14618

-Chili Central School District
 Superintendent
 Legman Road
 ster, NY 14624

Greece Central School District
 Superintendent
 750 Maiden Lane
 North Greece, NY 14515

rondequoit Central School District
 Superintendent
 ardee Road
 ster, NY 14609

West Irondequoit Central School District
 Superintendent
 370 Cooper Road
 Rochester, NY 14617

oye Falls-Lima Central School District
 Superintendent
 urch Street
 oye Falls, NY 14472

Spencerport Central School District
 Superintendent
 71 Lyell Avenue
 Spencerport, NY 14559

1 Central School District
 intendent
 Vest Avenue
 1, NY 14468

Penfield Central School District
 Superintendent
 P.O. Box 900
 Penfield, NY 14526

ort Central School District
 intendent
 est Church Street
 ort, NY 14450

East Rochester Union Free School District
 Superintendent
 222 Woodbine Avenue
 East Rochester, NY 14445

ord Central School District
 rintendent
 est Jefferson Road
 ord, NY 14534

Churchville-Chili Central School District
 Superintendent
 139 Fairbanks Road
 Churchville, NY 14428

ester City School District
 rintendent
 West Broad Street
 ester, NY 14614

Rush-Henrietta Central School District
 Superintendent
 2034 Lehigh Station Road
 Henrietta, NY 14467

kport Central School District
 rintendent
 llen Street
 kport, NY 14420

Webster Central School District
 Superintendent
 119 South Avenue
 Webster, NY 14580

land-Chili Central School District
ntendent
orth Road
ille, NY 14546

Amsterdam City School District
Superintendent
11 Liberty Street
Amsterdam, NY 12010

oharie Central School District
ntendent
holastic Way
oharie, NY 13317

Fonda-Fultonville Central School District
Superintendent
112 Old Johnstown Road
Fonda, NY 12068

lain Central School District
ntendent
gh Street
lain, NY 13339

St. Johnsville Central School District
Superintendent
61 Monroe Street
St. Johnsville, NY 13452

Cove City School District
ntendent
is Lane
Cove, NY 11542

Hempstead Union Free School District
Superintendent
185 Peninsula Boulevard
Hempstead, NY 11550

ndale Union Free School District
ntendent
oodrich Street
ndale, NY 11553

East Meadow Union Free School District
Superintendent
101 Carman Avenue
East Meadow, NY 11554

Bellmore Union Free School District
Superintendent
Martin Avenue
Bellmore, NY 11710

Levittown Union Free School District
Superintendent
150 Abbey Lane
Levittown, NY 11756

Union Free School District
Superintendent
Washington Avenue
Union, NY 11783

Bellmore Union Free School District
Superintendent
2750 South St. Mark's Avenue
Bellmore, NY 11710

Levitt Union Free School District
Superintendent
Levittown Place
Levittown, NY 11575

Freeport Union Free School District
Superintendent
235 North Ocean Avenue
Freeport, NY 11520

Union Free School District
Superintendent
Eastings Street
Union, NY 11510

Oceanside Union Free School District
Superintendent
145 Merle Avenue
Oceanside, NY 11572

Union Free School District
Superintendent
Vicks Lane
Union, NY 11565

Valley Stream 13 Union Free School District
Superintendent
585 North Corona Avenue
Valley Stream, NY 11580

West-Woodmere Union Free School District
 Superintendent
 Johnson Place
 West-Woodmere, NY 11598

Lawrence Union Free School District
 Superintendent
 195 Broadway
 Lawrence, NY 11559

West Union Free School District
 Superintendent
 Belmont Road
 West, NY 11003

Franklin Square Union Free School District
 Superintendent
 760 Washington Street
 Franklin Square, NY 11010

West City Union Free School District
 Superintendent
 Cathedral Avenue
 West City, NY 11530

East Rockaway Union Free School District
 Superintendent
 443 Ocean Avenue
 East Rockaway, NY 11518

Rock Union Free School District
 Superintendent
 Atlantic Avenue
 Rock, NY 11563

Rockville Centre Union Free School District
 Superintendent
 128 Shepherd Street
 Rockville Centre, NY 11570

Will Park-Bellerose Union Free School District
 Superintendent
 Poppy Place
 Will Park, NY 11001

Wantagh Union Free School District
 Superintendent
 3301 Beltagh Avenue
 Wantagh, NY 11793

Valley Stream 24 Union Free School District
 Superintendent
 Barton Avenue
 Valley Stream, NY 11581

Merrick Union Free School District
 Superintendent
 21 Babylon Road
 Merrick, NY 11566

Val Trees Union Free School District
 Superintendent
 Armadillo Road
 Val Trees, NY 11756

West Hempstead Union Free School District
 Superintendent
 252 Chestnut Street
 West Hempstead, NY 11552

Val Merrick Union Free School District
 Superintendent
 Merrick Avenue
 Merrick, NY 11566

Valley Stream 30 Union Free School District
 Superintendent
 150 Washington Avenue
 Valley Stream, NY 11580

Val Park Union Free School District
 Superintendent
 Trafalgar Boulevard
 Val Park, NY 11558

Valley Stream Central High School District
 Superintendent
 One Kent Road
 Valley Stream, NY 11582

Valhalla Central High School District
 Superintendent
 Ridge Road
 Valhalla, NY 11003

Bellmore-Merrick Central High School District
 Superintendent
 1260 Meadowbrook Road
 North Merrick, NY 11566

Beach City School District
 Superintendent
 100 Boulevard
 Beach, NY 11561

Westbury Union Free School District
 Superintendent
 2 Hitchcock Lane
 Old Westbury, NY 11568

Williston Union Free School District
 Superintendent
 1000 Road
 Westbury, NY 11568

Roslyn Union Free School District
 Superintendent
 300 Harbor Hill Road
 Roslyn, NY 11576

Washington Union Free School District
 Superintendent
 100 Campus Drive
 Washington, NY 11050

New Hyde Park-Garden City Park Union Free School
 District
 Superintendent
 1950 Hillside Avenue
 New Hyde Park, NY 11040

Massena Union Free School District
 Superintendent
 100 Memorial Place
 Massena, NY 11030

Great Neck Union Free School District
 Superintendent
 345 Lakeville Road
 Great Neck, NY 11020

Hyde Park Union Free School District
 Superintendent
 100 Elter Rock Road
 Hyde Park, NY 11040

Mineola Union Free School District
 Superintendent
 200 Emory Road
 Mineola, NY 11501

Place Union Free School District
Superintendent
Cherry Lane
Place, NY 11514

North Shore Central School District
Superintendent
112 Franklin Avenue
Sea Cliff, NY 11579

Set Central School District
Superintendent
Ill Lane
Set, NY 11791

Locust Valley Central School District
Superintendent
22 Horse Hollow Road
Locust Valley, NY 11560

view-Old Bethpage Central School District
Superintendent
Washington Avenue
view, NY 11803

Oyster Bay-East Norwich Central School District
Superintendent
One McCouns Lane
Oyster Bay, NY 11771

ho Union Free School District
Superintendent
edar Swamp Road
ho, NY 11753

Hicksville Union Free School District
Superintendent
200 Division Avenue
Hicksville, NY 11801

ledge Union Free School District
Superintendent
Wyngate Drive
h Massapequa, NY 11758

Bethpage Union Free School District
Superintendent
10 Cherry Avenue
Bethpage, NY 11714

ingdale Union Free School District
 intendent
 in Cott Avenue
 ingdale, NY 11735

Massapequa Union Free School District
 Superintendent
 4925 Merrick Road
 Massapequa, NY 11758

Klein
 cellor
 York City Department of Education
 ambers Street, Room 405
 York, New York 10007

NYC Community School District 1
 Superintendent
 80 Montgomery Street
 New York, NY 10002

Community School District 2
 rintendent
 Seventh Avenue, 7th Floor
 York, NY 10001

NYC Community School District 3
 Superintendent
 154 West 93rd Street
 New York, NY 10025

Community School District 4
 rintendent
 East 117th Street
 York, NY 10035

NYC Community School District 5
 Superintendent
 433 West 123rd Street
 New York, NY 10027

Community School District 6
 rintendent
 Broadway
 York, NY 10033

Manhattan High School District Office
 Superintendent
 122 Amsterdam Avenue
 New York, NY 10023

DeWitt's District 85 - Manhattan
 Superintendent
 Livingston Street, Room 310
 Brooklyn, NY 11201

NYC Community School District 7
 Superintendent
 501 Courtlandt Avenue
 Bronx, NY 10451

Community School District 8
 Superintendent
 White Plains Road
 Bronx, NY 10473

NYC Community School District 9
 Superintendent
 1377 Jerome Avenue
 Bronx, NY 10452

Community School District 10
 Superintendent
 Fordham Plaza, Room 805
 Bronx, NY 10458

NYC Community School District 11
 Superintendent
 1250 Arnow Avenue
 Bronx, NY 10469

Community School District 12
 Superintendent
 Jennings Street
 Bronx, NY 10460

Bronx High School District Office
Superintendent
3000 East Tremont Avenue
Bronx, NY 10461

ellor's District 85 - Bronx
ntendent
vingston Street, Room 310
lyn, NY 11201

NYC Community School District 13
Superintendent
355 Park Place
Brooklyn, NY 11238

Community School District 14
intendent
eyward Street
lyn, NY 11206

NYC Community School District 15
Superintendent
360 Smith Street
Brooklyn, NY 11231

Community School District 16
intendent
Lafayette Avenue
lyn, NY 11221

NYC Community School District 17
Superintendent
19 Duryea Place
Brooklyn, NY 11226

Community School District 18
intendent
ast 100th Street
lyn, NY 11236

NYC Community School District 19
Superintendent
557 Pennsylvania Avenue
Brooklyn, NY 11207

Community School District 20
 Superintendent
 9th Street
 Brooklyn, NY 11219

NYC Community School District 21
 Superintendent
 521 West Street
 Brooklyn, NY 11224

Community School District 22
 Superintendent
 Haring Street
 Brooklyn, NY 11235

NYC Community School District 23
 Superintendent
 2240 Dean Street
 Brooklyn, NY 11233

Community School District 32
 Superintendent
 Bushwick Avenue
 Brooklyn, NY 11221

Brooklyn High School District Office
 Superintendent
 1600 Avenue L
 Brooklyn, NY 11230

Cellor's District 85 - Brooklyn
 Superintendent
 Livingston Street, Room 310
 Brooklyn, NY 11201

NYC Community School District 24
 Superintendent
 8000 Cooper Avenue
 Glendale, NY 11385

Community School District 25
 Superintendent
 Linden Place
 Long Beach, NY 11354

NYC Community School District 26
 Superintendent
 61-15 Oceanian Street
 Bayside, NY 11364

Community School District 27
 Superintendent
 Rockaway Boulevard
 Far Rockaway, NY 11416

NYC Community School District 28
 Superintendent
 108-55 69th Avenue
 Forest Hills, NY 11375

Community School District 29
 Superintendent
 Cross Island Plaza
 Jamaica, NY 11422

NYC Community School District 30
 Superintendent
 49-05 20th Avenue
 Jackson Heights, NY 11370

Queens District 75
 Superintendent
 First Avenue, Room 80
 New York, NY 11010

Alternative High School
 Superintendent
 45-18 Court Square, 2nd Floor
 Long Island City, New York 11101

Chancellor's District 85 - Queens
 Superintendent
 110 Livingston Street, Room 310
 Brooklyn, NY 11201

Barker Central School District
 Superintendent
 1628 Quaker Road
 Barker, NY 14012

ston-Porter Central School District
 intendent
 Creek Road
 gstown, NY 14174

Lockport City School District
 Superintendent
 130 Beattie Avenue
 Lockport, NY 14094

ane Central School District
 rintendent
 Godfrey Road
 NY 14108

Niagara-Wheatfield Central School District
 Superintendent
 6700 Shultz Road
 Niagara Falls, NY 14304

ara Falls City School District
 rintendent
 Walnut Avenue
 ara Falls, NY 14302

North Tonawanda City School District
 Superintendent
 175 Humphrey Street
 North Tonawanda, NY 14120

Joint Central School District
 Superintendent
 Mapleton Road
 Middleport, NY 14094

Royalton-Hartland Central School District
 Superintendent
 54 State Street
 Middleport, NY 14105

Warren Central School District
 Superintendent
 Quaker Road
 Warren, NY 14012

Wilson Central School District
 Superintendent
 412 Lake Street
 Wilson, NY 14172

Wendell Central School District
 Superintendent
 Third Street
 Wendell, NY 13309

Camden Central School District
 Superintendent
 51 Third Street
 Camden, NY 13316

Warren Central School District
 Superintendent
 Seneca Avenue
 Warren, NY 13323

New Hartford Central School District
 Superintendent
 33 Oxford Road
 New Hartford, NY 13413

York Mills Union Free School District
 Superintendent
 Marauder Boulevard
 York Mills, NY 13417

Sauquoit Valley Central School District
 Superintendent
 2601 Oneida Street
 Sauquoit, NY 13456

en Central School District
intendent
Drive
en, NY 13438

Rome City School District
Superintendent
112 East Thomas Street
Rome, NY 13440

ville Central School District
intendent
ladison Street
ville, NY 13480

Sherrill City School District
Superintendent
5275 State Route 31
Verona, NY 13478

nd Patent Central School District
intendent
Main Street
nd Patent, NY 13354

Utica City School District
Superintendent
1115 Mohawk Street
Utica, NY 13501

noreland Central School District
intendent
Route 233
noreland, NY 13490

Oriskany Central School District
Superintendent
1313 Utica Street
Oriskany, NY 13424

esboro Central School District
intendent
hitesboro Street
ville, NY 13495

West Genesee Central School District
Superintendent
300 Sanderson Drive
Camillus, NY 13031

Syracuse Central School District
Superintendent
West Taft Road
Syracuse, NY 13212

East Syracuse-Minoa Central School District
Superintendent
407 Fremont Road
East Syracuse, NY 13057

ville-Dewitt Central School District
Superintendent
Edinger Drive, Box 606
t, NY 13214

Jordan-Elbridge Central School District
Superintendent
9 Chappell Street
Jordan, NY 13080

s-Pompey Central School District
Superintendent
Main Street
s, NY 13063

Westhill Central School District
Superintendent
400 Walberta Road
Syracuse, NY 13219

y Union Free School District
Superintendent
izard Street
y, NY 13209

La Fayette Central School District
Superintendent
5955 Route 20W
Lafayette, NY 13084

vinsville Central School District
Superintendent
st Oneida Street
vinsville, NY 13027

Fayetteville-Manlius Central School District
Superintendent
8199 East Seneca Turnpike
Manlius, NY 13104

ellus Central School District
 intendent
 d Parkway
 ellus, NY 13108

Onondaga Central School District
 Superintendent
 4466 South Onondaga Road
 Nedrow, NY 13120

pool Central School District
 intendent
 outh Street
 pool, NY 13088

Lyncourt Union Free School District
 Superintendent
 2709 Court Street
 Syracuse, NY 13208

ateles Central School District
 intendent
 st Elizabeth Street
 ateles, NY 13152

Syracuse City School District
 Superintendent
 725 Harrison Street
 Syracuse, NY 13210

Central School District
 intendent
 Box 628
 , NY 13159

Canandaigua City School District
 Superintendent
 143 North Pearl Street
 Canandaigua, NY 14424

Bloomfield Central School District
 intendent
 ount Avenue
 Bloomfield, NY 14443

Geneva City School District
 Superintendent
 649 South Exchange Street
 Geneva, NY 14456

Wm-Middlesex Central School District
Superintendent
Baldwin Road
Shortsville, NY 14544

Manchester-Shortsville Central School District
Superintendent
1506 Route 21
Shortsville, NY 14548

Phelps Central School District
Superintendent
100 North Main Street
Phelps, NY 14512

Phelps-Clifton Springs Central School District
Superintendent
1490 Route 488
Clifton Springs, NY 14432

Phelps Central School District
Superintendent
100 North Main Street
Phelps, NY 14471

Victor Central School District
Superintendent
953 High Street
Victor, NY 14564

Wilmington Central School District
Superintendent
West Main Street
Wilmington, NY 10992

Chester Union Free School District
Superintendent
3 Maple Avenue
Chester, NY 10918

Ward Loaf Union Free School District
Superintendent
Ward Hill Road
Ward, NY 10918

Cornwall Central School District
Superintendent
24 Idlewild Avenue
Cornwall-on-Hudson, NY 12520

ush Central School District
 intendent
 ate Route 302
 3ush, NY 12566

Goshen Central School District
 Superintendent
 227 Main Street
 Goshen, NY 10924

and Falls Central School District
 intendent
 organ Road
 Montgomery, NY 10928

Middletown City School District
 Superintendent
 223 Wisner Avenue Extension
 Middletown, NY 10940

sink Valley Central School District
 rintendent
 e 6
 Hill, NY 10973

Monroe-Woodbury Central School District
 Superintendent
 Education Center
 278 Route 32
 Central Valley, NY 10917

as Joel Village Union Free School District
 rintendent
 irst Road, Suite 310
 roe, NY 10950

Valley Central School District
 Superintendent
 944 State Route 17K
 Montgomery, NY 12549

burgh City School District
 rintendent
 Grand Street
 burgh, NY 12550

Port Jervis City School District
 Superintendent
 9 Thompson Street
 Port Jervis, NY 12771

o Union Free School District
ntendent
ractors Road
o Park, NY 10987

Warwick Valley Central School District
Superintendent
West Street Extension
Warwick, NY 10990

wood Lake Union Free School District
ntendent
terstone Road
wood Lake, NY 10925

Florida Union Free School District
Superintendent
51 North Main Street
Florida, NY 10921

1 Central School District
intendent
ast Avenue
1, NY 14411

Kendall Central School District
Superintendent
1932 Kendall Road
Kendall, NY 14476

y Central School District
intendent
North Main Street
y, NY 14470

Medina Central School District
Superintendent
One Mustang Drive
Medina, NY 14103

onville Central School District
intendent
ousel Avenue
onville, NY 14098

Altmar-Parish-Williamstown Central School District
Superintendent
639 County Route 22
Parish, NY 13131

City School District
 Superintendent
 South Fourth Street
 , NY 13069

Hannibal Central School District
 Superintendent
 1051 Auburn Street
 Hannibal, NY 13074

il Square Central School District
 Superintendent
 South Main Street
 il Square, NY 13036

Mexico Central School District
 Superintendent
 40 Academy Street
 Mexico, NY 13114

go City School District
 Superintendent
 East First Street
 go, NY 13126

Pulaski Central School District
 Superintendent
 2 Hinman Road
 Pulaski, NY 13142

y Creek Central School District
 Superintendent
 Salisbury Street
 y Creek, NY 13145

Phoenix Central School District
 Superintendent
 116 Volney Street
 Phoenix, NY 13135

ertsville-Mount Upton Central School District
 Superintendent
 State Highway 51
 ertsville, NY 13776

Edmeston Central School District
 Superintendent
 11 North Street
 Edmeston, NY 13335

ns Central School District
intendent
in Street
ns, NY 13796

Schenevus Central School District
Superintendent
159 Main Street
Schenevus, NY 12155

rd Central School District
intendent
est Main Street
rd, NY 13807

Morris Central School District
Superintendent
65 West Main Street
Morris, NY 13808

nta City School District
intendent
Main Street
nta, NY 13820

Otego-Unadilla Central School District
Superintendent
2641 State Highway 7
Otego, NY 13825

erstown Central School District
intendent
nden Avenue
erstown, NY 13326

Richfield Springs Central School District
Superintendent
93 Main Street
Richfield Springs, NY 13439

ry Valley-Springfield Central School District
intendent
County Highway 54
ry Valley, NY 13320

Worcester Central School District
Superintendent
198 Main Street
Worcester, NY 12197

Mac Central School District
Superintendent
1st Lake Boulevard
Mac, NY 10541

Carmel Central School District
Superintendent
81 South Street
Patterson, NY 12563

One Central School District
Superintendent
Riverside Drive
Spring, NY 10516

Garrison Union Free School District
Superintendent
1100 Route 9D
Garrison, NY 10524

North Valley Central School District
Superintendent
Weekskill Hollow Road
North Valley, NY 10579

Brewster Central School District
Superintendent
30 Farm-to-Market Road
Brewster, NY 10509

North Central School District
Superintendent
School Street
North, NY 12022

Brunswick Central School District
Superintendent
3992 New York State Route 2
Troy, NY 12180

Greenbush Central School District
Superintendent
Maplewood Avenue
Greenbush, NY 12061

Hoosick Falls Central School District
Superintendent
21187 New York State Route 22
Hoosick Falls, NY 12090

Greenburgh Central School District
 Superintendent
 5th Avenue
 New York, NY 12182

North Greenbush Common School District
 Superintendent
 476 North Greenbush Road
 Rensselaer, New York 12144

Watkinskill Union Free School District
 Superintendent
 Main Avenue
 Watkinskill, NY 12198

Rensselaer City School District
 Superintendent
 555 Broadway
 Rensselaer, NY 12144

Mill Park Central School District
 Superintendent
 Miller Hill Road
 Mill Park, NY 12018

Hoosic Valley Central School District
 Superintendent
 Route 40
 Schaghticoke, NY 12154

Clark Central School District
 Superintendent
 Maple Hill Road
 Clarkstown, NY 12033

Troy City School District
 Superintendent
 1728 Tibbits Avenue
 Troy, NY 12180

Westtown Central School District
 Superintendent
 100 Middletown Road
 Westtown, NY 10956

Nanuet Union Free School District
 Superintendent
 101 Church Street
 Nanuet, NY 10954

Straw-Stony Point Central School District
 Superintendent
 Chapel Street
 Arville, NY 10923

South Orangetown Central School District
 Superintendent
 160 Van Wyck Road
 Blauvelt, NY 10913

Union Free School District
 Superintendent
 Dickinson Avenue
 Pearl River, NY 10960

Pearl River Union Free School District
 Superintendent
 275 East Central Avenue
 Pearl River, NY 10965

Spring Valley Central School District
 Superintendent
 Mountain Avenue
 Spring Valley, NY 10931

East Ramapo Central School District
 Superintendent
 105 South Madison Avenue
 Spring Valley, NY 10977

Walden Gould Academy - Ramapo
 Union Free School District
 Superintendent
 Chestnut Ridge Road
 Chestnut Ridge, NY 10977

Brasher Falls Central School District
 Acting Superintendent
 1039 State Highway 11C
 Brasher Falls, NY 13613

Clifton-Fine Central School District
 Superintendent
 State Street
 Clifton, NY 13617

Clifton-Fine Central School District
 Superintendent
 11 Hall Avenue
 Star Lake, NY 13690

n-Pierrepont Central School District
intendent
State Highway 56
n, NY 13625

Gouverneur Central School District
Superintendent
133 East Barney Street
Gouverneur, NY 13642

nond Central School District
intendent
outh Main Street
nond, NY 13646

Hermon-Dekalb Central School District
Superintendent
709 East Dekalb Road
Dekalb Junction, NY 13630

on Central School District
intendent
County Route 10
n, NY 13658

Madrid-Waddington Central School District
Superintendent
2582 State Highway 345
Madrid, NY 13660

ena Central School District
intendent
ightengale Avenue
ena, NY 13662

Morristown Central School District
Superintendent
408 Gouverneur Street
Morristown, NY 13664

ood-Norfolk Central School District
intendent
State Highway 56
ood, NY 13668

Ogdensburg City School District
Superintendent
1100 State Street
Ogdensburg, NY 13669

lton Central School District
ntendent
shington Street
lton, NY 13654

Parishville-Hopkinton Central School District
Superintendent
12 County Route 47
Parishville, NY 13672

um Central School District
ntendent
oy Street
um, NY 13676

Edwards-Knox Central School District
Superintendent
2512 County Highway 24
Russell, NY 13684

Hills-Ballston Lake Central School District
ntendent
press Drive
t, NY 12302

Shenendehowa Central School District
Superintendent
970 Route 146
Clifton Park, NY 12065

th Central School District
ntendent
ak Street
th, NY 12822

Edinburg Common School District
Superintendent
4 Johnson Road
Edinburg, NY 12134

ay Central School District
ntendent
Sacandaga Road
ay, NY 12074

Mechanicville City School District
Superintendent
10 North Main Street
Mechanicville, NY 12118

on Spa Central School District
ntendent
lta Avenue
on Spa, NY 12020

South Glens Falls Central School District
Superintendent
6 Bluebird Road
South Glens Falls, NY 12803

lerville Central School District
ntendent
ing Street
lerville, NY 12871

Saratoga Springs City School District
Superintendent
5 Wells Street
Saratoga Springs, NY 12866

ater Central School District
intendent
orth Hudson Avenue
ater, NY 12170

Waterford-Halfmoon Union Free School District
Superintendent
125 Middletown Road
Waterford, NY 12188

esburg Central School District
intendent
chool Drive
son, NY 12053

Scotia-Glenville Central School District
Superintendent
900 Preddice Parkway
Scotia, NY 12302

yuna Central School District
intendent
Van Antwerp Road
iectady, NY 12309

Schalmont Central School District
Superintendent
401 Duanesburg Road
Schenectady, NY 12306

dam-Mohonasen Central School District
 intendent
 Curry Road
 ectady, NY 12303

Schenectady City School District
 Superintendent
 108 Education Drive
 Schenectady, NY 12303

a-Conesville Central School District
 intendent
 off Road, R.R. 1, Box 6
 a, NY 12076

Jefferson Central School District
 Superintendent
 Main Street, R.R. 2, Box 101
 Jefferson, NY 12093

leburgh Central School District
 intendent
 Main Street
 leburgh, NY 12122

Cobleskill-Richmondville Central School District
 Superintendent
 Washington Heights
 Cobleskill, NY 12043

harie Central School District
 rintendent
 Street
 Box 430
 harie, NY 12157

Sharon Springs Central School District
 Superintendent
 Route 20
 Sharon Springs, NY 13459

sa-Montour Central School District
 rintendent
 ege Avenue
 sa, NY 14869

Watkins Glen Central School District
 Superintendent
 301 12th Street
 Watkins Glen, NY 14891

Seneca Central School District
 Superintendent
 Main Street
 Seneca, NY 14847

Romulus Central School District
 Superintendent
 5705 Route 96
 Romulus, NY 14541

Seneca Falls Central School District
 Superintendent
 Seneca Falls Street
 Seneca Falls, NY 13148

Waterloo Central School District
 Superintendent
 212 Main Street
 Waterloo, NY 13165

Seneca Central School District
 Superintendent
 Seneca Street
 Seneca, NY 14801

Avoca Central School District
 Superintendent
 17-29 Oliver Street
 Avoca, NY 14809

Seneca Central School District
 Superintendent
 Seneca Avenue
 Seneca, NY 14810

Bradford Central School District
 Superintendent
 2820 Route 226
 Bradford, NY 14815

Seneca-Savona Central School District
 Superintendent
 County Route 125
 Seneca, NY 14821

Canisteo Central School District
 Superintendent
 84 Greenwood Street
 Canisteo, NY 14823

ing City School District
 ntendent
 arles Street
 d Post, NY 14870

Greenwood Central School District
 Superintendent
 Main Street
 Greenwood, NY 14839

ll City School District
 ntendent
 en Street
 ll, NY 14843

Arkport Central School District
 Superintendent
 35 East Avenue
 Arkport, NY 14807

burgh Central School District
 ntendent
 academy Street
 burgh, NY 14873

Jasper-Troupsburg Central School District
 Superintendent
 3769 North Main Street
 Jasper, NY 14855

nondsport Central School District
 ntendent
 Main St Extension
 nondsport, NY 14840

Wayland-Cohocton Central School District
 Superintendent
 2350 Route 63
 Wayland, NY 14572

lon Union Free School District
 ntendent
 ilroad Avenue
 lon, NY 11702

West Babylon Union Free School District
 Superintendent
 10 Old Farmingdale Road
 West Babylon, NY 11704

Babylon Union Free School District
 Superintendent
 ne Place
 Babylon, NY 11703

Lindenhurst Union Free School District
 Superintendent
 350 Daniel Street
 Lindenhurst, NY 11757

ue Union Free School District
 ntendent
 ireat Neck Road
 ue, NY 11726

Amityville Union Free School District
 Superintendent
 150 Park Avenue
 Amityville, NY 11701

ark Union Free School District
 ntendent
 Deer Park Avenue
 ark, NY 11729

Wyandanch Union Free School District
 Superintendent
 1445 Straight Path
 Wyandanch, NY 11798

Village Central School District
 ntendent
 colls Road
 etauket, NY 11733

Brookhaven-Comsewogue Union Free School District
 Superintendent
 290 Norwood Avenue
 Port Jefferson Station, NY 11776

n Central School District
 ntendent
 nion Avenue
 ook, NY 11741

Port Jefferson Union Free School District
 Superintendent
 550 Scraggy Hill Road
 Port Jefferson, NY 11777

Sinai Union Free School District
 Superintendent
 Country Road
 Sinai, NY 11766

Miller Place Union Free School District
 Superintendent
 191 North Country Road
 Miller Place, NY 11764

Point Union Free School District
 Superintendent
 Route 25A
 Point, NY 11778

Middle Country Central School District
 Superintendent
 Administrative Center
 8 43rd Street
 Centereach, NY 11720

Wood Central School District
 Superintendent
 Shank-Middle Island Road
 e Island, NY 11953

South Manor Union Free School District
 Superintendent
 149 Dayton Avenue
 Manorville, NY 11949

ogue-Medford Union Free School District
 Superintendent
 outh Ocean Avenue
 ogue, NY 11772

William Floyd Union Free School District
 Superintendent
 240 Mastic Beach Road
 Mastic Beach, NY 11951

r Moriches Union Free School District
 Superintendent
 Main Street
 r Moriches, NY 11934

East Moriches Union Free School District
 Superintendent
 9 Adelaide Avenue
 East Moriches, NY 11940

Country Central School District
 Superintendent
 North Dunton Avenue
 Patchogue, NY 11772

Eastport-South Manor Central High School District
 Superintendent
 149 Dayton Avenue
 Manorville, New York 11949

East Hampton Union Free School District
 Superintendent
 Westtown Lane
 East Hampton, NY 11937

Wainscott Common School District
 Superintendent
 Hollow Road
 P.O. Box 79
 Wainscott, NY 11975

East Amherst Union Free School District
 Superintendent
 Main Street
 Box 7062
 East Amherst, NY 11930

Springs Union Free School District
 Superintendent
 48 School Street
 East Hampton, NY 11937

East Hampton Union Free School District
 Superintendent
 Main Avenue
 East Hampton, NY 11963

Montauk Union Free School District
 Superintendent
 50 South Dorset Road
 Montauk, NY 11954

East Hampton Union Free School District
 Superintendent
 Kenneth Avenue
 East Hampton, NY 11740

Cold Spring Harbor Central School District
 Superintendent
 75 Goose Hill Road
 Cold Spring Harbor, NY 11724

gton Union Free School District
 itendent
 er Street
 gton Station, NY 11746

Northport-East Northport Union Free School District
 Superintendent
 158 Laurel Avenue
 Northport, NY 11768

ollow Hills Central School District
 ntendent
 lf Hollow Road
 lls, NY 11746

Harborfields Central School District
 Superintendent
 2 Oldfield Road
 Greenlawn, NY 11740

ack Union Free School District
 ntendent
 ox 150
 ack, NY 11725

South Huntington Union Free School District
 Superintendent
 60 Weston Street
 Huntington Station, NY 11746

more Union Free School District
 ntendent
 st Perkal Street
 more, NY 11706

Islip Union Free School District
 Superintendent
 215 Main Street
 Islip, NY 11751

slip Union Free School District
 ntendent
 raig B. Gariepy Avenue
 ertance, NY 11752

Sayville Union Free School District
 Superintendent
 99 Greeley Avenue
 Sayville, NY 11782

at-Blue Point Union Free School District
 ntendent
 ademy Street
 rt, NY 11705

Hauppauge Union Free School District
 Superintendent
 600 Town Line Road
 Hauppauge, NY 11788

quot Central School District
 ntendent
 cean Avenue
 nia, NY 11716

West Islip Union Free School District
 Superintendent
 100 Sherman Avenue
 West Islip, NY 11795

wood Union Free School District
 ntendent
 ird Avenue
 wood, NY 11717

Central Islip Union Free School District
 Superintendent
 85 Wheeler Road
 Central Islip, NY 11722

sland Union Free School District
 ntendent
 Road
 Beach, NY 11770

Shoreham-Wading River Central School District
 Superintendent
 250-B Route 25A
 Shoreham, NY 11786

head Central School District
 ntendent
 Osborne Avenue
 head, NY 11901

Little Flower Union Free School District
 Superintendent
 2450 North Wading River Road
 Wading River, NY 11792

r Island Unified School District
 intendent
 rth Ferry Road
 r Island, NY 11964

Smithtown Central School District
 Superintendent
 26 New York Avenue
 Smithtown, NY 11787

Park Central School District
 intendent
 Church Street
 Park, NY 11754

Remsenburg-Speonk Union Free School District
 Superintendent
 11 Mill Road
 Remsenburg, NY 11960

ampton Beach Union Free School District
 intendent
 Mill Road
 ampton Beach, NY 11978

Quogue Union Free School District
 Superintendent
 10 Edgewood Road
 Quogue, NY 11959

pton Bays Union Free School District
 rintendent
 st Argonne Road
 pton Bays, NY 11946

Southampton Union Free School District
 Superintendent
 70 Leland Lane
 Southampton, NY 11968

gehampton Union Free School District
 rintendent
 Montauk Highway
 gehampton, NY 11932

Sagaponack Common School District
 Superintendent
 Main Street
 Sagaponack, NY 11962

Port Union Free School District
Superintendent
Dayton Avenue
Port Jervis, NY 11949

Tuckahoe Common School District
Superintendent
468 Magee Street
Southampton, NY 11968

Quogue Union Free School District
Superintendent
Central Avenue
Quogue, NY 11942

Oysterponds Union Free School District
Superintendent
234-05 Main Road
Orient, NY 11957

Sands Island Union Free School District
Superintendent
Drawer A
Sands Island, NY 11950

Southold Union Free School District
Superintendent
420 Oaklawn Avenue
Southold, NY 11971

Port Jervis Union Free School District
Superintendent
Front Street
Port Jervis, NY 11944

Mattituck-Cutchogue Union Free School District
Superintendent
385 Depot Lane
Cutchogue, NY 11935

Suffolk Common School District
Superintendent
Main Street
Suffolk, NY 11956

Fallsburg Central School District
Superintendent
115 Brickman Road
Fallsburg, NY 12733

Central School District
 Superintendent
 Route 55
 Liberty, NY 12732

Liberty Central School District
 Superintendent
 115 Buckley Street
 Liberty, NY 12754

Valley Central School District
 Superintendent
 More Hill Road
 Monticello, NY 12740

Roscoe Central School District
 Superintendent
 Academy Street
 Roscoe, NY 12776

Wagston Manor Central School District
 Superintendent
 School Street
 Wagston Manor, NY 12758

Monticello Central School District
 Superintendent
 237 Forestburgh Road
 Monticello, NY 12701

Van West Central School District
 Superintendent
 Schoolhouse Road, Box 308
 Sonville, NY 12748

Waverly Central School District
 Superintendent
 15 Frederick Street
 Waverly, NY 14892

For Central School District
 Superintendent
 Main Street
 For, NY 13743

Newark Valley Central School District
 Superintendent
 79 Whig Street
 Newark Valley, NY 13811

-Apalachin Central School District
Superintendent
Scott Street
Apalachin, NY 13827

Spencer-Van Etten Central School District
Superintendent
7 Langford Street
Van Etten, NY 14889

Central School District
Superintendent
Main Avenue
Center, NY 13845

Dryden Central School District
Superintendent
District Office
Dryden, NY 13053

Deerfield Junior Republic Union Free School District
Superintendent
Donald Road
Deerfield, NY 13068

Groton Central School District
Superintendent
400 Peru Road
Groton, NY 13073

City School District
Superintendent
Lake Street
City, NY 14851

Lansing Central School District
Superintendent
264 Ridge Road
Lansing, NY 14882

Field Central School District
Superintendent
Main Street
Field, NY 14867

Trumansburg Central School District
Superintendent
100 Whig Street
Trumansburg, NY 14886

Park Union Free School District
 intendent
 Route 9W
 Park, NY 12493

Kingston City School District
 Superintendent
 61 Crown Street
 Kingston, NY 12401

and Central School District
 intendent
 pancake Hollow Road
 and, NY 12528

Rondout Valley Central School District
 Superintendent
 P.O. Box 9
 Accord, NY 12404

oro Central School District
 intendent
 ross Road
 boro, NY 12542

New Paltz Central School District
 Superintendent
 196 Main Street
 New Paltz, NY 12561

ora Central School District
 rintendent
 Route 28
 eville, NY 12412

Saugerties Central School District
 Superintendent
 Washington Avenue Extension
 Saugerties, NY 12477

kill Central School District
 rintendent
 lain Street
 kill, NY 12589

Ellenville Central School District
 Superintendent
 28 Maple Avenue
 Ellenville, NY 12428

Central School District
 Superintendent
 Main Avenue
 Landing, NY 12814

North Warren Central School District
 Superintendent
 6110 State Route 8
 Chestertown, NY 12817

Falls City School District
 Superintendent
 Main Street
 Falls, NY 12801

Johnsburg Central School District
 Superintendent
 Main Street
 North Creek, NY 12853

George Central School District
 Superintendent
 Main Street
 George, NY 12845

Hadley-Luzerne Central School District
 Superintendent
 27 Ben Rosa Park
 Lake Luzerne, NY 12846

Johnsburg Union Free School District
 Superintendent
 Main Street
 Johnsburg, NY 12804

Glens Falls Common School District
 Superintendent
 120 Lawrence Street
 Glens Falls, NY 12801

Johnsburg Central School District
 Superintendent
 Main Street
 Johnsburg, NY 12885

Argyle Central School District
 Superintendent
 5023 State Route 40
 Argyle, NY 12809

nn Central School District
ntendent
atherine Street
nn, NY 12827

Fort Edward Union Free School District
Superintendent
220 Broadway
Fort Edward, NY 12828

ille Central School District
ntendent
aker Street
ille, NY 12832

Greenwich Central School District
Superintendent
10 Gray Avenue
Greenwich, NY 12834

ord Central School District
ntendent
State Route 149
ord, NY 12838

Hudson Falls Central School District
Superintendent
P.O. Box 710
Hudson Falls, NY 12839

n Central School District
ntendent
ounty Route 2
m Station, NY 12861

Salem Central School District
Superintendent
41 East Broadway
Salem, NY 12865

ridge Central School District
ntendent
est Main Street
ridge, NY 12816

Whitehall Central School District
Superintendent
87 Buckley Road
Whitehall, NY 12887

k Central School District
ntendent
st Miller Street
k, NY 14513

Clyde-Savannah Central School District
Superintendent
215 Glasgow Street
Clyde, NY 14433

Central School District
ntendent
rence Street
, NY 14489

Marion Central School District
Superintendent
4034 Warner Road
Marion, NY 14505

e Central School District
ntendent
Ontario Center Road
o Center, NY 14520

Palmyra-Macedon Central School District
Superintendent
151 Hyde Parkway
Palmyra, NY 14522

ida Central School District
intendent
Dayspring Ridge
orth, NY 14502

Sodus Central School District
Superintendent
Route 88
Sodus, NY 14551

mson Central School District
intendent
Miller Street
mson, NY 14589

North Rose-Wolcott Central School District
Superintendent
11669 Slater-Colvin Road
Wolcott, NY 14590

Week Central School District
 Superintendent
 Church Street
 Week, NY 13143

Katonah-Lewisboro Union Free School District
 Superintendent
 One Shady Lane, Route 123
 South Salem, NY 10590

ard Central School District
 Superintendent
 Lane Campus
 Kisco, NY 10549

Croton-Harmon Union Free School District
 Superintendent
 10 Gerstein Street
 Croton-on-Hudson, NY 10520

ick Hudson Central School District
 Superintendent
 Alley Road
 ose, NY 10548

Eastchester Unoin Free School District
 Superintendent
 580 White Plains Road
 Eastchester, NY 10707

hoe Union Free School District
 Superintendent
 vanoy Boulevard
 eester, NY 10707

Bronxville Union Free School District
 Superintendent
 177 Pondfield Road
 Bronxville, NY 10708

Free School District of Tarrytowns
 Superintendent
 North Broadway
 y Hollow, NY 10591

Irvington Union Free School District
 Superintendent
 40 North Broadway
 Irvington, NY 10533

Ferry Union Free School District
 Superintendent
 Broadway
 Ferry, NY 10522

Hastings-on-Hudson Union Free School District
 Superintendent
 27 Farragut Avenue
 Hastings-on-Hudson, NY 10706

ey Union Free School District
 Superintendent
 arm Road
 ey, NY 10502

Edgemont Unoin Free School District
 Superintendent
 300 White Oak Lane
 Scarsdale, NY 10583

burgh Central School District
 Superintendent
 West Hartsdale Avenue
 Hartsdale, NY 10530

Elmsford Union Free School District
 Superintendent
 98 South Goodwin Avenue
 Elmsford, NY 10523

burgh-Graham Union Free School District
 Superintendent
 South Broadway
 Hastings-on-Hudson, NY 10706

Greenburgh Eleven Union Free School District
 Superintendent
 P.O. Box 501
 Dobbs Ferry, NY 10522

burgh-North Castle Union Free School District
 Superintendent
 South Broadway
 Dobbs Ferry, NY 10522

Abbott Union Free School District
 Superintendent
 100 North Broadway
 Irvington, NY 10533

on Central School District
ntendent
on Avenue
n, NY 10528

Mamaroneck Union Free School District
Superintendent
1000 West Boston Post Road
Mamaroneck, NY 10543

Pleasant Central School District
ntendent
ke Drive
wood, NY 10594

Pocantico Hills Central School District
Superintendent
599 Bedford Road
Sleepy Hollow, NY 10591

orne-Cedar Knolls Union Free School District
ntendent
nda Avenue
orne, NY 10532

Mount Pleasant - Cottage Union Free School District
Superintendent
1075 Broadway
Pleasantville, NY 10570

la Union Free School District
ntendent
olumbus Avenue
la, NY 10595

Mount Pleasant - Blythedale Union Free School District
Superintendent
95 Bradhurst Avenue
Valhalla, NY 10595

ntville Union Free School District
ntendent
ner Avenue
ntville, NY 10570

Mount Vernon City School District
Superintendent
165 North Columbus Avenue
Mount Vernon, NY 10553

Quaker Central School District
 Superintendent
 Spring Brook Road
 Quaker, NY 10514

New Rochelle City School District
 Superintendent
 515 North Avenue
 New Rochelle, NY 10801

Hills Central School District
 Superintendent
 Pop Lane
 Hickory, NY 10504

North Salem Central School District
 Superintendent
 230 June Road
 North Salem, NY 10560

Wing Union Free School District
 Superintendent
 Clinton Avenue
 Wing, NY 10562

Briarcliff Manor Union Free School District
 Superintendent
 45 Ingham Road
 Briarcliff Manor, NY 10510

Will City School District
 Superintendent
 Elm Street
 Will, NY 10566

Pelham Union Free School District
 Superintendent
 18 Franklin Place
 Pelham, NY 10803

City School District
 Superintendent
 Midland Avenue
 NY 10580

Rye Neck Union Free School District
 Superintendent
 310 Hornidge Road
 Mamaroneck, NY 10543

Hester-Rye Union Free School District
 Superintendent
 Bowman Avenue
 Hester, NY 10573

Blind Brook-Rye Union Free School District
 Superintendent
 390 North Ridge Street
 Rye Brook, NY 10573

Malone Union Free School District
 Superintendent
 Wyster Road
 Malone, NY 10583

Somers Central School District
 Superintendent
 110 Primrose Street
 Lincolndale, NY 10540

Plains City School District
 Superintendent
 Riverside Lane
 Plains, NY 10605

Yonkers City School District
 Superintendent
 28 Wells Avenue
 Yonkers, NY 10701

Oakland Central School District
 Superintendent
 Main Street
 Oak, NY 10588

Yorktown Central School District
 Superintendent
 2723 Crompond Road
 Yorktown Heights, NY 10598

West Central School District
 Superintendent
 East Main Street
 West, NY 14011

Letchworth Central School District
 Superintendent
 5550 School Road
 Gainesville, NY 14066

ing Central School District
ntendent
oad, Route 19
ing, NY 14591

Perry Central School District
Superintendent
33 Watkins Avenue
Perry, NY 14530

w Central School District
ntendent
est Buffalo Street
w, NY 14569

Penn Yan Central School District
Superintendent
One School Drive
Penn Yan, NY 14527

e Central School District
ntendent
ter Street
e, NY 14837



Charter Schools Institute
State University of New York

UC 174

100 Pearl Street, 4th Floor
New York, New York 10007
(212) 433-8277
(212) 427-6510
newyorkcharters.org

James D. Merriman IV
Executive Director

March 11, 2004

Michael Johnson
Superintendent
Albany City School District
Academy Park
Albany, New York 12207

Dear Superintendent Johnson:

As courtesy, please find enclosed a redacted copy of the following charter application(s) received by the State University of New York in its capacity as a charter entity:

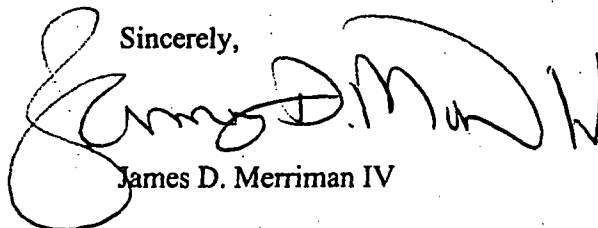
Achievement Academy Charter School

The Institute is currently reviewing the enclosed application(s) and expects to make a recommendation to the State University Board of Trustees no later than June 2004. If approved the proposed school(s) would open either in the 2004-05 or the 2005-06 school year.

As you may be aware, a school district in which a charter school is proposed to be located is entitled (but not required) to comment on the "proposed charter" prior to its final issuance. Similarly, a school district may (but again is not required) to convene a public meeting to receive comment on that proposed charter. While a proposed charter would not be entered into until and unless the State University Trustees approved the above-named application(s), the Institute would welcome any comment that you might wish to provide on the application itself and prior to the State University Trustees taking any action.

Should you have any questions, please do not hesitate to contact the Institute. Thank you.

Sincerely,



James D. Merriman IV

Enclosure

- c: Superintendents of contiguous school districts (w/o enclosure)
Directors/Principals of non-public schools within geographic area (w/o enclosure)

y City School District
ntendent
my Park
y, New York 12207

Berne-Knox-Westerlo Central School District
Superintendent
1738 Helderberg Trail
Berne, New York 12023

hem Central School District
ntendent
ams Place
r, New York 12054

Cohoes City School District
Superintendent
7 Bevan Street
Cohoes, New York 12047

Island Union Free School District
ntendent
udson Avenue
Island, New York 12183

Guilderland Central School District
Superintendent
6076 State Farm Road
Guilderland, New York 12084

wood Common School District
ntendent
hoes Road
vliet, New York 12189

Menands Union Free School District
Superintendent
17 Wards Lane
Menands, New York 12204

Colonie Central School District
ntendent
dler's Lane
n, New York 12110

Ravena-Coeymans-Selkirk Central School District
Superintendent
26 Thatcher Street
Selkirk, New York 12158

Colonie Central School District
 Superintendent
 Raleigh Drive
 Colonie, New York 12205

Voorheesville Central School District
 Superintendent
 432 New Salem Road
 Voorheesville, New York 12186

Albany City School District
 Superintendent
 Albany Avenue & 25th Street
 Albany, New York 12189

Academy of Holy Names – Upper School
 Principal/Director
 1075 New Scotland Road
 Albany, New York 12208

Albany Academy
 Principal/Director
 Academy Road
 Albany, New York 12208

Albany Academy for Girls
 Principal/Director
 140 Academy Road
 Albany, New York 12208

St. Maginn High School
 Principal/Director
 Wangerland Street
 Albany, New York 12202

Christian Brothers Academy
 Principal/Director
 12 Airline Drive
 Albany, New York 12205

Joane Stuart School
 Principal/Director
 South Pearl Street
 Albany, New York 12202

Hellman School At Parsons Center
 Principal/Director
 60 Academy Road
 Albany, New York 12208

e School
al/Director
estern Avenue
, New York 12203

Loudonville Christian School
Principal/Director
374 Loudon Road
Loudonville, New York 12211

e Christian Academy
pal/Director
an Buren Avenue
, New York 12205

St. Anne Institute
Principal/Director
160 North Main Avenue
Albany, New York 12206

Moriah Academy
pal/Director
oute 9W
iont, New York 12077

Academy of Holy Names – Lower/Middle School
Principal/Director
1065 New Scotland Avenue
Albany, New York 12208

r Islamic School
pal/Director
Central Avenue
ectady, New York 12304

Bethlehem Children's School
Principal/Director
12 Fisher Boulevard
Slingerlands, New York 12159

ed Sacrament School
pal/Director
entral Avenue
y, New York 12206

Christ The King School
Principal/Director
Sumter Avenue
Albany, New York 12203

Memorial School
Principal/Director
Mount Presentation Way
Albany, New York 12009

Cohoes Catholic School
Principal/Director
One Saint Marie Lane
Cohoes, New York 12047

School
Principal/Director
Main Street
Albany, New York 12202

Washington Academy of the Capital District
Principal/Director
Cold Creek Road
Albany, New York 12205

Holy Cross School
Principal/Director
10 Rosemont Street
Albany, New York 12203

Jonides Hebrew Day School
Principal/Director
New Krumkill Road
Albany, New York 12208

Our Savior's Lutheran School
Principal/Director
63 Mountain View Avenue
Albany, New York 12205

Saint Ambrose School
Principal/Director
347 Old Loudon Road
Latham, New York 12110

Brigid's Regional Catholic School
Principal/Director
15th Avenue
Albany, New York 12189

Saint Casimir Regional School
Principal/Director
309 Sheridan Avenue
Albany, New York 12206

Catherine of Siena School
Principal/Director
1st Avenue
Albany, New York 12208

Saint Catherine's Center For Children
Principal/Director
30 North Main Avenue
Albany, New York 12203

Coleman's School
Principal/Director
1st Road
Albany, New York 12189

Saint Gregory's School For Boys
Principal/Director
121 Old Niskayuna Road
Loudonville, New York 12211

James Institute
Principal/Director
Committee Avenue
Albany, New York 12209

Saint Madeline Sophie School
Principal/Director
3510 Carman Road
Schenectady, New York 12303

Matthew Lutheran School
Principal/Director
Highhall Road
Albany, New York 12209

Saint Pius X School
Principal/Director
Upper Loudon Road
Loudonville, New York 12211

Theresa of Avila School
Principal/Director
Wood Avenue
New York 12208

Saint Thomas the Apostle School
Principal/Director
42 Adams Place
Delmar, New York 12054

Capital District
Principal/Director
South Manning Boulevard
New York 12208



182

Charter Schools Institute
State University of New York

June 22, 2004

Michael Johnson
Superintendent
Albany City School District
Academy Park
Albany, New York 12207

Re: Approved Application

Dear Superintendent Johnson:

Pursuant to § 2857 of the Education Law, we hereby notify you that the Board of Trustees of the State University of New York (the "State University Trustees") met on June 22, 2004, and voted to approve the application for the Achievement Academy Charter School.

Please be advised that the application approved by the State University Trustees, together with the proposed charter will be forwarded to the Board of Regents for its review and comment.

Should you have any questions please do not hesitate to contact me. Thank you.

Sincerely,

Ralph A. Rossi II
General Counsel

c: Superintendents of contiguous school districts
Directors/Principals of non-public schools within geographic area
Charter Schools in geographic area
Darlene Mengel

City School District
 Superintendent
 My Park
 , New York 12207

Berne-Knox-Westerlo Central School District
 Superintendent
 1738 Helderberg Trail
 Berne, New York 12023

hem Central School District
 Superintendent
 ams Place
 r, New York 12054

Cohoes City School District
 Superintendent
 7 Bevan Street
 Cohoes, New York 12047

Island Union Free School District
 Superintendent
 udson Avenue
 Island, New York 12183

Guilderland Central School District
 Superintendent
 6076 State Farm Road
 Guilderland, New York 12084

Wood Common School District
 Superintendent
 hoes Road
 vliet, New York 12189

Menands Union Free School District
 Superintendent
 17 Wards Lane
 Menands, New York 12204

Colonie Central School District
 Superintendent
 Idler's Lane
 m, New York 12110

Ravena-Coeymans-Selkirk Central School District
 Superintendent
 26 Thatcher Street
 Selkirk, New York 12158

Colonie Central School District
 Superintendent
 Moralee Drive
 Colonie, New York 12205

Voorheesville Central School District
 Superintendent
 432 New Salem Road
 Voorheesville, New York 12186

Albany City School District
 Superintendent
 Avenue & 25th Street
 Albany, New York 12189

Academy of Holy Names – Upper School
 Principal/Director
 1075 New Scotland Road
 Albany, New York 12208

Albany Academy
 Principal/Director
 Academy Road
 Albany, New York 12208

Albany Academy for Girls
 Principal/Director
 140 Academy Road
 Albany, New York 12208

St. Maginn High School
 Principal/Director
 Highland Street
 Albany, New York 12202

Christian Brothers Academy
 Principal/Director
 12 Airline Drive
 Albany, New York 12205

Joane Stuart School
 Principal/Director
 South Pearl Street
 Albany, New York 12202

Hellman School At Parsons Center
 Principal/Director
 60 Academy Road
 Albany, New York 12208

le School
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 estern Avenue
 /, New York 12203

Loudonville Christian School
 Principal/Director
 374 Loudon Road
 Loudonville, New York 12211

le Christian Academy
 pal/Director
 an Buren Avenue
 y, New York 12205

St. Anne Institute
 Principal/Director
 160 North Main Avenue
 Albany, New York 12206

t Moriah Academy
 pal/Director
 oute 9W
 iont, New York 12077

Academy of Holy Names – Lower/Middle School
 Principal/Director
 1065 New Scotland Avenue
 Albany, New York 12208

ur Islamic School
 pal/Director
 Central Avenue
 ectady, New York 12304

Bethlehem Children's School
 Principal/Director
 12 Fisher Boulevard
 Slingerlands, New York 12159

ed Sacrament School
 pal/Director
 entral Avenue
 y, New York 12206

Christ The King School
 Principal/Director
 Sumter Avenue
 Albany, New York 12203

Memorial School
Principal/Director
Box 503
Mont, New York 12009

Cohoes Catholic School
Principal/Director
One Saint Marie Lane
Cohoes, New York 12047

School
Principal/Director
Street
y, New York 12202

W Academy of the Capital District
Principal/Director
Mid Creek Road
y, New York 12205

Holy Cross School
Principal/Director
10 Rosemont Street
Albany, New York 12203

Onides Hebrew Day School
Principal/Director
New Krumkill Road
y, New York 12208

Our Savior's Lutheran School
Principal/Director
63 Mountain View Avenue
Albany, New York 12205

Saint Ambrose School
Principal/Director
347 Old Loudon Road
Latham, New York 12110

Brigid's Regional Catholic School
 Principal/Director
 1500 5th Avenue
 Albany, New York 12206

Saint Casimir Regional School
 Principal/Director
 309 Sheridan Avenue
 Albany, New York 12206

Catherine of Siena School
 Principal/Director
 1000 1st Avenue
 Albany, New York 12208

Saint Catherine's Center For Children
 Principal/Director
 30 North Main Avenue
 Albany, New York 12203

Coleman's School
 Principal/Director
 1000 Road
 Albany, New York 12189

Saint Gregory's School For Boys
 Principal/Director
 121 Old Niskayuna Road
 Loudonville, New York 12211

James Institute
 Principal/Director
 1000 1st Avenue
 Albany, New York 12209

Saint Madeline Sophie School
 Principal/Director
 3510 Carman Road
 Schenectady, New York 12303

Matthew Lutheran School
 Principal/Director
 1000 1st Avenue
 Albany, New York 12209

Saint Pius X School
 Principal/Director
 Upper Loudon Road
 Loudonville, New York 12211

Theresa of Avila School
Principal/Director
Wood Avenue
New York 12208

Saint Thomas the Apostle School
Principal/Director
42 Adams Place
Delmar, New York 12054

Capital District
Principal/Director
South Manning Boulevard
New York 12208

Brighter Choice Charter School for Boys
Principal/Director
250 Central Avenue
Albany, New York 12206

Brighter Choice Charter School for Girls
Principal/Director
Central Avenue
New York 12206

KIPP Tech Valley Charter School
Principal/Director
c/o John Reilly
502 North Road
Troy, New York 12180

Covenant Charter School
Principal/Director
North Lark Street
New York 12210



00 191

Charter Schools Institute State University of New York

th Pearl Street, 4th Floor
New York 12207
(518) 433-8277
(8) 427-6510
nyorkcharters.org

James D. Merriman IV
Executive Director

March 11, 2004

Michael Johnson
Superintendent
Albany City School District
Academy Park
Albany, New York 12207

Dear Superintendent Johnson:

As courtesy, please find enclosed a redacted copy of the following charter application(s) received by the State University of New York in its capacity as a charter entity:

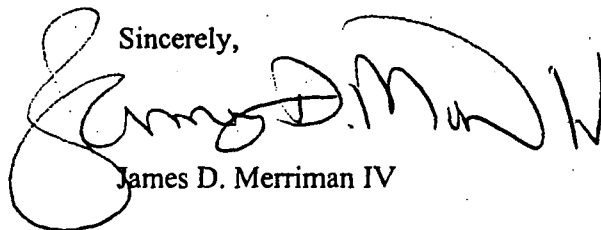
Achievement Academy Charter School

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Should you have any questions, please do not hesitate to contact the Institute. Thank you.

Sincerely,



James D. Merriman IV

Enclosure

- c: Superintendents of contiguous school districts (w/o enclosure)
Directors/Principals of non-public schools within geographic area (w/o enclosure)

City School District
Superintendent
My Park
New York 12207

Berne-Knox-Westerlo Central School District
Superintendent
1738 Helderberg Trail
Berne, New York 12023

hem Central School District
Superintendent
ams Place
r, New York 12054

Cohoes City School District
Superintendent
7 Bevan Street
Cohoes, New York 12047

Island Union Free School District
Superintendent
adson Avenue
Island, New York 12183

Guilderland Central School District
Superintendent
6076 State Farm Road
Guilderland, New York 12084

wood Common School District
Superintendent
ioes Road
vliet, New York 12189

Menands Union Free School District
Superintendent
17 Wards Lane
Menands, New York 12204

Colonie Central School District
Superintendent
dler's Lane
n, New York 12110

Ravena-Coeymans-Selkirk Central School District
Superintendent
26 Thatcher Street
Selkirk, New York 12158

Colonie Central School District
 Superintendent
 Raleigh Drive
 Colonie, New York 12205

Voorheesville Central School District
 Superintendent
 432 New Salem Road
 Voorheesville, New York 12186

Albany City School District
 Superintendent
 Broadway & 25th Street
 Albany, New York 12189

Academy of Holy Names – Upper School
 Principal/Director
 1075 New Scotland Road
 Albany, New York 12208

Albany Academy
 Principal/Director
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 Albany, New York 12208

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 140 Academy Road
 Albany, New York 12208

St. Maginn High School
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 Highland Street
 Albany, New York 12202

Christian Brothers Academy
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 12 Airline Drive
 Albany, New York 12205

Joane Stuart School
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 South Pearl Street
 Albany, New York 12202

Hellman School At Parsons Center
 Principal/Director
 60 Academy Road
 Albany, New York 12208

: School
 al/Director
 stern Avenue
 , New York 12203

Loudonville Christian School
 Principal/Director
 374 Loudon Road
 Loudonville, New York 12211

: Christian Academy
 al/Director
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 , New York 12205

St. Anne Institute
 Principal/Director
 160 North Main Avenue
 Albany, New York 12206

Moriah Academy
 al/Director
 orte 9W
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Academy of Holy Names – Lower/Middle School
 Principal/Director
 1065 New Scotland Avenue
 Albany, New York 12208

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 12 Fisher Boulevard
 Slingerlands, New York 12159

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 Sumter Avenue
 Albany, New York 12203

Memorial School
Principal/Director
Mount Presentation Way
Mont, New York 12009

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School
Principal/Director
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New York 12208

Saint Thomas the Apostle School
Principal/Director
42 Adams Place
Delmar, New York 12054

Capital District
Principal/Director
South Manning Boulevard
New York 12208



Charter Schools Institute
State University of New York

June 22, 2004

Michael Johnson
Superintendent
Albany City School District
Academy Park
Albany, New York 12207

Re: Approved Application

Dear Superintendent Johnson:

Pursuant to § 2857 of the Education Law, we hereby notify you that the Board of Trustees of the State University of New York (the "State University Trustees") met on June 22, 2004, and voted to approve the application for the Achievement Academy Charter School.

Please be advised that the application approved by the State University Trustees, together with the proposed charter will be forwarded to the Board of Regents for its review and comment.

Should you have any questions please do not hesitate to contact me. Thank you.

Sincerely,

Ralph A. Rossi II
General Counsel

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Directors/Principals of non-public schools within geographic area
Charter Schools in geographic area
Darlene Mengel

City School District
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City Park
Albany, New York 12207

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Albany, New York 12054

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Superintendent
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Superintendent
Adrian Avenue
Island, New York 12183

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Superintendent
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Guilderland, New York 12084

Wood Common School District
Superintendent
Cohoes Road
Albany, New York 12189

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Superintendent
17 Wards Lane
Menands, New York 12204

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Superintendent
Hedley's Lane
Albany, New York 12110

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Principal/Director
Box 503
Mont, New York 12009

Cohoes Catholic School
Principal/Director
One Saint Marie Lane
Cohoes, New York 12047

School
Principal/Director
Street
y, New York 12202

W Academy of the Capital District
Principal/Director
1d Creek Road
y, New York 12205

Holy Cross School
Principal/Director
10 Rosemont Street
Albany, New York 12203

onides Hebrew Day School
Principal/Director
ew Krumkill Road
y, New York 12208

Our Savior's Lutheran School
Principal/Director
63 Mountain View Avenue
Albany, New York 12205

Saint Ambrose School
Principal/Director
347 Old Loudon Road
Latham, New York 12110

Brigid's Regional Catholic School
Principal/Director
15th Avenue
Albany, New York 12206

Saint Casimir Regional School
Principal/Director
309 Sheridan Avenue
Albany, New York 12206

Catherine of Siena School
Principal/Director
1st Avenue
Albany, New York 12208

Saint Catherine's Center For Children
Principal/Director
30 North Main Avenue
Albany, New York 12203

Coleman's School
Principal/Director
1st Road
Albany, New York 12189

Saint Gregory's School For Boys
Principal/Director
121 Old Niskayuna Road
Loudonville, New York 12211

James Institute
Principal/Director
1st Avenue
Albany, New York 12209

Saint Madeline Sophie School
Principal/Director
3510 Carman Road
Schenectady, New York 12303

Matthew Lutheran School
Principal/Director
1st Avenue
Albany, New York 12209

Saint Pius X School
Principal/Director
Upper Loudon Road
Loudonville, New York 12211

Theresa of Avila School
Principal/Director
Wood Avenue
New York 12208

Saint Thomas the Apostle School
Principal/Director
42 Adams Place
Delmar, New York 12054

Capital District
Principal/Director
South Manning Boulevard
New York 12208

Brighter Choice Charter School for Boys
Principal/Director
250 Central Avenue
Albany, New York 12206

Brighter Choice Charter School for Girls
Principal/Director
Central Avenue
New York 12206

KIPP Tech Valley Charter School
Principal/Director
c/o John Reilly
502 North Road
Troy, New York 12180

Covenant Charter School
Principal/Director
North Lark Street
New York 12210

Charter Schools Unit

JUL 02 2004

**ACHIEVEMENT ACADEMY CHARTER SCHOOL
Albany, New York**

VOLUME ONE: ATTACHMENTS

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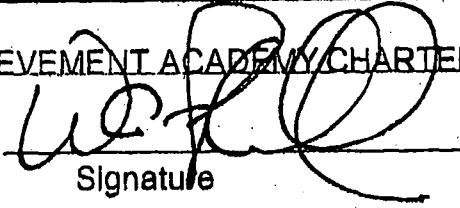
MAR 01 2004

Charter Schools Institute

CHARTER SCHOOL APPLICATION
TRANSMITTAL FORM AND COVER SHEET

Working Name of Charter School: ACHIEVEMENT ACADEMY CHARTER SCHOOL

Applicant Contact: William A. Phillips
Print or type name


Signature

APPLICANT CONTACT INFORMATION

Mailing Address: [REDACTED]
[REDACTED], NY [REDACTED]

Telephone: [REDACTED]

Facsimile: [REDACTED]

E-mail: [REDACTED]

Partner Organization: Achievement First, Inc.

Contact: Doug McCurry (203) 773-0390

SCHOOL SUMMARY

First year grade levels to be served: FIFTH GRADE

First year targeted enrollment: 75

Location (school district): ALBANY, NEW YORK

COMPLETED APPLICATIONS MUST BE SUBMITTED TO:

Charter Schools Institute
State University of New York
74 North Pearl Street, 4th Floor, Albany, NY 12207
Telephone: (518) 433-8277; Facsimile: (518) 427-6510
E-Mail: charters@sysadm.suny.edu
www.newyorkcharters.org

FOR OFFICE USE ONLY: 2004-191

Received by: JES

Date Received: 3/1/04

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TABLE OF CONTENTS

VOLUME ONE: ATTACHMENTS

Section I: Establishment & School Design

1. Name of proposed school
2. Applicant
3. Anticipated opening date
4. Requested initial term
5. Enrollment schedule
6. Enrollment rationale
7. Similar Current, or prior, application submission
8. Partnership with Achievement First, Inc.
9. Relationship with management co. (not applicable)

Section II: School Mission & Summary

10. Mission statement
11. Executive summary

Section III: Academic Program, Standards, Curriculum, & Assessment

- 12(a). School calendar
- 12(b). Weekly school schedule
13. Student achievement goals
14. Learning standards and curriculum
- 15(a). New York state assessments
- 15(b). Standardized test
16. Other methods of assessment
17. Requirements for diploma

Section IV: Student Populations

- 18(a). Students with disabilities
- 18(b). Special education assurances
19. Limited English proficiency
20. Students at-risk of academic failure
21. Other targeted student populations (not applicable)

Section V: Parental & Community Involvement

- 22(a). Parental involvement in school governance
- 22(b). Staff involvement in school governance
23. Evidence of community interest and support
24. Programmatic and fiscal impact on public and nonpublic schools

Section VI: School Governance

25. Qualifications for the board of trustees
26. Members of the board of trustees
27. By-laws
28. Responsibilities and obligations of the board of trustees
29. Organizational chart
30. Code of ethics

Section VII: School Policies

31. Student admission policies and procedures
32. Discipline policy and procedures

33. Discipline policy for students with disabilities
34. Dress code
35. Food services
36. Health services
37. New York State Freedom of Information law compliance
38. New York State Open Meetings law compliance
39. Complaint procedure
40. Dissolution procedure

Section VIII: Personnel

41. Personnel Manual
42. Roster of instructional staff
43. Waiver from collective bargaining

Section IX: Finances & Accountability

44. Start-up budget
45. First-year budget
46. Five-year financial plan
47. Financial Soundness
48. Programmatic and fiscal audits
49. Insurance

Section X: School Facilities

50. School location
- 51(a). Facility description
- 51(b). Plan for identifying facility
52. Facility financing
53. Facility layout
54. Transportation
55. Expansion plan

Section XI: Miscellaneous

56. Assurances against private school conversion
57. Additional information

VOLUME TWO: EXHIBITS

Exhibit A	Management agreement (not applicable)
Exhibit B	Management co. background (not applicable)
Exhibit C	Learning Standards and Curriculum
Exhibit D	By-Laws
Exhibit E	Freedom of Information Law Policy
Exhibit F	Open Meetings Law Policy
Exhibit G	Personnel Policies; Staff Responsibilities and Qualifications
Exhibit H	Appendices:
	1. Agreement Letter with Amistad's Achievement First, Inc.
	2. Background information on Amistad Academy
	3. Community interest/support survey summary
	4. Trustee Resumes & Request for Information Forms
	5. Petition evidence of community interest/support

ATTACHMENT 1

Provide the name of the proposed charter school.

The name of the proposed charter school is the Achievement Academy Charter School.

ATTACHMENT 2

Provide the name of each applicant. If you are applying as a single applicant, include your home address, telephone number(s) (home and office), facsimile number and email address. If there is more than one applicant, you must then designate one applicant as the contact person for the application and provide the contact information set forth above for that individual. In addition, provide background information for each applicant, including whether he or she is a teacher, parent, school administrator, and/or community resident and if he or she would be a member of the charter school's Board of Trustees.

Lead Applicant:

Orville M. Abrahams

Community member – resident of, and occupation in, Albany, New York
Member of the Board of Trustees (Resume and RFI in Exhibit H—Appendix 4)

Mr. Abrahams is an Associate Executive Director at the Capital District YMCA, a non-profit, charitable organization dedicated to the promotion of fitness and healthy life styles, strengthened family life, community development, the instilment of leadership qualities in our young people and strengthened international understanding based upon Judeo-Christian principles. At the Capital District YMCA Mr. Abrahams is responsible for assisting in the operation of an urban YMCA with an annual budget of 3.5 million dollars. Previously, Mr. Abrahams was employed as a HOPE VI Community Manager and a Development Manager for the Albany Housing Authority, a non-profit organization dedicated to providing safe, clean and decent housing for very low to moderate-income residents of the City of Albany. Mr. Abrahams earned his undergraduate degree in psychology from the State University of New York, University Center at Albany (SUNYA) and is currently enrolled in the Masters of Business Administration (MBA) program at the School of Business at the SUNYA. Mr. Abrahams is a graduate of Albany public schools and has resided in the City of Albany for the majority of his life.

Co-Applicant and Contact:

Bill Phillips

REDACTED

Parent & Community Member – resident of Hoosick Falls and occupation in Albany
Member of the Board of Trustees (resume and RFI in Exhibit H—Appendix 4)

Mr. Phillips currently serves as President of the New York Charter Schools Association, (NYCSA). Prior to joining NYCSA, Mr. Phillips served in business development

leadership positions with Beacon Education Management and SABIS Educational Systems. A former school board member in North Attleboro, Massachusetts, he served as chair of the finance committee and founded the SABIS-Foxborough Regional Charter School. He continues to be active in community affairs, serving on the St. Mary's Academy Advisory Board and Immaculate Conception Parish Council in Hoosick Falls. Mr. Phillips' background includes marketing, sales, and engineering for Synertron, Inc. and Texas Instruments. Mr. Phillips earned his Masters in Public Administration from The George Washington University while also serving as a Congressional Fellow for Ford Motor Company. He received a Bachelors of Science in Industrial Engineering from Lehigh University.

ATTACHMENT 3

Provide the opening date of the charter school.

The anticipated opening date of the Achievement Academy Charter School is July 11, 2005 to commence a summer school institute for incoming fifth grade students at-risk of academic failure. Regular school session will then begin on September 6, 2005.

ATTACHMENT 4

Provide the initial term of the charter.

The requested initial term for Achievement Academy Charter School is five (5) years, with the charter effective upon approval and issuance by the State Board of Regents. Assuming this occurs prior to September 2004, the Founders propose that the five-year charter comprise an initial planning year in 2004-05, followed by four academic years.

ATTACHMENT 5

Provide for each year of the charter that you are seeking, the grades that the school would serve, the number of students to be served in each grade, the number of children expected in each class, and the total number of enrolled students. If providing kindergarten, please indicate the minimum age that the school will require a child to have attained to be eligible for enrollment.

Following the planning year in 2004-05, Achievement Academy Charter School will open in 2005-06 with approximately 75 students in the fifth grade. Each year thereafter, one grade level will be added as a new class of fifth graders is admitted. By 2008-09, the Charter School will serve grades five through eight with approximately 300 students. Class size generally will not exceed 25 students. The diagram below details this plan.

	2004-05 Year 1	2005-06 Year 2	2006-07 Year 3	2007-08 Year 4	2008-09 Year 5
Fifth Grade		75	75	75	75
Sixth Grade			75	75	75
Seventh Grade				75	75
Eighth Grade					75
Total	--	75	150	225	300

ATTACHMENT 6

Provide the rationale for choosing to serve the grades and number of students in each grade and in the school as a whole. In addition, if you are planning to add grades or expand enrollment in the second or subsequent years of your charter, please explain the rationale for your growth plan.

The rationale for the enrollment plan is set forth under the following objectives:

- 1) Address the critical need to provide public choice alternatives for Albany's middle school students that presently have only two middle school choices now in the public system—both of which are on the Education Department's list of Schools in Need of Improvement.
- 2) Establish a strong, disciplined school culture by the time the students reach more traditional middle school grades, particularly grades 7 and 8. In other words, by serving students in fifth grade, the Charter School can work with them as they reach that transitional age between traditional elementary and middle school years.
- 3) Begin with a small, manageable number of students as financially feasible in the Charter School so as to minimize the likelihood of difficulty, and establish a strong school culture where learning can begin in earnest and excel by the time of the eighth grade state assessments.
- 4) Coincide with the alignment of the state learning standards, which has intermediate-level performance indicators covering grades 5 thru 8.
- 5) Address immediately the precipitous decline in student academic performance on state assessments from the fourth grade to eighth grade.

It also should be noted that the grade and enrollment configuration exactly corresponds to the Amistad Academy in New Haven, Connecticut.

ATTACHMENT 7

(a) Indicate whether you have submitted a substantially similar application to another charter entity simultaneous with submission of this application. If so, provide the name of the charter entity, the date the application was submitted and the status of the application.

There has been no similar application submitted to another charter entity simultaneously with this Application for the Achievement Academy Charter School.

(b) If you have previously applied for a charter from another charter entity and it was denied, provide a copy of the letter from the charter entity stating the reasons the application was denied.

This is not applicable as this application has not previously been submitted to any charter entity.

ATTACHMENT 8

If you are filing the application in conjunction with a college, university, museum, educational institution, or a not-for-profit corporation with 501(c)(3) status under the Internal Revenue Code, please provide the information below for each such entity. If, on the other hand, you are filing this application in conjunction with a for-profit entity or a not-for-profit management company, and you are not applying in conjunction with any other of the entities described above, you may indicate that Request No. 8 is not applicable and proceed directly to Request No. 9. If you are not filing in conjunction with any entity, please so indicate in your responses to Requests Nos. 8 and 9 and proceed to Request No. 10.

- Name of the organization;
 - A letter of intent or commitment from a bona fide representative of the partner organization indicating that the organization is undertaking the partnership and the terms and extent of the undertaking;
 - The name of a contact person for the partner organization;
 - The address, phone number, facsimile number, and e-mail of such contact person for the partner organization;
- A description of the nature and purpose of the school's partnership with the organization.

The Founders of the Achievement Academy Charter School are working in partnership with Achievement First and the Amistad Academy, located in New Haven, Connecticut, to use the Amistad school design and bring its best practices to Albany for the benefit of Albany's schoolchildren. The Amistad educational model has produced dramatic gains in student academic performance for its New Haven students and we believe this program can provide similar results in Albany. [Additional detail on the Amistad school design and student achievement results can be found in the Executive Summary (Att.11) and Exhibit H (Appendix 2).]

A partnership agreement will become effective upon approval of the Achievement Academy Charter School's application and be formally entered into between it and Achievement First, Inc., the non-profit entity formed by the leaders of Amistad Academy. Achievement First provides schools with access to the fundamental characteristics of the Amistad Academy model, as well as a menu of support services such as leadership and faculty recruitment and training, curriculum development, and school evaluation. A copy of this agreement is provided in Exhibit H—Appendix 1 of Volume Two of this Application and stipulates the following:

- Amistad Charter School will provide access to the Amistad Academy Charter School curriculum, standards, and assessment materials for grades 5-8 at an annual cost of \$5,000.
- Amistad will provide leadership training for Achievement Academy Charter School's selected Principal (the head of school). The training will take the form of a residency where the leader will train with and learn from Amistad staff at a cost to the Charter School of \$15,000.

- Achievement Academy Charter School will save a board seat for one faculty representative of the Amistad Academy Charter School.

It also should be noted that ***no management or operational role*** shall be performed in the Achievement Academy Charter School by Achievement First, Inc. or the Amistad Academy of New Haven (only one faculty member of Amistad Academy is on the Achievement Academy Charter School's Board of Trustees).

The contact for Achievement First and the Amistad Academy who is responsible for the partnership with the Achievement Academy Charter School is:

Doug McCurry
Achievement First
407 James Street
New Haven, CT 06513
203.773.0390 phone
203.773.0364 fax
dmccurry@grow.net

Additional information and background on the Amistad Academy, including student academic performance, is provided in Exhibit H—Appendix 2 of Volume Two of this Application.

The founders of the Amistad Academy were driven by the desire to prove that urban students can perform at the same high levels of their suburban peers if given the proper instruction and support. We, the Founders of the Achievement Academy Charter School, share this view and are prepared to employ the same successful design and implementation that will produce academic excellence, responsible citizenship and school reform for the students and residents of the City of Albany.

ATTACHMENT 9

(a) If the charter school would be established in conjunction with a for-profit entity (including but not limited to a management company) or a non-profit management company, then please provide the name of such entity and specify the extent of the entity's participation in the management and operation of the school. As part of such discussion, please include the following:

- a term sheet indicating at a minimum, the fees to be paid by the proposed school to the management company, the length of the proposed contract, the terms for the contract's renewal and all provisions for termination; and
- copies of the last two contracts that the management company has executed with operating charter schools (in New York and other states) and, if applicable, the status of those charter school's application for tax-exempt status under section 501(c)(3) of the Internal Revenue Code.

This question is not applicable, as there is no management company relationship or formal or informal relationship with a for-profit company established in conjunction with this application for the Achievement Academy Charter School.

(b) Please explain how and why the entity was selected.

This is not applicable.

(c) If Requests Nos. 9(a) and 9(b) are applicable to your application, then provide all of the following information. If not applicable, please so note and proceed to Request No. 10.

- Evidence that the corporate entity is authorized to do business in New York State;
- The number of schools the entity presently manages (if any) and the location of those schools;
- The length of time the entity has been in business;
- The most recent annual report of the entity; and
- A description or summary reports of student achievement results in schools managed by the entity.

This is not applicable.

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ATTACHMENT 10

Develop and attach the mission statement for the proposed charter school.

The mission of the Achievement Academy Charter School is to produce in young people the academic excellence and responsible public citizenship that will propel them to success in high school, college and their chosen careers. A rigorous, standards-based, college-preparatory curriculum and design will be implemented to accelerate student learning and achievement. Student academic performance, especially in reading, writing, math and public citizenship, will be tracked using measurable outcomes and skills assessments. Public citizenship will be a cornerstone of learning by instilling in students the values of Respect, Enthusiasm, Achievement, Citizenship, and Hard Work from the character program, "REACH" so that students ~~to~~ take responsibility for themselves, their school and their community.

ATTACHMENT 11

Provide an "Executive Summary" for the proposed charter school.

There is nothing new with respect to how to properly educate a child. There are successful academic programs, and less effective academic programs. There are examples of sound leadership and implementation strategies, and ineffective ones.

The Achievement Academy Charter School for Albany will use a proven educational program that has worked successfully for a similar population and will implement it effectively. The Founders purpose is to implement an established model of academic success for public middle school students in grades five through eight—success demonstrated by assessment results in the key areas of math, reading and writing, the pillars for successful learning in all other areas.

After examining several successful school models, the Founders are committed to adopting the school design of the Amistad Academy, a public charter school in New Haven, Connecticut serving mostly minority students in poverty. Amistad's program has produced dramatic gains in academic achievement for its student population – the primary objective of our proposal for Albany. For example, Academy eighth grade students in 2002 not only showed strong gains from two years prior, but outperformed both the district and statewide average scores on Connecticut's state assessments on math, reading and writing (see Exhibit H—Appendix 2 for further discussion of these results).

The need for a strong, successful middle school in Albany is evidenced by the dismal results of the District's middle school students on state assessments, results that are sadly typical of many urban school districts throughout New York State. In 2003, eighth grade results on the state assessment in English Language Arts showed that nearly three out of every four students (73 percent) did not meet the state performance standards, i.e., scoring at least a level 3 or 4. The results on the mathematics assessment are similar, with approximately 72 percent of the students failing to meet the standards.

More alarmingly, the percentage of African-American and Latino students in Albany's public middle schools not meeting standards is unacceptably higher than the District average, as nearly 9 out of 10 minority students did not meet state standards for the state's 8th grade English Language Arts test in the 2001-02 school year, the most recent year such results are available.

Both of Albany's current middle schools are on the Education Department's list of Schools in Need of Improvement. The Albany School District's initiative to construct an additional middle school without major reforms in programming and approach will not mitigate this problem. There is no indication from the District that either is forthcoming. Moreover, the New Covenant Charter School no longer will be serving middle school students due to its inability to improve their academic performance.

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Attachment 11-1

Fortunately, Albany students will have a new public middle school opportunity with the opening of the KIPP Tech Valley Charter School in 2005. Still, with only 90 slots initially available for the fifth grade (increasing annually to a grade 5-8 program), even a proven educational program such as KIPP is not sufficient to meet the needs of the hundreds of students being ill-served by the status quo.

The Amistad program being proposed by this application for the Achievement Academy Charter School will add to Albany's public middle school options, especially for students 'at-risk' of academic failure. This Charter School will more effectively increase student learning and achievement and be held accountable for doing so by implementing academic and cultural features outlined below.

Focus on Student Achievement:

- Measurable student academic achievement will drive educational decision-making.
- A relentless focus on achieving dramatic, measurable results in student academic performance; and on ensuring that all students understand and master learning the standards.
- Resources prioritized to finance the tools and actions that directly improve student performance.

Responsible School Governance:

- Board of Trustees with expertise in community-based service management, business, education policy, law and accounting.
- Accountable to the charter entity, Board of Regents and applicable law to ensure educational and fiscal soundness of the School.
- Establishment of clear accountability and expectations, delineating between oversight and policy-making from day-to-day staff and teaching responsibilities.
- Delegation of personnel management to school leadership to more effectively hold school leadership accountable.

Quality of School Leadership:

- Recruitment of talented and dedicated school leaders.
- Replacement of ineffective leaders.
- Achievement-focused, standards-based training that fosters a belief in and commitment to measurable outcomes.
- Development and coaching of teachers to facilitate and lead curriculum implementation.

Quality of Teachers:

- Aggressive teacher recruitment using a rigorous and wide-ranging application process, including written responses to questions, a sample lesson, intensive interviews, and background/reference checks.

- Initial week-long training around research-based, proven instructional strategies, classroom management, school discipline, and standards-based and data-based instruction.
- Ongoing training and coaching, including at least 12 days of professional staff development during the school year, about half of which will occur on Saturdays to mitigate against lost instruction time for students.

Curriculum, assessments and strategic use of data:

- Standards-based, college-preparatory scope and sequences, assessments, units and practice materials for each subject and aligned to the New York State learning standards.
- Periodic use of standards-based assessments, given in 6-week cycles, to inform instruction around student mastery of clear standards and cumulative retention of standards (i.e., incorporating 'older' material previously covered).
- Use of technology to help teachers and school leaders analyze student performance data and access appropriate standards-based materials.
- English is taught 2 to 3 hours daily and includes a focus on comprehension; an emphasis on grammar, organization and flow in writing; the reading of more than 50 books annually; and augmented by a corrective reading program for students behind in their progress.
- Math includes completion of pre-algebra by the end of 7th grade and Algebra I by the end of 8th grade.
- Science includes physical, life and earth science.
- History includes U.S. history and world cultures.
- Foreign language instruction for grades 7 and 8.

School culture:

- An achievement-oriented, no-excuses culture built around clear expectations and teacher consistency.
- Clearly defined school values communicated to parents and students.
- Behavioral expectations consistently explained and reinforced, with emphasis on the observable "REACH" behaviors, i.e., Respect, Enthusiasm, Achievement, Citizenship, and Hard Work.
- Morning Circle time daily to affirm School values and behavior expectations in class and to recognize student behavior and achievement through rating and award systems.
- School uniforms worn properly are required for every student.

More time on task for students:

- At least 240 minutes of reading, writing and math daily.
- Longer school days (7:30-5:00) with afternoon tutoring and summer intervention programs necessary for struggling students.
- Uninterrupted instructional time, minimizing assemblies or events during these periods.

Student Support:

- Each student has an advisor responsible for monitoring and supporting their academic success and REACH behavior.
- Formal Advisory class up to twice weekly teaching critical social skills.
- Daily schedule allotments for tutoring, enrichment and homework.

Parent Connection:

- Parents are strongly and consistently encouraged to work with the School on issues of behavior, homework and attendance.
- Parent Leadership Council involves parents in a structured way with the School Leadership and activities.
- Board of Trustees seat reserve for parent of child attending the School;
- Accountability to parents as customers as the charter school must market to them and succeed by their children to sustain enrollment.

The Founders and Trustees of the proposed Achievement Academy Charter School are committed to bring to Albany a nationally-recognized, successful public school model where it is needed most: to a vulnerable, at-risk student population facing their middle school years. With proven success in New Haven, and the success of similar school designs in urban pockets across America, there is every reason and possibility to give Albany students the same benefit.

The Charter School Law in New York provides just that opportunity and we must act now.

ATTACHMENT 12a

Provide a copy of the proposed school's calendar in the first year of its operation. The calendar must indicate the number of days of instruction that the school will offer.

The Achievement Academy Charter School shall have a school year of approximately 210 days annually from September to mid-July. Up to 15 days will be annually scheduled beginning in July for incoming students in need of remediation. During the school year there are at least 10 staff development in addition to pre-opening training days, and there may be two or more Saturdays for classes held for state test preparation (not yet determined). The tentative annual school year calendar follows:

2005

July 11-29: Summer school institute (incoming students) & staff development

Aug. 31-Sept. 1: Teacher development and orientation

September 6: Regular School session begins

September 27: Parent Reception

October 10: Columbus Day (no classes)

October 14-15: Staff development (no classes)

November 18-19: Staff development (no classes)

November 24-27: Thanksgiving Break

Dec. 24-Jan. 2: Winter/Christmas break (no classes)

2006

January 3: School back in session

January 16: Martin Luther King Holiday (no classes)

January 20-21: Staff development (no classes)

February 10-11: Staff development (no classes)

February 20: Washington-Lincoln Day (no classes)

March 17-18: Staff development (no classes)

April 8-16: Spring Break (no classes)

April 17: Classes resume

May 12-13: Staff development (no classes)

May 29: Memorial Day (no classes)

July 3-4: Independence Day break (no classes)

July 14: Last day of class

ATTACHMENT 12b

Provide a daily schedule of the periods of instruction, i.e. academic subjects, recess or recreation, study periods, and length of the school day, including start time and dismissal time for each grade that you are to serve during the term of the provisional charter.

The following is a daily schedule for the fifth, sixth, seventh and eighth grades at Achievement Academy Charter School. School begins at 7:30 a.m. and concludes at 5:00 p.m., Monday through Friday. The School shall apply for and use federal Title I and other applicable funds to help provide for additional qualifying instruction resulting from the longer school day and year.

Average weekly allotment of time for each subject is listed on the following page.

Sample Daily Schedule – All grades (tentative)

	Monday	Tuesday	Wednesday	Thursday	Friday	
7:30-7:55	Breakfast/ Homeroom	Breakfast/ Homeroom	Breakfast/ Homeroom	Breakfast/ Homeroom	7:30- 7:55	Breakfast/ Homeroom
8:00-8:10	Morning Circle	Morning Circle	Morning Circle	Morning Circle	8:00- 8:10	Morning Circle
8:15-8:35	Advisory Time/REACH class	Advisory Time/REACH Class	Advisory Time/REACH class	Advisory Time/REACH class	8:15- 9:20	ELA: Reading
8:40-9:45	ELA: Reading	ELA: Reading	ELA: Reading	ELA: Reading	9:25- 10:35	Math
9:50-11:00	Math	Math	Math	Math	10:35- 10:45	Break
11:00-11:20	Break	Break	Break	Break	10:50- 11:55	ELA: Writing
11:20-12:25	ELA: Writing	ELA: Writing	ELA: Writing	ELA: Writing	12:00- 12:30	Lunch
12:30-1:00	Lunch	Lunch	Lunch	Lunch	12:35- 1:45**	Science/ Social St.
1:05-1:55	PE/ Arts	PE/ Arts	PE/ Arts	PE/ Arts	2:00- 5:00	Faculty professional develop- ment; grading; staff meetings
2:00-3:10	Science/ Social St.	Science/ Social St.	Science/ Social St.	Science/ Social St.		
3:15-3:55*	Tutoring/ Reading/ Enrichment	Tutoring/ Reading Enrichment	Tutoring/ Reading Enrichment	Tutoring/ Reading Enrichment		
4:00-5:00	Tutoring/ Homework	Tutoring/ Homework	Tutoring/ Homework	Tutoring/ Homework		

*Foreign Language instruction beginning for 7th and 8th grade students likely will occur during this period and overlapping into the final period.

** Friday schedule provides for 1:45 p.m. student dismissal followed by 15 minute interim whereupon faculty regroups at 2:00 p.m. and remains up to 5:00 p.m. (see below).

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The schedule provides the following average weekly allotments of time for each core subject listed below. Note that Science and Social Studies will meet on alternative days during the same period amounting to three full periods of 70 minutes each during every six-day cycle (thus average 2.5 periods weekly).

English Language Arts (reading & writing)	650 minutes (nearly 11 hours)
Mathematics	350 minutes (nearly 6 hours)
Science	175 minutes (nearly 3 hours)
Social Studies	175 minutes (nearly 3 hours)
TOTAL weekly time for Core Subjects	1,350 minutes (22.5 hours)

The schedule provides time allotments for the following additional activities:

Morning Circle. Each day following breakfast and homeroom, Morning Circle will commence to encourage and reinforce positive attitudes and School values. Students will be recognized by teachers and students for living up to REACH (see below) and students may account for tardiness or poor behavior.

Advisory Time. Students will meet with their assigned advisors (primarily the faculty) who will use this time to monitor and support student's academic goals and progress, review overall conduct, teach social skills and positive behavior, and remind and affirm them of REACH values. The advisor is the primary point of contact for the parent to relay information on their child.

REACH. The Achievement Academy Charter School's character education program, Respect, Enthusiasm, Achievement, Citizenship, and Hard Work will be reinforced by student advisors on a daily basis and communicated to parents so they know clearly the School expectations of their child. This key component of the Amistad school design is central to establishing as favorable a learning environment as possible to achieve student academic success. Further discussion of the REACH character education program and its behavioral rubric is provided in the Discipline Code (Attachment 32).

Physical Education/The Arts. These courses will meet between two and three times weekly and follow the state standards and performance indicators for instruction.

Foreign Language. The plan at this time is for Spanish to be taught beginning in 7th grade and will overlap with the latter two periods of the day. Tutoring and homework times for fifth and sixth grade students will better enable them to acclimate to Charter School's culture and programs. Should it be determined that foreign language be offered in the earlier grades, scheduling adjustments shall be made accordingly without compromising instruction time in the core subjects, particularly reading, writing and math.

Decoding/Reading/Enrichment. This period is for tutoring students in reading and decoding; reading time and enrichment activities including developing advanced programming to challenge more gifted students. This period for a number of students would effectively continue into the last period for ongoing tutoring, reading, enrichment and homework activities.

Tutoring & Homework. For the final hour of each day, students will be responsible to begin preparing their homework assignments and study or undergo tutoring or make-up assignments as warranted. This time also will be used for enrichment classes and activities as offerings develop, including, but not limited to: orchestra, intramurals, the arts (drama, dance, visual) and interscholastic sports.

Faculty Time (Friday P.M.). Each Friday afternoon, beginning at 2:00 p.m., teachers will have up to three hours for professional development, grading and staff meetings. Advisory time or tutoring may also be done during this period, as necessary. This weekly time allotment approximates the schedule of the Amistad Academy and has been shown to be invaluable due to the length of rigor of the weekly schedule.

ATTACHMENT 13

Provide a description of the student achievement goals for the proposed school's educational program.

The Achievement Academy Charter School shall have the following student achievement goals:

1. All students will meet or exceed the New York State Board of Regents student performance standards for public schools; however, as measured by state assessments given in grades 5-8, our school-wide goal is to ensure that 65 percent of students who have been enrolled at Achievement Academy for two or more school years, and 75 percent of students enrolled for three or more school years achieve proficient or exceeds standards on the state assessments given in grades five thru eight.
2. All students will demonstrate yearly progress towards those larger goals with consistent yearly gains by same student cohorts as measured by significant reductions in each cohort's distance from the Regents student performance standards.
3. As a collective group (all students taking the state assessments), the Charter School will outperform all public and private middle schools in the City of Albany in terms of percent passing (scoring level 3 or 4) and mean scale score on state assessments.

More specific achievement goals will be developed in the first year of the School's operation as part of the Charter School Accountability Plan required by the State University Charter Schools Institute.

ATTACHMENT 14

Provide the proposed school's learning standards and curriculum, including a description of the skills and knowledge each student will be expected to attain by the end of each grade (or course) in each year of the charter. In addition, indicate that the education program you have described meets or exceeds the student performance standards established by the Board of Regents.

The curriculum of the Achievement Academy Charter School, aligned with the New York State Learning Standards to the intermediate performance indicator level, is provided in Exhibit C contained in Volume Two of this Application.

This program shall prepare students to meet and exceed the performance standards set forth by the New York State Board of Regents. The Charter School also shall ensure that instruction is provided to all students in each of the seven learning standard curriculum areas set forth by the State Education Department and Board of Regents.

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ATTACHMENT 15

Attach a schedule of the state assessments that the charter school will administer.

The Achievement Academy Charter School shall administer all required New York State assessments for the fifth through eighth grades as shown by the chart below. At this time, the School does not plan to administer the Optional Intermediate Level Technology Education assessment.

	Grade 5	Grade 6	Grade 7	Grade 8
Mathematics	New York State Mathematics Exam	New York State Mathematics Exam	New York State Mathematics Exam	New York State Mathematics Exam
Language Arts	New York State English Language Arts Exam	NYS English Language Arts Exam	NYS English Language Arts Exam	New York State English Language Arts Exam
Social Studies	New York State Elementary-Level Social Studies Exam			New York State Intermediate-Level Social Studies Exam
Science				New York State Intermediate-Level Science Exam

All students with disabilities shall take New York State assessments except in cases where the Individualized Education Program (IEP) developed by the Committee on Special Education (CSE) of the students' district of residence determines that such students cannot participate in regular state assessments. In these instances, the New York State Alternate Assessment (NYSAA) shall be administered as required by law.

ATTACHMENT 15b

List which, if any, standardized test(s) would be used by the charter school in addition to the required New York State assessments and explain why such standardized test(s) were selected.

Achievement Academy is strongly committed to the high standards of both performance and measurement set forth by the SUNY Trustees. We embrace our accountability for ensuring and demonstrating strong results in student performance according to value-added, comparative and absolute measures.

In keeping with this alignment of philosophy between authorizer and Charter School, we intend to administer, in addition to state assessments, a yearly, nationally-normed standardized test to all students in language arts, reading and math. All incoming students will take an initial version of this assessment (a "pre-test") within weeks of arrival, and in the first year of the school's operation all students will take the required batteries on or before October 15 to ensure a valid measure of students' skill and knowledge upon arrival.

A post-test will be administered at the end of the school's first academic year and again each subsequent year. Student performance on these batteries will be reported by same-student cohorts to reflect growth over time. To ensure statistical accuracy, gains will be calculated in Normal Curve Equivalents and reported to the authorizer and to other constituencies in national percentiles.

While we wish to retain the flexibility to allow our incoming principal to choose the exact norm test he or she wishes to use to measure student performance, we anticipate using one of three common tests: the Stanford-10 Achievement Tests, the Terra Nova Achievement Tests or the Iowa Test of Basic Skills.

We are further aware that certain changes to the state's testing program necessitated by the federal *No Child Left Behind* Act, will have ramifications for our testing program and we may adjust accordingly. For example, during the opening year of our proposed Charter School (2005-06) the state will transition to a yearly criterion referenced test in language arts and math. Using the state tests alone may be sufficient to generate effective absolute, value-added and comparative data given the superior alignment of state tests to state standards.

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ATTACHMENT 16

Provide the other methods of assessment (beside those indicated in response to Requests Nos. 15(a-b) that would be used by the charter school. As part of your response, please indicate how these assessments would reliably and verifiably measure student performance and achievement goals. For each such assessment method, please indicate if the data obtained will be used to support the school's application for charter renewal.

Achievement Academy Charter School will design its academic program to ensure the use of rigorous, standard-based assessment data to continuously refine and direct classroom instruction and inform school-wide decision making. To do so, the Charter School will take advantage of proven, effective tools and practices while continuously developing and refining their use. Further, while we do not anticipate using them as part of our accountability plan, ~~the~~ we believe that rigorous internal assessment tools that are aligned to state performance standards are a necessity for a school that expects to manage for and therefore achieve consistently excellent results in student performance. Therefore a critical aspect of our school design involves the use and adaptation of the highly effective diagnostic assessment system developed in Connecticut by the Amistad Academy.

On-Going Diagnostic Assessment

Achievement Academy believes that rigorous internal assessment tools aligned to state performance standards are a necessity for a school that expects to achieve consistently excellent results in student performance. A critical aspect of our School design involves the use and adaptation of the diagnostic assessment system developed by the Amistad Academy, which will be developed during the School's planning year, 2004-05. Similar assessments have been used with success by schools such as Amistad and we see no reason why they should not do the same when carefully developed by Achievement Academy drawing upon the guidance of Amistad and consultant services, if necessary (financed using either the "Staff/Curriculum Development" or "Consultant" budget lines). Further, since we will track the effectiveness and predictability of the assessments over time so that we can refine and improve them, their likelihood of success is strong.

This system of diagnostic assessments involves the administration of reading and math tests every six weeks in every class. The tests, designed in advance by the administration, not individual teachers, are carefully aligned to state standards. The results, which we believe will be highly predictive of performance on end-of-year assessments especially state assessments (as those at Amistad Academy have been) will be disaggregated by item, teacher, grade level and student and will allow the faculty to refine instruction and curriculum, allocate professional development resources, make personnel decisions and assign tutoring and other resources to students based on actual results.

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Attachment 16-1

We believe that our use of such a system will likely ensure and enhance the quality of outcomes far more than would the most well intentioned academic design focused exclusively on inputs.

Assessments of Higher-Order Thinking

The founders of Achievement Academy believe that organizations that are serious about achieving goals find ways to measure them (and therefore manage for them). Because Achievement Academy intends not just to remediate students but prepare them for college and professional success, we know our students will need to continuously develop higher-order and analytical thinking skills, especially those that require them to apply and develop their knowledge and skills on complex, multi-step tasks. Unless we find ways to measure these skills reliably and rigorously, teachers will have less incentive to develop them in students and the school will not know whether they are being effectively developed.

Therefore in addition to assessing students on their mastery of core skills in math and reading, the school's teachers also will develop internal centralized assessments of high order quantitative and writing skills to be administered each semester. The School likely will use Bloom's *Taxonomy of Educational Objectives* to define what constitutes higher order skills and will assess the assessments against this standard using the outside assistance and guidance of experts as necessary. These assessments will involve evaluation (using a rubric) of student performance on complex tasks such as textual analysis (reading) or complex problem solving (math).

For example, developing higher order skills assessments in reading would require teachers as a group (and under the guidance of the principal) to identify the types of higher-order analysis excellent students should be able to perform in response to a text, for example, analyzing how an author uses or diverges from typical narrative patterns of a given genre to develop meaning, or making inferences about the likely accuracy of a given document from evidence in the text. Teachers would choose one such type of task per semester to focus on and teach; over the course of a student's career all such higher order reading skills would be taught. For each assessment teachers would develop and use a rubric (approved by the principal) to focus teaching and provide a reasonable definition of complex thinking and analytic skills in action. The assessments, uniquely challenging by most school standards, would also serve to reward the excellence of top students (each semester's top writers could be invited to lunch with the principal) and the teachers who develop those students, and, like other assessments of student mastery, would be tied to performance.

In-class Assessment

In addition to school-wide diagnostic and higher order assessments, classroom teachers at Achievement Academy will, as other teachers do, use tests, quizzes, essays, projects and homework extensively and at their professional discretion to evaluate students work. While we feel that design of classroom based assessments is best left to highly qualified, highly competent teachers, we also believe the process should be bounded by school-wide norms and expectations, and managed actively by

the principal. Teachers at Achievement Academy will be expected to use (and will be evaluated upon their ability to do so effectively) classroom-based assessments that are rigorous and effectively assess mastery of learning standards. To ensure this, the school may periodically compare the grades teachers assign students on their own classroom assessments against the level of mastery demonstrated on objective assessments to help teachers improve the validity and reliability of their own grading.

Also, as part of its effort to develop an institutional culture around rigorous, standard-based assessment as part of daily teaching practice, Achievement Academy will expect teachers to engage in blind co-grading of a set of papers once per semester as a professional development activity. Overseen by the school administration, this process will involve a teacher who has graded a set of papers asking a peer to grade a sample of those papers blindly (i.e. without knowing what grade the original teacher gave) and then comparing the results to assess to ensure consistency and reliability of grading school-wide. Teachers will be expected to share their grading rubrics with administration as part of on-going communication.

Assessment as an Integral Part of Teaching

Research¹ has demonstrated that teachers who continually engage in informal assessment and check for understanding are more likely to foster consistently high student performance. Teachers at Achievement Academy will be expected to use such techniques as part of every lesson, every day. Since they will design lessons focused on mastery of a specific skill or area of content, they will be expected to develop informal tools that allow them to end every lesson with a broad understanding of whether students "got it." This might involve a three question verbal mini-quiz at the end of class or a habit of asking students to "show me 1-5 fingers to tell me how well you think you understand how to add fractions." No matter the form, teachers will be expected to develop and use such techniques and classroom observation protocols will make the use and refinement of this sort of assessment practice a constant part of the conversation between and among teachers and administrators at the School.

¹ An extensive discussion of these findings can be found in E.D. Hirsch's *The Schools We Need...And Why We Don't Have Them*, Doubleday Press, New York, 1996.

ATTACHMENT 17

If the charter school would serve the 12th grade within the requested term of the charter, attach a description of the requirements for a student to be awarded a diploma.

Not applicable, as the Achievement Academy Charter School shall only serve grades 5 through 8 during its five-year charter.

ATTACHMENT 18a

Provide the proposed school's methods and strategies for serving students with disabilities in compliance with all federal laws and regulations relating thereto.

The Achievement Academy Charter School will educate students with disabilities in the least restrictive environment, with their non-disabled peers to the extent appropriate and allowed by each student's individualized education plan (IEP) prepared by the Committee on Special Education (CSE) of the students' school district of residence and all applicable federal laws, including the Individuals with Disabilities Act (IDEA). As stated in its Admission Policy provided in Attachment 31, the School shall not discriminate in admission and enrollment practices on the basis of a student having or suspected of having a disability.

Approach to Students with Disabilities

Special classes, separate schooling, or other removal of students with disabilities from the regular educational environment will occur only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily, in accordance with the IEP prepared by the Committee on Special Education of the students' district of residence.

Students with disabilities will also be expected to participate in, and receive credit for, nonacademic, extracurricular and ancillary programs and activities with all other students to the extent appropriate under the IEP prepared by the CSE of the students' district of residence. Students with disabilities will receive all notices concerning school-sponsored programs, activities and services.

Methods and Strategies

All special education programs and services at the Charter School shall be provided in accordance with applicable federal laws and regulations and in accordance with the IEP developed by the CSE of the students' school district of residence. At the time of the submission of this Application, it is impossible to determine what special education services will be necessary to meet the needs of students that will attend the Charter School, since the student population has not yet been determined. Nonetheless, the School will ensure that the special education programs and services as indicated on each student's IEP will be provided directly to the student during school hours. We currently plan to hire appropriately certified special education staff. The School will provide consultant teacher services and have a resource room available. In accordance with the students' IEP, special education staff will ensure that classroom teachers at the School are knowledgeable about the needs of students with disabilities; are informed of their responsibilities for particular students; receive the support they may require to implement a student's program; and implement any necessary modifications or accommodations in their classes.

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Attachment 18a-1

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In addition to the special education staff of the School, the School also may contract with appropriately certified or licensed individuals to provide services. The services to be provided may include, but are not limited to:

- Speech language pathology and audiologist services;
- Psychological services;
- Physical and occupational therapy;
- Recreation, including therapeutic recreation;
- Early rehabilitation counseling;
- Orientation and mobility services;
- Diagnostic and/or evaluative medical services; or
- Student and/or parent counseling.

If we are unable to provide services in accordance with the students IEP, we will rely on the school district of the student's residence to provide services.

Student Referrals

A student suspected of having a disability will be referred in writing to the chairperson of the CSE of the student's district of residence for an individual evaluation and determination of eligibility for special education programs and services. Referrals may be made by any professional staff member of the School. Such referrals will: (1) state the reasons for the referral and include any test results, records or reports upon which the referral is based, if any; (2) describe any attempts to remediate the student's performance prior to the referral, including any supplementary aids or support services provided for this purpose, if any; and (3) describe the extent of parental contact or involvement prior to the referral. A copy of such referral along with the procedural safeguards notice described in 34 CFR §300.504 will be sent to the student's parents.

Assurances

The Charter School shall adhere to, and implement, the processes and procedures required by the IDEA, ADA, and § 504 of the Rehabilitation Act of 1973, and other applicable law, as stipulated in Attachment 18-b, provided, however, that in no case shall the School assume the responsibility of, or take action that would infringe upon the legal responsibilities of, the CSE of the students' district of residence, including, but not limited to, amending students' IEPs.

ATTACHMENT 18b

Please provide the following assurances regarding the provision of special education and other services to children enrolled in the proposed charter school.

The Board of Trustees of the Achievement Academy Charter School, as well as all of its employees and volunteers hereby pledges to ensure that:

- The School will, consistent with applicable law, work with LEA school districts to ensure that all students with disabilities that qualify under the IDEA:
 - Have available a free appropriate public education (FAPE);
 - Are appropriately evaluated;
 - Are provided with an IEP;
 - Receive an appropriate education in the least restrictive environment;
 - Are involved in the development of and decisions regarding the IEP, along with their parents; and
 - Have access to appropriate procedures and mechanisms, along with their parents, to resolve any disputes or disagreements related to the school's or school district's provision of FAPE.
- The School will employ, at a minimum, a properly certified individual as the school's special education coordinator, whose responsibilities will include: coordinating with CSEs; providing information to and obtaining information from CSEs as needed throughout the year; determining if entering students have IEPs; and working with CSEs and school districts to ensure that all required special education and related services are being provided, and that all IEPs are appropriate in the context of the charter school setting. The School may permit the special education coordinator to take on additional administrative duties, to the extent that they do not interfere with the coordinator's responsibilities, to ensure the school's compliance with the IDEA, section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990.
- The School will make available, as required by law, a student's regular and special education teachers (and other required school personnel) for meetings convened by such student's CSE.
- The School will ensure that parents of children with special needs are informed of how their children are progressing on annual IEP goals and in the general curriculum at least as frequently as parents of regular education children.
- The School's special education coordinator will retain such data and prepare such reports as are needed by each disabled child's school district of residence or the State Education Department in order to permit such entities to comply with federal law and regulations.

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- The School will abide by the applicable provisions of the IDEA and the Family Educational Rights Privacy Act of 1974 as they relate to students with disabilities, including, but not limited to, having procedures for maintaining student files in a secure and locked location with limited access.
- The School will comply with its obligations under the Child Find requirements of IDEA, including 34CFR § 300.125, and will provide appropriate notification to parents in connection therewith, including notifying them prior to providing a child's name to a CSE for potential evaluation.
- The Charter School will not convene its own CSE, make evaluations of children suspected of being disabled, create IEPs, reevaluate or revise existing IEPs or conduct due process hearings. The charter school understands that these responsibilities are left solely to the CSE of the student's district of residence.

Appropriate Charter School personnel will attend such training and technical assistance seminars regarding the education and servicing of special education students as is required by the State University of New York's Charter Schools Institute, including those sponsored by the State Education Department.

ATTACHMENT 19

Attach a description of the program design, methods and strategies for serving students who are limited English proficient (LEP) in accordance with federal law, including Title VI of the Civil Rights Act of 1964 and the Equal Education Opportunities Act of 1974. Such description must include the following elements:

- The process for the identification and placement of students whose first language is not English and the methods for determining the kinds of assistance that these students may need;
- The manner in which the applicant will ensure that LEP students are not misplaced or tracked inappropriately in other classes (including those programs or classes designed to serve students with disabilities);
- The description of exit criteria and related objective assessment instruments and subjective methods that will ensure the appropriate student placement and monitoring of a student's progress over time;
- A description of the educational soundness of the program model pursuant to which LEP students will be provided services, including the authorities upon which the applicant relies to demonstrate that the program is likely to meet the educational needs of all LEP students;
- A statement that affirms that all students, regardless of language proficiency, will be provided necessary curriculum and instruction to allow them to achieve to the high standards set for all students in the school;
- A description of the planned implementation of the program model, including information regarding the allocation of resources to the service of all LEP students including
- A description of how staff, curricular materials, and facilities will be used,
- A statement that affirms that LEP students will not be excluded categorically from curricular and extra-curricular activities because of an inability to speak and understand English, and
- A description of the planned evaluation of the program model over time, including the identification of benchmarks of success (and the corresponding bases for their establishment); the uses of standardized and other assessments; and the related disaggregation of data that will facilitate a program review and the measurement of progress of LEP students over time;
- A description of the planned outreach to parents in the community, including strategies for communicating with parents who are not proficient in English.

The Achievement Academy Charter School shall serve any and all students with limited English proficiency (English Language Learners or "ELL") using structured English language immersion so that they achieve proficiency in the English language as quickly as possible. The Charter School shall comply with all applicable laws including Title VI of the federal Civil Rights Act of 1964 (as amended) and the federal Equal Educational Opportunities Act of 1974.

Overview/Assurances

Students at the Charter School with limited proficiency in English will achieve proficiency in the English language as quickly as possible through the use of the School's services and teaching methods. The School ensures that ELL students will not be excluded from curricular and extra curricular activities based on an inability to speak and understand the language of instruction, and also that ELL students will not be assigned to special education because of their lack of English proficiency. Parents

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whose English proficiency is limited will receive notices and information from the School in their native language to encourage participation in the School by all members of the Charter School community. Parental outreach may also be conducted through home visit by a school official and an interpreter.

Identification of ELL Students

The Charter School will use the State Education Department's process for identifying students who are English Language Learners as follows: i) Home Language Questionnaires will be used to screen all new enrollees for potential limited English proficiency; ii) If the home language is other than English or the student's native language is other than English, appropriate School staff shall conduct an informal interview in the student's native language and English; iii) If the student speaks a language other than English and the student speaks little or no English, the School will administer the Language Assessment Battery-Revised (LAB-R). A score below the designated cut score for the child shall determine eligibility for services. The LAB-R shall be administered only once to each incoming student.

The School's teachers will be responsible for observing each student throughout the class day with an eye toward detecting limited English proficiency. All teachers will receive professional development training on techniques for detecting whether a student has English language deficiencies and on communicating with students designated as ELL students. Any student suspected of having limited English proficiency will be tested to determine if and what level of services, if any, are necessary.

English Immersion Program & Services

All students that are English Language Learners will be expected to become proficient in the English language at a rapid pace. The Charter School believes that a structured English immersion program will be most helpful to ELL students in improving their abilities to master the language. Students of limited English proficiency will receive the same academic content as those students who are native English speakers. All instruction will be in English. However, the level of English used for instruction—both oral and written—will be modified appropriately for each ELL student. All teachers will receive professional development on communicating with students designated as ELL and in techniques for detecting whether a student has English language deficiencies. Within the School's extended day schedule, there is ample time that can be used for additional intensive English language instruction.

The Charter School plans to provide all necessary staff and specialized curricular materials to enable ELL students to achieve proficiency. The School will directly provide or make referrals to appropriate support services that may be needed by ELL students in order to achieve and maintain a satisfactory level of academic performance. Such services may include individual counseling, group counseling, home visits, and parental counseling. The School will be prepared to address the needs of students who are struggling with the structured English immersion program by providing, if it is determined to be the best course of action, pull-out instruction and/or assignment to a certified aide, teacher or qualified consultant under contract who speaks that child's

non-English language. The School will seek to hire at least one full-time teacher who speaks the foreign language that is most common among its students, which in all likelihood will be Spanish. Parents of ELL students will be kept abreast of their child's progress in English language acquisition, preferably in the language that the parents best understand.

Exit Criteria

The proficiency of an identified ELL student in the English language will be measured at least annually to determine whether continued special services are warranted. The Charter School will evaluate each student's performance in academic content areas to measure the student's progress in core subjects. The School also will use the New York State English as a Second Language Achievement Test (NYSESLAT) to assess ELL students, as required by the State Education Department to implement the federal *No Child Left Behind* Act, in lieu of administering the state English Language Arts assessment. The scores on the NYSESLAT indicate the proficiency level—either Beginning, Intermediate, or Advanced—the student has achieved each year, and whether the student's level of English is high enough to exit the program. If an ELL student fails to show appropriate progress in these academic areas, modifications to the instructional program may be made. Any student classified and receiving educational services as an ELL student who subsequently tests high enough to exit the program will be deemed to be no longer in need of ELL services. No student will be exited from the ELL program unless they can read, write, and comprehend English well enough to participate meaningfully in the School's programs.

Accountability and Evaluation of the ELL Program

In order to ensure that the ELL program is achieving the desired results (students are making progress in the acquisition of the English language and making progress academically), an annual evaluation will occur. In order to determine if any programmatic modification are necessary, the School will evaluate the progress of its ELL students on standardized assessments and non-standardized assessments against that of the non-ELL students. The School also will track students longitudinally throughout their matriculation to determine if there is significant variation in the academic achievement of students who were once classified ELL and non-ELL students as measured by standardized assessments and non-standardized assessments. The school will track how many students are declassified as ELL and the number of instructional years it takes for this declassification to occur.

Research on Immersion

Research has shown that immersion is increasingly considered more effective at teaching English to students, compared to bilingual education, as indicated by the following:

- John Hood, President of the John Locke Foundation, a North Carolina based think tank, wrote in the *Business Journal of Raleigh/Durham* in an article entitled *Immersion v. Bilingual Education* (December 26, 1997), "A review of 300 studies of bilingual education by federal researchers found only 72 that were methodologically

sound. Of those studies, 83 percent comparing bilingual education to immersion found that kids learned to read better through immersion. Not a single study found the reverse."

- Bill Honig, the former California State Superintendent of Public Instruction and Director of the Center for Systemic Social School Reform at San Francisco State University advocates this systematic, explicit instruction in an organized comprehensive English reading program in his book, *Teaching Our Children to Read* (Corwin Press, Inc., 2001): "For teachers, students and their families, the results of many past bilingual programs have been disappointing. Often in these programs, the English literacy component was weak, and many students failed even to become proficient readers in their primary language. All students need systematic, explicit instruction in an organized, comprehensive English reading program."
- Cara Morlan of the Independence Institute, a nonprofit, nonpartisan Colorado think-tank, wrote in her article *Structured Immersion, An Alternative to Traditional Bilingual Education* (Independence Institute, *Issues Backgrounders* 2000-4, July 26, 2000): "In California, children enter school speaking one of 140 different languages, yet only Spanish-speaking students are put into traditional bilingual education programs. These students are then the immigrant group that does the worst in school, has the highest dropout rate, the lowest test scores and the lowest college admissions." Ms. Morlan found that only 5% of these students were being found to gain proficiency in English each year.

ATTACHMENT 20

If the proposed charter school includes particular methods, strategies or programs for meeting the needs of students at-risk of academic failure, attach a description of the challenges faced in educating the targeted population and describe such methods, strategies and/or programs. Please include in the description any diagnostic methods or instruments that will be used to identify and assess those students who are performing below grade-level as well as the processes/programs/tools to be used in providing them with remedial instruction.

Most charter schools serving communities of need in New York have enrolled student populations that not only reflect but magnify the risk factors to academic success inherent in those communities. In serving the City of Albany and its underserved neighborhoods, Achievement Academy Charter School fully expects to encounter such a situation.

As the SUNY Charter Schools Institute's *Charter Schools in New York: A New Choice in Public Education, The First Three Years 1999-2002* notes, charter schools serving poor neighborhoods have historically enrolled students of disproportionate need even in comparison to the schools from which they draw students. Such schools have enrolled student populations highly at-risk of academic failure not merely as determined by *predictive* socio-economic indicators, but also as demonstrated by objective achievement measures of *actual* enrolling students. In analyzing the baseline scores of new charter schools in the state, the report states, "The data show students upon arrival at the typical New York charter school are years behind national norms in skills and knowledge, scoring even below their peers at the districts in which the schools operate, some of the lowest performing in the state." The report also finds that "the older students are upon their arrival at New York's charter schools, the farther they are behind their peers nationwide." The average arriving group of fifth grade students scored a full 15 NCEs below national norms in both reading and math upon arrival.

At-risk Students in Albany

The two charter schools currently serving students in Albany provide evidence that risk factors may be even greater in Albany. Both charter schools operating in Albany drew initial populations with poverty rates (as determined by eligibility for free and reduced price lunch) in excess of 65 percent of enrolling students. More tellingly, both enrolled populations of which the mean student score on nationally-normed tests administered within months of the schools' opening revealed a baseline achievement level near the 15th national percentile in both math and reading.

These baseline achievement scores were both breathtakingly dismal and almost identical for both schools despite a 30 percent disparity in the poverty rates in the first year of operation (68% at New Covenant Charter School; 99% at Brighter Choice Charter School). This may suggest that in the City of Albany, the forces leading to poor academic achievement include, but are not limited to, poverty and other socio-economic indicators, and a charter school proposing to serve there must be prepared for the

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possibility that other factors, including the state of the Albany City School District public schools as evidenced by low scores on state intermediate assessments, are driving large numbers of students into an academic underclass that it will likely inherit.

Therefore we harbor no illusions. We will almost assuredly enroll a student population gravely at-risk due to socio-economic factors and, in many cases, so neglected academically as to stand at-risk of permanent exclusion from prosperity and opportunity. We would be foolish to expect otherwise and have designed our program in anticipation of fighting and winning the battle to ensure the success of every such child.

Remediation and High Expectations

Before outlining our strategies for remediating students at-risk of failure, one point must be underscored. Our students will come to us at-risk of, and in many cases manifesting, academic failure. We do not believe that, for at-risk students, catching up is good enough. Our program will remediate the effects of academic neglect, just as it will embrace our students' ability and push them to excel. We have designed a school that remediates as a pre-condition for achievement, not a remedial school.

An Eight Point Plan to Ensure Success for All Children

The founders of Achievement Academy Charter School understand that the challenges of educating students at-risk of failure are serious and complex. They rarely yield easily, even to well-researched and admirably designed programs. Only a nexus of robust and mutually reinforcing programs that address a complex problem relentlessly and with a variety of tools can hope to succeed. In response to this fact, Achievement Academy has developed an eight point plan for ensuring the success of every child, especially those most at risk of failure and permanent disenfranchisement.

1. Summer Institute for Those Who Arrive Farthest Behind

Our plan to ensure the success of at-risk children begins well before the doors of the school have opened. Achievement Academy will give all enrolling students a baseline assessment of their skills and knowledge in the spring of 2005, that is, approximately four months prior to matriculation¹. The lowest scoring students according to this assessment will be asked to attend a fully-funded pre-enrollment summer institute designed to catch them up on foundational skills and to preview key elements of the 5th grade curriculum. This will reduce the skill disparity between the least prepared students and their peers, increasing their likelihood of success and reducing the variability in student proficiency that poses an immense challenge to teachers. We also believe this program will allow some students who might otherwise manifest behavioral disruptions as a result of inability to keep pace with their classmates academically with a head start not just academically but at internalizing behavioral

¹ Administration of the baseline assessment will take place in the Spring but *after* students have been accepted into the school to ensure that assessment result in no way affect or even appear to affect admissions decisions.

norms that drive success – uniforms, hard work, daily homework, etc. On day one, the most critically at-risk kids will have a leg up for the first time in their lives; for at least some, this may be the first step in a transformation.

The summer program will be offered to approximately 20 of 75 enrolled fifth grade students in the first year. It will provide three and a half hours of instruction a day in reading, writing and math for three weeks during the month of July.

2. Incoming Baseline Assessment and Skill-Based Tutoring for All Students

Every student needs to have mastered critical fourth grade skills and knowledge to have the chance to succeed in fifth grade. Most students enrolling at Achievement Academy will not have mastered those skills and, what's more, each student will arrive with a distinct profile of skills and deficits. For example, two students may perform similarly, and even near grade-level, in math while one struggles with division and the other struggles with place value. Each student needs his or her unique profile of pre-existing skill deficits addressed immediately in order to hope to succeed but their needs are specific and discrete.

To address this challenge and ensure that all students share a consistent foundation of critical skills from the outset, Achievement Academy will allocate enrichment classes during the first month of school to tutoring students in skill-specific sessions that will allow each child's needs to be directly and effectively addressed within one month of the school opening. Achievement Academy will develop and administer an assessment of approximately 20 core skills each in both math and language arts that students should have mastered by the end of fourth grade. These are the skills most implicit to success in the fifth grade. The assessment will be administered to all students prior to matriculation and a unique profile of each student's skill deficits will be developed in a excel spreadsheet. During the first month of the school year, tutoring sessions will be offered (two per day) for each specific skill measured by the assessment. Students will be assigned to tutoring sessions according to their initial profile. Each tutoring session will focus on a single skill and will end with a post-assessment to measure student mastery. Students who do not demonstrate mastery after the tutoring session will receive further tutoring until they are able to do so.

3. Data Driven Teaching via Diagnostic Assessment

Amistad Academy Charter School has some of the strongest and most consistent achievement results in the nation among charter schools serving at-risk students by virtue of its powerful diagnostic assessment tools in reading and math. Achievement Academy has entered into a partnership with Amistad Academy (see Attachment 8) that will include the licensing, adaptation and implementation of its highly effective system of assessments (described in more detail in Attachment 16). By using on-going aligned assessments to Achievement Academy will thereby ensure mastery for all students, especially those at-risk of academic failure.

Achievement Academy will use the Amistad assessments and practices to develop a system that will allow its teachers and administrators to guide instruction through reliable, real time student performance data. Every six weeks, students will take an assessment aligned to state standards and covering the portion of those standards taught over the previous weeks in reading and math.

By disaggregating the results of these assessments according to students, teachers, test items and grade levels, Achievement Academy will constantly refine instruction and allocate resources such as tutoring and professional development effectively to those students and teachers who need them.

At-risk students in particular will benefit from this program since academic problems rapidly compound for such students. Un-mastered skills hamper a student's ability to grasp subsequent material and lead to a downward spiral that, if not quickly identified, can be almost irreparable for many students. Achievement Academy's diagnostic assessment system will ensure that students who do not grasp material are promptly identified before problems can compound and that teachers can be assured of the effectiveness of one lesson before moving on to the next.

4. More Time on Task

For all students, at-risk and otherwise, hard work is the most important predictor of success. However, for at-risk students, for whom existing learning gaps mean more material to cover and for whom lagging reading skills in particular often slow progress in achieving mastery over material in all disciplines, more time on task is essential. Students at Achievement Academy will spend more time each day and each year studying core academic concepts, especially those in reading, writing and mathematics. With 210 school days and more than 5 hours per day of rigorous, skill and content-rich instruction in core academic areas, Achievement Academy students will benefit from more time allotted to critical areas than will students in traditional public schools. When combined with highly effective teaching and robust school-wide systems to ensure effectiveness and efficiency of programs, this extra-time is likely to ensure strong achievement for all students, especially those who need it most.

5. School Culture that Drives Achievement

The presence of a school culture that instills effective habits of mind, develops strong character and reinforces productive behavior is perhaps the single most powerful driver of academic achievement for all students, especially those students for whom productivity and constructive habits have not been consistently reinforced by schools. The effects of culture on achievement are difficult to measure but unmistakable. Of the top performing charter middle schools in the East—KIPP Academies in the Bronx and Washington, DC; Bronx Preparatory Charter School, North Star Academy Charter

School, Amistad Academy Charter School, Roxbury Prep Charter School, Academy of the Pacific Rim Charter School and South Boston Harbor Academy Charter School—every single one believes passionately in the critical importance of building a school culture based on virtuous and constructive behavior and high standards. Like those schools, Achievement Academy will teach character explicitly during advisory time, reinforce it constantly during such activities as morning circle, and work relentlessly to build a classroom environment that ensures that disruptive behavior—which amounts to a theft of opportunity from other students—is never tolerated.

In addition to borrowing from the best practices of the schools described above in building its culture, the school's principal will serve a semester-long residency at Amistad Academy where he or she will be charged with understanding and preparing to replicate a highly effective culture at a level of extensive detail. It is worth noting that this method—replicating school cultures via a principal residency—is the same one used by the KIPP network, perhaps the most effective effort to replicate productive and effective school cultures in the nation. In fact, Amistad Academy is one of the schools where KIPP places leaders to ensure that they model their school cultures on the most effective models.

6. Intentional Teaching of Study and Organizational Skills

Students who have spent their educational careers in ineffective schools don't just lack knowledge and skills in areas like math and reading. They rarely learn (and are more rarely taught using effective practices) how to take notes in class, how to organize those notes and their materials in a binder, how to study for a test, how to hold an effective class discussion, how to organize information mentally and how to best recall it. Though they are expected to engage in constant revision of their written work, they and their teachers do so inefficiently because no one bothers to teach them an efficient set of proof-reading symbols.

We believe these complex and critical skills form a foundation of *process* knowledge that enhance and reinforce academic achievement. Therefore they must be explicitly and effectively taught. In the long run, a student who repeatedly loses his homework (or his assignments before he does his homework, or who quickly forgets what he learned on his homework) has only a marginal advantage over a student who doesn't bother with homework at all.

Students at Achievement Academy will, like students at Bronx Prep Charter School, be provided with a binder and dividers each year by the school. They will be taught a standardized way to organize the information within those binders. The maintenance of binders and the explicit teaching of study skills such as how to take notes will be undertaken two days per week (more for those who need it; perhaps less for those who do not) during the last period of the day— the tutoring/enrichment block. During this time students will learn to study for key exams by preparing for their first exams as a class. During homework block, students will begin their nightly homework in

a structured, highly-resourced and distraction-free environment where adults are available to help them begin their work.

Teachers will not only reinforce expectations of study and organizational skills in class but will benefit in their teaching by reducing the instructional time lost to fruitless searches for missing homework

7. Tutoring

Tutoring of students individually and in small groups is a critical part of any program to address at-risk students. However, most schools, we believe, make critical errors that erode the effectiveness of their tutoring programs. For example, while all students, we believe, need tutoring occasionally, the lion's share of tutoring is required by those students who have the greatest learning challenges, who are farthest behind, and therefore who should be served by the best and most qualified teachers. Most schools, however, staff tutoring with their least qualified personnel: teaching assistants, part-time untrained employees, even community volunteers. Not only do untrained individuals serve the toughest kids ineffectively but their work is further undercut by inefficiencies of information transfer.

At Achievement Academy, the most qualified teachers will tutor students and inefficiencies of information transfer will be all but eliminated. This is because teachers in core subjects will have a standard teaching load of three rather than four classes per day. Their fourth "class," a part of their daily schedule, is a tutoring session in which small groups of students are assigned a regular appointment in which to receive additional support. In other words, Jane would work with her own math teacher, who would understand her need exactly, *every Wednesday*, for example, until Jane's advisor determined that the need had been addressed. In this way, a typical teacher, who could teach a maximum of 75 students (but who might likely teach far fewer) could reasonably expect to give one fifth of her students (1 group of 3 students per day x five days per week) an hour or rigorous tutoring per week. Further, students will be assigned in consultation with a third party to keep tutoring sessions from becoming haphazard and lax and with specific learning goals in mind.

Additional types and venues for tutoring will also be available, through pull-outs and at other designated times during the day, but this adjustment to the teaching job description will, we believe, ensure that the scope of high quality subject specific tutoring in the school will be greatly enhanced so as to meet the likely needs of at-risk students.

8. Homework Infrastructure

Homework is a critical piece of the learning process and nightly completion of it, we believe, builds diligence and strong habits of mind while reinforcing skills and knowledge learned during the day. Homework internalizes the processes of independent thinking that become deeply ingrained and autonomous forces of habit.

Each night students who complete high quality homework learn not only the discipline of taking out books, reviewing what they learned during the day, organizing and applying material in slightly new permutations, but they also learn to structure time, ignore distractions, follow through, and produce something that meets standards. And homework that reinforces process—always neat, always in complete sentences, always with the calculations shown, always in the standard format, says, “This is how we do things here.” Therefore effective and intentional management of homework is critical for any school.

Setting expectations for at-risk students in the area of homework is especially important, however, since it levels the playing field between them and their more privileged peers, who are more likely to engage nightly in a constructive, structured ritual of independent learning. Expectations around homework amount to a hidden advantage for those students of whom achievement is expected, and Achievement Academy will strive to provide our children with the same advantages.

Students at Achievement Academy Charter School will begin their homework at school each day in a homework center under the guidance of a faculty member and with the resources of the teaching staff available. They will be expected to turn in their completed homework to their advisors each morning before classes begin. Advisors will review homework, discuss it, praise it, and demand revisions and improvements as necessary. Homerooms or advisories will receive daily scores reflecting the percentage of students who completed their homework, and the highest scoring groups will earn benefits and privileges.

Since most public school parents are forced to take their students’ word for how much (or how little) homework they have, Achievement Academy parents will be able to access a nightly homework hotline that will list each assignment for which their children are responsible. They will receive, each week, a print out of the homework assignments given in each class and an indication of whether their child completed each assignment.

ATTACHMENT 21

If the proposed charter school would include any methods and strategies for dealing with other targeted student population(s), how they would be identified (academic or other criteria) and describe such methods and strategies.

This question is not applicable, as the Achievement Academy Charter School is not specifically targeting any other student populations.

ATTACHMENT 22a

Please describe how parents will be involved in the charter school, including, in particular the governance and administration of the charter school.

The Achievement Academy Charter School believes that parents play an integral role in the education of their children, and that parental involvement in the charter school is critical to the school's success.

To meet the educational and social needs of the students, to obtain feedback and direction from parents on how to best serve children, and to assist parents as they help their children be successful in school, the charter school plans for and expects an active role for parents in the governance of the school. Specifically:

- A seat on the Academy's Board of Trustees shall be filled by a parent of a student in the school, to be selected by the Board.
- The Academy will establish a Parent Leadership Council (PLC) comprising parents of students enrolled in the school who wish to participate. The PLC will be involved in a variety of school activities, including fundraising events, field trips, and promotion of the charter school throughout the community. The PLC also will be involved in the governance of the school by having regular interaction with the Head of School and Board of Trustees on policies and practices, and advising them on approaches for providing information to parents, and strategies for arranging staff interaction with parents.
- At each regular meeting of the charter school's Board of Trustees, a selected delegate from the PLC shall be allotted a set amount of time to present issues to the Board.
- From time to time, as the Board of Trustees or Head of School requests, the Parent Leadership Council will be asked to participate in or comprise advisory committees to study or implement a specific policy or action of the school. For example, committees may be formed to study and advise the Board on building expansion plans, budget issues, or student recruitment activities, use of the school building, student discipline practices, and other issues.

Participation in the Parent Leadership Council is voluntary and open to all parents, and a parent need not formally belong to or participate on the PLC to participate at public meetings of the school, serve on ad hoc committees, or meet with or make recommendations to the school's Board of Trustees or administration.

ATTACHMENT 22b

Please describe how staff will be involved in the charter school, including, in particular, the governance and administration of the charter school.

One of the objectives of the New York Charter Schools Act is to "create new professional opportunities" for staff, as stipulated in Education Law § 2850(2)(d). Through the Head of School, the staff of the Achievement Academy Charter School will have the opportunity play a role in the school's governance and administration. Staff will be formally represented before the Board of Trustees by the Head of School, though staff is free to attend public meetings of the Board; could be requested to serve on ad hoc committees; or meet with or make recommendations to the Board of Trustees or administration individually.

The Achievement Academy, by being a small school with a maximum of 300 students and enjoying the statutory freedom given to charter schools in New York, provides a unique opportunity for staff to influence the direction of the school's program and achievement of its students. School leadership will be accessible, bureaucratic impediments will be minimized, and program or schedule adjustments can be accomplished to achieve better results for students (within the confines of the approved charter).

Beyond simply governance and administration issues, additional opportunities exist for Academy staff, including annual merit-based bonuses, competitive pay and benefits as well as substantial professional development opportunities (see Attachment 42, discussing, in part, professional development).

ATTACHMENT 23

Provide evidence of adequate community support for and interest in the proposed charter school sufficient to allow the school to reach its anticipated enrollment. Include any methods or strategies that have been used to gauge community support for the charter school.

Community support for and interest in the Achievement Academy Charter School proposal is strong, evidenced by the extensive public interest among Albany residents for charter schools in general and Achievement Academy in particular. This was initially manifest in a scientific public opinion survey conducted by the federally-funded Brighter Choice Public School Choice Project. Subsequently, nearly 2,000 signatures were obtained in Albany's South End, including parents of 145 third grade students, who will be eligible to attend the School during its first year, 2005-06. Signatures can be found in Appendix 5 of Exhibit H of this Application.

Signature Petitions

To buttress the findings of the opinion survey, the Founders of Achievement Academy Charter School embarked upon gathering district resident signatures primarily from Albany's South End neighborhoods to further demonstrate interest in and support for the proposed School. Thus far we have gathered 1,951 supporters, including parents of 145 students who will be grade-eligible to attend Achievement Academy, or nearly double the number of available fifth-grade seats in the School (75) in 2005-06.

Not only is support for Achievement Academy strong, but this signature total supplements the signature evidence for the proposed Albany Prep Charter School, where founders secured more than 3,000 signatures from the Arbor Hill community, including parents of 286 students who will be in fifth grade in 2005-06.

Thus, the outpouring of community support for these proposed charter schools would fill the combined number of seats more than twice.

Public Opinion Survey

The survey was conducted last fall during the current 2003-04 school year and included specific questions to parents of children in Albany's public schools regarding their interest in public school choice, proposed middle school options, and dissatisfaction with Albany's current public middle school choices.

According to survey results, parents overwhelmingly favor the creation of charter schools in Albany. Sixty-five percent of parents indicated support for the creation of more charter schools in Albany. Among minority and low-income parents the numbers are higher, with 72 percent of African-American and 74 percent of low-income parents supporting more charter schools. In particular, middle school level charter schools are needed in the city.

The recently-approved KIPP Tech Valley Charter School—to be located in Albany—by itself cannot fulfill the parental demand for middle school options that is evident in Albany. The survey revealed that 84 percent of middle-school parents expressed dissatisfaction with the district's existing two middle schools. A notable 80 percent of Albany middle-school parents had a favorable view of the KIPP Tech Valley Charter School, with 73 percent of Albany parents responding that they would consider sending their child to the new school. Clearly, more middle school options such as Achievement Academy are needed.

Survey results also reveal that parents want school characteristics that the Achievement Academy Charter School will fulfill. For example, 99 percent of parents indicated that they support more academic instruction on reading skills. The Achievement Academy academic program allocates up to three hours a day on reading and writing skills. Other parental desires include a strong disciplinary system and small schools, both characteristics of Achievement Academy.

A summary of the public opinion results from Brighter Choice Public School Choice Project survey is provided in Exhibit H—Appendix 3 of this Application.

ATTACHMENT 24

Attach an assessment of the programmatic and fiscal impact of the establishment of the proposed charter school on existing public and nonpublic schools in the same geographic area.

Fiscal Impact

The Charter School shall have no fiscal impact on the district of location, the Albany City School District, in the 2004-05 school year. There will be a slight fiscal impact in school year 2005-06 -- fully 16 months from the time of submission of this Application. This provides the District ample time to increase spending at a lower rate by making program and capital plan adjustments commensurate with serving fewer upper elementary and middle school students.

For the next school year, 2004-05, there will be no fiscal impact on the Albany City School District, as the Charter School will use a planning year to prepare for opening. Beginning in the 2005-06 school year there will be a minimal fiscal impact of one-half percent upon the District's budget, as it would be required to transfer approximately \$715,800 to the Charter School for educating its 75 resident students. In subsequent years, the fiscal impact remains minimal, while the added impact beyond the base budget—the actual impact to the District's budget—remains constant at just over 0.5 percent since the prior year fiscal impact becomes part of the District's subsequent-year base budget (see right column of the table below). After 2008-09, there is no more added impact to the District's budget since the Charter School is fully enrolled.

The chart below outlines the financial impact on the Albany Public School District budget (budget total is for 2003-04) and includes anticipated Title I and special education funds:

Year	Charter School Revenue Following Child	Funds Remaining w/ Albany District	Total Albany City School Budget SY 2003-04	% cumulative Impact	% of Actual yearly impact
2004/05	\$ 0	n/a	\$137,306,652	0.0%	n/a
2005/06	\$ 715,800	\$284,700	\$137,306,652	0.52%	0.52%
2006/07	\$ 1,471,623	\$569,400	\$137,306,652	1.07%	0.55%
2007/08	\$ 2,207,435	\$854,100	\$137,306,652	1.61%	0.54%
2008/09	\$ 2,943,246	\$1,138,800	\$137,306,652	2.14%	0.54%

In addition, the statutory funding formula for charter schools requires the transfer from the resident district to a charter school only about two-thirds to three-quarters of the actual per capita amount spent on students by the district. Each Albany public

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Attachment 24-1

Schools Institute

school student attending the Achievement Academy would have \$8,894 transferred to the Charter School. Using the latest published average per pupil expenditure of \$12,690 for the Albany District, school year 2001-02 (*School Report Card*, Feb. 2004), the District therefore would retain \$3,796 per student, or \$284,700. This represents a windfall for the District since the cost of educating its students in charter schools is lower. Conversely, this formula represents a considerable funding *inequity* for the Charter School.

With respect to non-public schools, Achievement Academy Charter School is not anticipated to have an effect on these institutions as the overwhelming majority of its students will come from low-income families that would not have the means to pay for private school. Moreover, the Founders envision the Charter School appealing to families of students in the existing public middle schools since such a high percentage of them are not meeting state standards and would benefit from the programs offered at the Charter School.

Programmatic Impact

On a programmatic basis, the Achievement Academy Charter School expects to influence capital region public schools by setting high expectations and place a greater emphasis on teaching core subjects to prepare students to meet and exceed state standards. Strong academic performance by Albany students comparable to the Amistad Academy in New Haven will demonstrate to the Albany District that all children, regardless of background can learn and hopefully will influence District decisions on programming. District officials will be welcome at any time to observe and benefit from the Amistad model of success here in Albany, at the Achievement Academy Charter School.

ATTACHMENT 25

Attach the charter school's qualifications for service on the school's board of trustees.

The qualifications for candidates to serve on the Achievement Academy Charter School Board of Trustees include but are not limited to the following:

- Belief in and supportive of the mission and design of the Charter School;
- Ability to attend board meetings;
- An expectation that all children can and will realize high academic achievement regardless of race, income, family background, religion, gender, or previous behavior;
- Willingness to volunteer from time to time for assignments by the Board;
- Ability to communicate those issues and related opinions to the other members of the Board, the School Leader and all outside agents of the School;
- Bona fide experience and expertise in one of the following industries: real estate, law, fundraising, business, accounting, government, education, administration or community development;
- At least 18 years of age.

ATTACHMENT 26

List the proposed members of the Board of Trustees for the charter school, indicating any ex-officio members and any vacant positions expected to be filled. Each proposed trustee who is named must complete the "Request for Information from Prospective Charter School Board Members" contained in the Appendix to the Application Kit.

The following individuals comprise the proposed Board of Trustees of the Achievement Academy Charter School. In addition to their individual commitment to children and high-quality public education, they represent various skills and expertise necessary for effective governance and oversight including, but not limited to: community leadership, education and public policy, law, accounting, administration, and teaching.

The board shall reserve a seat for a member of the faculty of the Amistad Academy in New Haven, Connecticut, who would assist the School by helping it maintain its integrity to the Amistad model. In addition, a Board seat is reserved for a parent of a child enrolled the School who shall be named by the Board following the opening of the School. Additional members of the Board of Trustees shall be named shortly and be subject to the review and approval process set forth by the State University Charter Schools Institute.

Additional information on each trustee, including resumes and completed Request For Information forms, are provided in Exhibit H—Appendix 4 of Volume Two of this Application.

Orville M. Abrahams

Mr. Abrahams is an Associate Executive Director at the Capital District YMCA, a non-profit, charitable organization dedicated to the promotion of fitness and healthy life styles, strengthened family life, community development, the instilment of leadership qualities in our young people and strengthened international understanding based upon Judeo-Christian principles. At the Capital District YMCA Mr. Abrahams is responsible for assisting in the operation of an urban YMCA with an annual budget of 3.5 million dollars. Previously, Mr. Abrahams was employed as a HOPE VI Community Manager and a Development Manager for the Albany Housing Authority, a non-profit organization dedicated to providing safe, clean and decent housing for very low to moderate-income residents of the City of Albany. Mr. Abrahams earned his undergraduate degree in psychology from the State University of New York, University Center at Albany (SUNYA) and is currently enrolled in the Masters of Business Administration (MBA) program at the School of Business at the SUNYA. Mr. Abrahams is a graduate of Albany public schools and has resided in the City of Albany for the majority of his life.

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Attachment 26-1

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William A. Phillips

Mr. Phillips currently serves as President of the New York Charter Schools Association, (NYCSA). Prior to joining NYCSA, Mr. Phillips served in business development leadership positions with Beacon Education Management and SABIS Educational Systems. A former school board member in North Attleboro, Massachusetts, he served as chair of the finance committee and founded the SABIS-Foxborough Regional Charter School. He continues to be active in community affairs, serving on the St. Mary's Academy Advisory Board and Immaculate Conception Parish Council in Hoosick Falls. Mr. Phillips' background includes marketing, sales, and engineering for Synertron, Inc. and Texas Instruments. Mr. Phillips earned his Masters in Public Administration from The George Washington University while also serving as a Congressional Fellow for Ford Motor Company. He received a Bachelors of Science in Industrial Engineering from Lehigh University.

Andrea Rogers

Ms. Rogers is Research Associate at the Foundation for Education Reform & Accountability, a non-profit education policy think tank located in Albany, New York, where she works on a variety of education policy issues, including the implementation of the federal *No Child Left Behind* Act, charter schools, and other education reform strategies designed to raise academic achievement for disadvantaged student populations. Ms. Rogers previously worked as a policy analyst at the U.S. General Accounting Office in Washington D.C., on tax and community development issues. Ms. Rogers earned a Master of Arts in Public Policy from the Rockefeller College of Public Affairs and Policy at the University at Albany and a B.A. in Anthropology from the University at Buffalo.

Philip J. Vecchio, Esq.

Mr. Vecchio is an attorney at law and a certified public accountant. He currently operates his own law firm representing individuals, for-profit entities, trade associations and not-for-profit organizations. He also served as Of Counsel in the Albany office of the law firm of Hiscock & Barclay. During the course of his career he has published numerous articles in technical journals and lectured at continuing education seminars. Mr. Vecchio holds a Bachelor of Art cum laude from Columbia University, a Juris Doctorate from Albany Law School, and a Masters of Science in Accounting from the University of Albany.

Additional Community Member

Faculty Member of Amistad Academy (to be named)

Parent of Child Attending Achievement Academy (to be named)

ATTACHMENT 27

Please provide a set of by-laws for the proposed school, which includes the charter school's method for appointment/election of Trustees and the length of the terms established for each trustee position.

The proposed by-laws for the Achievement Academy Charter School are found in Exhibit D of Volume Two of this application.

ATTACHMENT 28

Attach a description of the responsibilities and obligations of the charter school trustees.

The responsibilities and obligations of the Achievement Academy Charter School's Board of Trustees include the following:

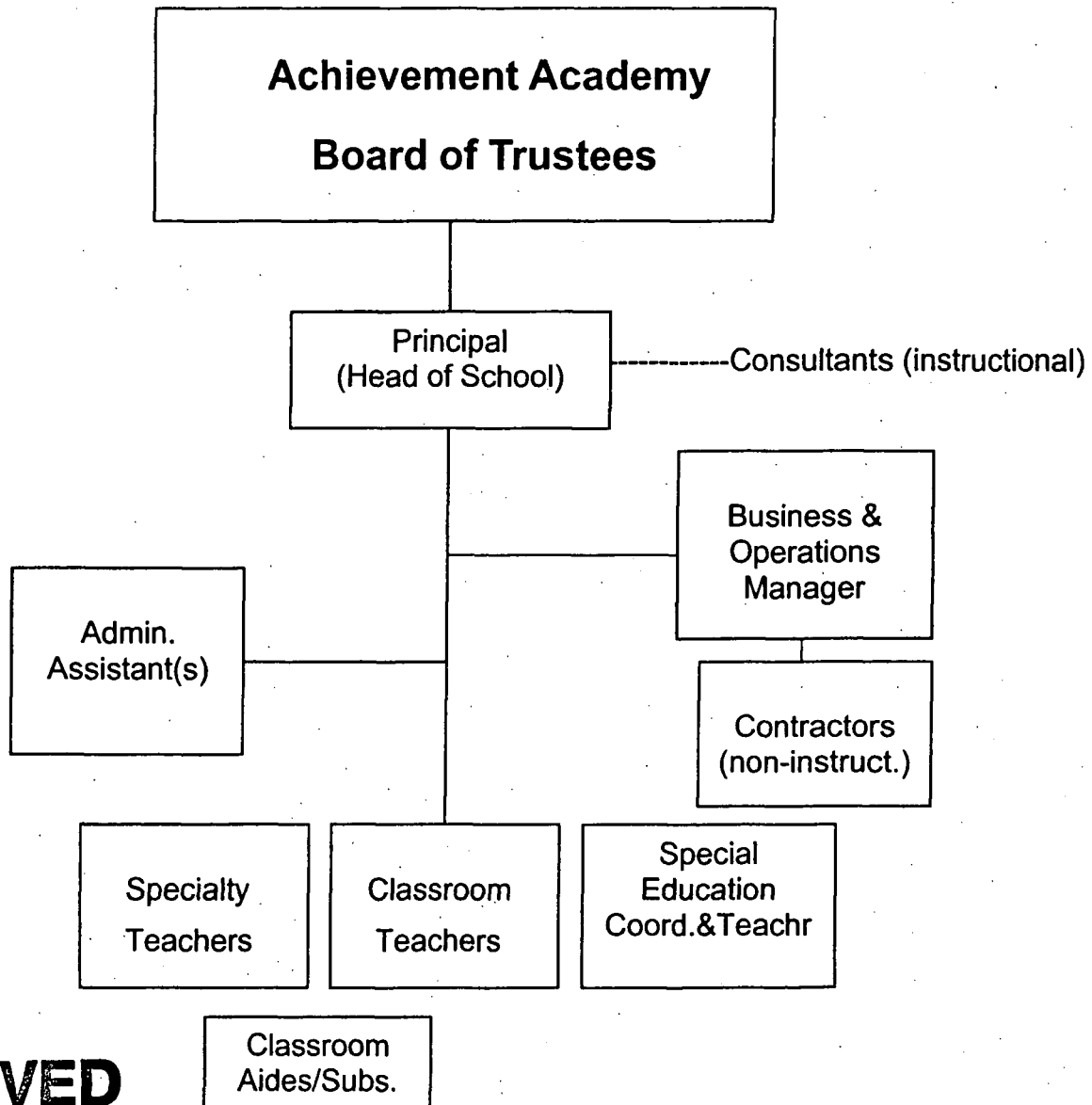
- Ensure that the School adheres to the mission and goals and all other terms and conditions of its Charter, as well as applicable New York State and federal laws and regulations;
- Hire, supervise and evaluate and hold accountable the performance of the Head of School who shall be responsible for the day-to-day operations of the School and to implement Board policies and directives; and approve the appointment of the Business & Operations Manager in cooperation with the Head of School.
- Oversee the educational program implementation and ensure the Charter School operates in an educational sound manner, including approving and ensuring the School progresses toward and fulfills its goals and objectives set forth in the charter and Accountability Plan;
- Approve the Charter School's annual budget, review regular financial updates, and ensure the School operates in a fiscally sound manner;
- Establish and maintain all policies governing the operation of the School;
- Provide support to the Charter School with additional fundraising, marketing and other services as needs arise;
- Advocate on behalf of the School by working to establish partnerships with community organizations, institutions of higher learning, nonprofit foundations and corporate entities that support education through noncommercial relationships; and
- Handle complaints submitted to the Board in a timely manner pursuant to the School's Complaints process, including matters of enforcement of the School's Discipline Code governing long-term suspensions and expulsions.

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ATTACHMENT 29

Provide an organizational chart for the school and a narrative description of the chart. The materials supplied should indicate clearly the reporting structure of staff to the Board of Trustees and staff to the school director(s). If the charter school would contract with a company for management services, explain the company's role in the organizational structure of the school.

The following organizational chart displays the reporting and accountability structure at the Achievement Academy Charter School. Further explanation is found on the following page, 29-2.



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The Board of Trustees shall govern the Achievement Academy and have final authority for the policies and operations of the School pursuant to § 2853(1)(f) of the Education Law. The Board shall delegate the day-to-day decision-making to the Head of School, the Principal.

Importance of School Leadership

The Founders believe as Trustees of the Charter School that strong, talented, committed and accountable school leadership is critical to a School's success, be it a traditional public, public charter, or non-public school. This feature also is paramount in the Amistad school design. In keeping with this approach, the organizational structure of the School vests the Principal's position wide-ranging authority, particularly for instructional leadership. More mundane operational matters are overseen by the Principal but delegated to the position of Business and Operations Manager.

In addition, the Charter School has committed, as part of its agreement with Amistad Academy's non-profit entity, Achievement First, Inc., to pay for leadership training of our selected Principal to occur on-site at the Amistad Academy in New Haven, Conn., for a period of approximately 4-5 months during the Charter School's planning year in 2004-05. The agreement is discussed in Attachment 8 and Exhibit H—Appendix 1 of this Application, and funding is included for such training in the School's start-up budget provided in Attachment 44.

Organizational Accountability

Staff positions are accountable as follows:

Principal: The Principal shall report directly to the Board of Trustees and have responsibility for the hiring, evaluation and termination of all instructional personnel.

Business and Operations Manager: The Business and Operations Manager shall be hired by and accountable to the Principal subject to final approval of the Board of Trustees, or Finance Committee of the Trustees—as the Board shall delegate—which shall be chaired by the Treasurer of the Board.

Teachers/Specialty/Special Education: Instructional personnel shall all be directly accountable to the Principal who shall be delegated with final authority for hiring and firing without approval of the Board, which the Trustees believe is the best means for the Board to hold the Principal accountable for student academic performance.

Classroom aides and substitutes: shall work with the faculty and supplement instruction and tutoring. The Principal shall hire and fire aides and substitutes in cooperation with faculty, but final determination and direction rests with the Principal.

Administrative Assistant(s): shall be hired by the Principal in cooperation with the Business & Operations Manager, but the final authority is the Principal. By the fourth year of the School, or sooner, a second Administrative Assistant position will be added (and likely report directly to the Business and Operations Manager).

Consultants: with instructional responsibilities shall be accountable to Principal in cooperation with the faculty. They include, but are not limited to, special education, limited English proficiency, curriculum development, and teacher training.

Contractors: not performing instructional duties are primarily accountable to the Business & Operations Manager. They include, but are not limited to: accounting, auditing, insurance, payroll service, custodial and grounds keeping, and food services (health service contractor, i.e., nursing, shall report either to the Business & Operations Manager or Principal).

Legal services shall report either to the Principal or the Business & Operations Manager, or the Board Chairman, depending on the need. At all times the Board Chairman shall be notified in the event legal services are required by the School Administration.

Details on staff responsibilities can be found in Exhibit G in Volume Two of this Application.

ATTACHMENT 30

Attach the code of ethics of the charter school. The code of ethics must include a comprehensive and formal conflict of interest policy with specific procedures for implementing the policy and assuring compliance therewith. The code of ethics and conflict of interest policy must be written to apply to trustees, officers and employees of the school.

The Trustees, officers and employees of the Achievement Academy Charter School shall at all times comply with the letter and spirit of the following Code of Ethics:

Code Of Ethics

1. The Board of Trustees shall conduct or direct the affairs of the School and exercise its powers subject to the applicable limitations of the Education Law, Not-for-Profit Corporation Law, the School's charter and its bylaws. The Board may delegate aspects of the management of school activities to others, so long as the affairs of the school are managed, and its powers are exercised, under the Board's ultimate jurisdiction.
2. Not more than 49 percent of the people serving on the School's Board of may be comprised of: (a) people currently being compensated by the School for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor or otherwise; or (b) any sister, brother, ancestor, descendant, spouse, sister-in-law, brother-in-law, daughter-in-law, son-in-law, mother-in-law or father-in-law of any such person.
3. Every Trustee has the right to participate in the discussion and vote on all issues before the Board or any Board Committee, except that any Trustee shall be excused from the discussion and vote on any matter involving such Trustee relating to: (a) a "self-dealing transaction" (see below); (b) a conflict of interest, (c) indemnification of that Trustee uniquely; or (d) any other matter at the discretion of a majority of the Trustees.
4. The Board of Trustees and the employees of the School shall not engage in any "self-dealing transactions," except as approved by the Board. "Self-dealing transaction" means a transaction to which the school is a party and in which one or more of the Trustees has a material financial interest. Notwithstanding this definition, the following transaction is not a self-dealing transaction, and is subject to the Board's general standard of care: a transaction that is part of a public or charitable program of the Corporation, if the transaction (a) is approved or authorized by the Board in good faith and without unjustified favoritism, and (b) results in a benefit to one or more Trustees or their families because they are in a class of persons intended to be benefited by the program.
5. Any Trustee or Officer having an interest in a contract, other transaction or program presented to or discussed by the Board of Trustees for authorization, approval, or

6. ratification shall make a prompt, full and frank disclosure to the Board of his or her interest prior to its acting on such contract or transaction. Such disclosure shall include all relevant and material facts known to such person about the contract or transaction, which might reasonably be construed to be adverse to the Board's interest. A person shall be deemed to have an "interest" in a contract or other transaction if he or she is the party (or one of the parties) contracting or dealing with the school, or is a Director, Trustee or Officer of or has a significant financial or influential interest in the entity contracting or dealing with the School.
7. Trustees representing any not-for-profit corporation proposing to do business with the Charter School shall disclose the nature and extent of such business propositions.
8. No Trustee, officer, or employee of a for-profit corporation having a business relationship with the Charter School shall serve as voting member of the Board of Trustees for the duration of such business relationship, provided, however, that this provision shall not apply to the following:
 - a) Individuals associated with a partnership, limited liability corporation, or professional corporation, including but not limited to doctors, accountants and attorneys;
 - b) Individuals associated with an educational entity (including but not limited to schools of education) some of whose faculty may be providing paid services directly or indirectly to such charter school;
 - c) Individuals associated with a bank, insurance, mutual fund, investment bank, stock brokerage, financial planning, or other financial services organization; or
9. In no instance shall a Trustee, officer, or employee of a for-profit educational management organization having a business relationship with the charter school serve as a voting member of the Board of Trustees for the duration of such business relationship.
10. Trustees, officers, or employees of any external organization shall hold no more than 49 percent of the total seats comprising the Board of Trustees.
11. Trustees shall avoid at all times engaging in activities that would appear to be unduly influenced by other persons who have a special interest in matters under consideration by the Board. If this occurs, a Trustee shall write a letter disclosing all known facts prior to participating in a Board discussion of these matters, and the Trustee's interest in the matter will be reflected in the Board minutes.
12. Trustees shall make all appropriate financial disclosures whenever a grievance of conflict of interest is lodged against them.

13. Trustees shall not use his or her position with the charter school to acquire any gift or privilege worth \$50 or more that is not available to a similarly situated person, unless that gift is for the use of the charter school.
14. Charter School Trustees, officers, or employees may never ask a subordinate, a student, or a parent of a student to work on or give to any political campaign.

ATTACHMENT 31

Attach the proposed student admission policy and procedures for the charter school. This policy should include, at a minimum, the following information:

- The required anti-discrimination criteria and allowable admissions preferences;
- The scheduled application and enrollment periods for the first and subsequent years, including the approximate date in each year on which you intend to hold the lottery, if necessary;
- An outreach plan including strategies for publicizing the school and recruiting prospective students;
- The specific targeted student population (if any);
- The step-by-step procedures to be implemented in the event timely applications for admission exceed the available spaces, including who will conduct the lottery, the precise manner in which the lottery will be conducted, and measures that will be taken to ensure that the admission process adheres to § 2854(2); and
 - The procedures for student withdrawal from the school.

The Achievement Academy Charter School shall not discriminate against any student based on race, ethnicity, national origin, gender, or disability or for any other basis that would be unlawful for a public school. The School shall be open to any child who is eligible under the laws of New York State for admission to a public school, and the school shall ensure compliance with all applicable anti-discrimination laws governing public schools, including Title VI of the Civil Rights Act and Section 2854(2) of the New York Education Law, governing admission to a charter school. New students will be admitted each year without regard to prior measures of achievement or aptitude, athletic ability, disability, handicapped condition, ethnicity, race, creed, gender, national origin, religion, or ancestry.

Enrollment Period and Admissions Lottery

Formal recruitment of incoming students will begin after the charter school is authorized. During or before January, the Charter School will advertise open registration and families, if they choose, will meet with staff and review the expectations of the School. Interested families may submit applications beginning on or about January 15 until approximately February 28 (or the 29th during leap years), at which point students will be accepted. If the number of applicants to the Charter School exceeds capacity, a random selection process conducted by an individual unaffiliated with the School will be used to assign spaces as described below. This lottery will be held on or about March 15 annually.

In its first year of operation, the School will accept applications for admission to the Fifth grade, for which approximately 75 students will be accepted. In subsequent years, the school will add an additional class year of approximately 75 students, until full operation is reached with approximately 75 students in each of fifth through eighth grade.

In the event of the need for a lottery, admission preference shall be granted to applicants in the following manner:

- First preference will be given to returning students, who will automatically be assigned a space within the School.
- Second preference will be given to siblings of students already enrolled in the Charter School. For definition purposes, "siblings" are two or more children that are related either by birth by means of the same father or mother or by legal adoption.
- Third preference for admission is for students who reside in the district of location, the Albany City School District.
- Any remaining slots shall be available to applicants residing outside the district of location.

In the event that a lottery process is necessary to determine enrollment, names will continue to be drawn after all available spaces have been filled in order to form a waiting list in accordance with each preference category for each grade level. This waiting list will be the only official, legal document identifying the names of grade eligible students with applications to the Charter School pending acceptance for the subsequent school year, or when vacancies arise, based upon the order of random selection from the lottery following a recruitment period. The waiting list shall expire annually at the lottery drawing following the next year's enrollment period.

Student Recruitment Activities

The Charter School, will undertake the measures below, among others, to recruit student applicants (and will provide translation services, if necessary, for all promotional materials and any person-to-person interaction requiring an English translation):

- Mailings to residents of the City of Albany;
- Post flyers and notices in local newspapers, supermarkets, churches, community centers, and apartment complexes;
- Open Houses conducted at public and private elementary schools, after-school programs and youth centers;
- Visit local organizations in surrounding neighborhoods; and/or
- Canvass neighborhoods to further reach interested families.

Voluntary Withdrawal

The Charter School is a public school of choice, both for application and withdrawal. There may arise circumstances in which a parent or guardian may wish to transfer their child to a different school. Students with their parent or guardian permission may withdraw from the School at any time. School personnel will offer to meet with the family and discuss the reasons for the desired withdrawal from the School, as well as to seek solutions to any problems that arise from these discussions.

If the parents or guardians still wish to transfer their child to another school, the staff at the Charter School will make every reasonable effort to help the student find a school that better serves the family's desires. The School will ensure the timely transfer of any necessary school records to the student's new school.

ATTACHMENT 32

Attach the charter school's student discipline rules and procedures for regular education students. If your school is to have a provision for suspension or expulsion, include as well the procedures and policies for implementing alternative instruction.

The Achievement Academy Charter School will view student conduct in the same way as academics – it must be taught. Effective behavior instruction, similar to effective academic instruction, will be modeled, practiced and reinforced by setting high expectations. A key feature of the School's professional development program for faculty will be classroom management observation and strategies. Consistent with the Amistad program philosophy, the Charter School's approach to student discipline will be positive as the students will be recognized for good behavior and accomplishments while there also will be clear, strict consequences for bad behavior.

Positive Reinforcement: REACH Values

Teachers also will serve as advisors to students and help them to develop character and leadership skills using the five REACH values, Respect, Enthusiasm, Achievement, Citizenship and Hard Work. Each month, students will use a REACH rubric outlining specific behaviors to evaluate their own behavior. Teachers will rank students on a scale of 1 to 5 for each of the following rubrics.

Respect

- I treat all students nicely. I show a positive attitude and avoid put downs. I make eye contact with people, and I say please and thank you.
- I listen actively (SOLERA) when someone else is speaking. I raise my hand when I wish to speak, and I wait to be called on by my teacher. I speak in a positive tone.
- I keep my hands to myself, even when playing or in line.
- I show respect for property. I ask to borrow other people's things. I work to keep our school clean by picking up after myself.
- I treat my teachers like PLATINUM. I always use a positive tone and body language when talking with teachers. I do not talk back. I never show attitude to a teacher.

Enthusiasm

- I keep an open mind and do things without whining, complaining, or pouting even when they are new, hard, or not interesting to me.
- I participate appropriately with positive energy in Morning Circle by saying the chant and doing the hand motions; I do not talk or distract others.
- I follow directions correctly the first time, and I give every task my best effort.
- I wear my uniform properly every day with a belt and with my shirt tucked in. My uniform is clean, without jewelry or make-up.

- I participate actively in class by immediately doing all work to my best ability, and I answer and ask questions and share my thoughts often.

Achievement

- I complete all my homework and independent reading every night.
- I do my absolute best - TOP QUALITY - on all assignments.
- I keep my binders, desk, homework folder, pencil box, and all materials clean, neat and organized. I do an excellent job on my organization rubric.
- I set a high goal on my last REACH rubric, and I made progress toward meeting it.
- I make up missed assignments.

Citizenship

- I show honesty and integrity in my actions. I always tell the truth. I do my own work and only get help from others when it is appropriate.
- I take responsibility for my actions. I accept my consequences without making excuses, blaming others, or worrying about what consequences others may receive.
- I care about my teammates. Without being asked, I help others without expecting anything in return.
- I work well with my teammates to complete an assigned task.
- I work to keep my classroom and the school clean by always throwing away my own trash and, without being asked, pick up trash.

Hard Work

- I come to school every day, and I arrive on time.
- I come to class "Good to Go" with all necessary books and materials.
- I commit two eyes, two ears, and one big brain to learning. I stay focused on what I need to learn without distracting others or letting others distract me.
- When I am given an assignment or asked a question, I try my best and do not give up. I ask my teachers for help and, if necessary, I give up free time to get help.
- I do not settle for so-so on my assignments. I do my absolute best on all classwork, homework, and test. I check over my tests to make sure they are great.

Student Records

The Charter School shall maintain written records of all suspensions and expulsions including the name of the student, a description of the behavior engaged in, the disciplinary action taken, and a record of the number of days a student has been suspended or removed for disciplinary reasons.

Short Term Suspension

A short-term suspension refers to the removal of a student from School for disciplinary reasons for a period of five or fewer days. A student who has committed any of the infractions listed below shall be subject minimally to a short-term suspension, unless the Head of School determines that an exception should be made based on the individual circumstances of the incident and the student's disciplinary record. The Head of School reserves the right to adjust the punishment for each infraction per his or her judgment.

Disciplinary Infractions

- Attempt to assault any student or staff member;
- Vandalize school property causing minor damage;
- Endanger the physical safety of another by the use of force or threats of force that reasonably places the victim in fear of imminent bodily injury;
- Engage in conduct which disrupts school or classroom activity or endanger or threaten to endanger the health, safety, welfare, or morals of others;
- Engage in insubordination;
- Fail to complete assignments, carry out directions, or comply with disciplinary sanctions;
- Cheat on quizzes, exams, or commit plagiarism;
- Used forged notes or excuses;
- Steal, or attempt to steal, or possess property known by the student to be stolen;
- Commit extortion;
- Engage in gambling;
- Abuse school property or equipment;
- Use obscene or abusive language or gestures;
- Engage in acts of verbal or physical sexual harassment;
- Make a false bomb threat or pull a false emergency alarm;
- Possess tobacco or alcohol;
- Possess pagers, beepers, or portable/cellular telephones not being used for instructional purposes;
- Wear inappropriate, insufficient, or disruptive clothing or attire, or violate the student dress code;
- Commit any other act which school officials reasonably conclude disrupts the learning environment of the school;
- Repeatedly commit minor behavioral infractions which, in aggregate, may be considered an infraction subject to formal disciplinary action;
- Repeatedly violate REACH values, as determined by the Head of School.

Procedures and Due Process for Short Term Suspension

The Head of School may impose a short-term suspension, and shall follow due process procedures consistent with federal case law pursuant to *Goss v. Lopez* (419 U.S. 565). Before imposing a short term suspension, or other, less serious discipline, the school principal shall provide notice to inform the student of the charges against him

or her, and if the student denies the charges, an explanation of the evidence against the student. A chance to present the student's version of events shall also be provided.

Before imposing a short-term suspension, the Head of School shall immediately notify the parents or guardian in writing that the student may be suspended from school. Written notice shall be provided by personal delivery, express mail delivery within 24 hours of the decision to impose suspension at the last known address(es) of the parents or guardians. Where possible, notification also shall be provided by telephone. Such notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the parents or guardian of their right to request an immediate informal conference with the Head of School. Such notice and informal conference shall be in the dominant language of mode of communication used by the parents or guardian. The parents or guardian of the student and the student shall have the opportunity to present the student's version of the incident and to ask questions of the complaining witnesses. Such notice and opportunity for an informal conference shall take place prior to the suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference shall take place as soon as possible after the suspension as is reasonably practicable.

The Head of School's decision to impose a short-term suspension may be challenged by the parent(s) or guardian in accordance with the Charter School's complaint process.

Long Term Suspension/Expulsion

A long-term suspension refers to the removal of a student from School for disciplinary reasons for a period of more than five days. Expulsion refers to the permanent removal of a student from School for disciplinary reasons. A student who is determined to have committed any of the infractions listed below shall be subject minimally to a long-term suspension or expulsion, unless the Head of School determines that an exception should be made based on the circumstance of the incident and the student's disciplinary record. Such a student may also be subject to any of the disciplinary measures outlined elsewhere in this document including a referral to the appropriate law enforcement authorities.

Disciplinary Infractions

Possess, use, attempt to use, or transfer of any firearm, knife, razor blade, explosive, mace, tear gas, or other dangerous object of no reasonable use to the student in school;

- Commit, or attempt to commit arson on school property;
- Assault any other student or staff member;
- Intentionally causes physical injury to another person, except when student's actions are reasonably necessary to protect him or herself from injury;
- Vandalize school property causing major damage;
- Commit any act, which school officials reasonably conclude warrants a long-term suspension.

A student who commits any of the acts previously described as causes for short term-suspension may, instead or in addition, be subject to a long-term suspension at the Head of School's discretion only if the student has committed the act at least three times in the academic year.

Procedures and Due Process for Long Term Suspension

The Head of School may impose a long-term suspension. Such a suspension may be imposed only after the student has been found guilty at a formal suspension hearing. In extreme circumstances, the head of school may expel the student from school. Upon determining that a student's action warrants a possible long-term suspension, the head of school shall verbally inform the student that he or she is being suspended and is being considered for a long-term suspension (or expulsion) and state the reasons for such actions. The Head of School also shall immediately notify the student's parent(s) or guardian(s) in writing. Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within 24 hours of suspension at the last known address. Where possible, notification also shall be provided by telephone if the School has been provided with a contact telephone number for the parent(s) or guardian(s). Such notice shall provide a description of the incident or incidents which resulted in the suspension and shall indicate that a formal hearing will be held on the matter which may result in a long-term suspension (or expulsion). The notification provided shall be in the dominant language used by the parent(s) or guardian(s). At the formal hearing, the student shall have the right to be represented by counsel, question witnesses, and present evidence.

If the Head of School initiates the suspension proceeding, he or she shall personally hear and determine the proceeding or may, in his discretion, designate a hearing officer to conduct the hearing. The hearing officer's report shall be advisory only and the Head of School may accept or reject all or part of it. The Head of School's decision to impose a long-term suspension or expulsion may be challenged by the parent or guardian in accordance with the charter school's complaint process as described in Attachment 39.

Firearm Violations

Federal and State law require the expulsion from School for a period of not less than one year of a student who is determined to have brought a firearm to the school, or to have possessed a firearm at School, except that the Head of School may modify such expulsion requirement for a student on a case-by-case basis, if such modification is in writing, in accordance with the Federal Gun-Free Schools Act of 1994 (as amended). "Weapon," as used in this law means a "firearm," as defined by 18 USC§8921, and includes firearms and explosives. (New York Education Law §3214(3)(d) effectuates this federal law.) The Head of School shall refer a student under the age of sixteen who has been determined to have brought a weapon or firearm to school to a presentment agency for a juvenile delinquency proceeding consistent with Article 3 of the Family Court Act except a student fourteen or fifteen years of age who qualifies for juvenile offender status under Criminal Procedure Law § 1.20(42). The Head of School shall refer any pupil sixteen years of age or older or a student fourteen

or fifteen years of age who qualifies for juvenile offender status under Criminal Procedure Law § 1.20(42), who has been determined to have brought a weapon or firearm to school to the appropriate law enforcement officials.

Provision of Instruction During Removal

The Charter School will ensure that alternative educational services are provided to a child who has been suspended or removed to help that child progress in the School's general curriculum. For a student who has been suspended, alternative instruction will be provided to the extent required by applicable law. For a student who has been expelled, alternative instruction will be provided in like manner as a suspended student until the student enrolls in another school or until the end of the school year, whichever comes first.

Alternative instruction will be provided to students suspended or expelled in a way that best suits the needs of the student on a case-by-case basis. Instruction for such students shall be sufficient to enable the student to make adequate academic progress, and shall provide them the opportunity to complete the assignments, learn the curriculum and participate in assessments. Instruction will take place in one of the following locations: the child's home, a contracted facility (e.g., in the school district of location), or a suspension room at the School. During any removal for drug or weapon offenses, additional services shall include strategies designed to prevent such behavior from recurring. Instruction will be provided by one or more of the following individuals who shall be certified in accordance with § 2854(3)(a-1) of the Education Law: the student's teacher(s), aides or trained volunteers, individuals within a contracted facility, and/or a tutor hired for this purpose.

ATTACHMENT 33

Please provide the discipline policy that the school will enact for students with disabilities.

The Achievement Academy Charter School shall implement the following disciplinary policy procedures with respect students with disabilities.

If a student violates the Charter School's Discipline Code and is being considered for a suspension or removal, the School must ensure the following due process protections are provided to the student and to the student's parent(s). For suspensions of five school days or less, the student's parent(s) or guardian must be provided with a written notice, and a follow up telephone call if possible, within 24 hours of the incident leading up to the suspension which describes the basis for the suspension and explains that the parent or guardian has the right to request an informal conference with the Head of School and appropriate staff to discuss the incident and question any complaining witness against the student. For suspensions in excess of five consecutive school days, the student's parent(s) or guardian must be provided with a written notice which indicates that the district proposes to suspend the student from school in excess of five consecutive school days, describes the basis for the proposed suspension, explains that the student has an opportunity for a fair hearing conducted by the Head of School or designated officer of the director at which the student will have a right to question any witnesses accusing him/her of committing the misconduct charge and to present witnesses on his/her behalf. Where possible, notification must also be provided by telephone. For any student of compulsory school age, the school must provide alternative education to the student during the suspension.

In addition to the above, there are additional procedures and protections that apply to students with disabilities including:

- The provision of a free and appropriate education to students who are suspended or removed for disciplinary reasons for more than ten school days in a school year, this includes a teacher going to the student's home or the student coming to the school after the scheduled school day to receive the required instruction according to the IEP;
- The responsibility of schools to address behaviors that result in suspensions or removals for more than ten school days in a school year (functional behavioral assessment and behavioral intervention plans);
- The determination of the relationship between the behavior and the student's disability when a suspension or removal would result in a disciplinary change of placement (manifestation determination);
- Providing the parent of the student a copy of the procedural safeguards notice (special education rights) whenever a disciplinary action will result in a disciplinary change in placement which is a removal for more than 10 consecutive school days;

- An expedited process to resolve disagreements between parents and schools regarding certain disciplinary actions;
- Protections for students who are not classified when a parent asserts that the school had knowledge, prior to the behavior that resulted in the disciplinary action, that the student was a student with a disability;
- Expedited evaluations of students suspected of having a disability during the time the student is suspended.

The Charter School has the authority to suspend or remove students with a disability to interim alternative educational settings for up to 45 days for offenses relating to illegal drugs, controlled substances, weapons, or where the student represents a safety concern. In instances when the School maintains that it is dangerous for a student to remain in his current educational placement, the school can request an expedited due process hearing to move the student to an interim setting. The school can remove a student with a disability from his or her current placement when necessary, even though the student had previously been removed earlier in the school year, as long as the removal does not constitute a disciplinary change in placement.

The Charter School will work closely with the Committee on Special Education to establish clear guidelines for communication and decision-making on disciplinary matters.

In addition to the discipline procedures applicable to all students, the following procedures are applicable to students with disabilities [As student not specifically identified as having a disability but whose school district of residence or charter school, prior to the behavior which is the subject of the disciplinary action, has a basis of knowledge—in accordance with 34 CFR 300.527(b)—that a disability exists may request to be disciplined in accordance with these provisions.] The Charter School shall comply with sections 300.519-300.529 of the Code of Federal Regulations (CFR) and the following procedures, except that in the event that the following procedures are inconsistent with federal law and regulations, such federal law and regulations shall govern.

The Charter School shall maintain written records of all suspensions and expulsions of students with a disability including the name of the student, a description of the behavior engaged in, the disciplinary action taken, and a record of the number of days a student has been suspended or removed for disciplinary reasons.

Students for whom the Individualized Educational Plan (IEP) includes a Behavior Intervention Plan (BIP) will be disciplined in accordance with the BIP. If the BIP appears not to be effective or if there is a concern for the health and safety of the student or others if the BIP is followed with respect to the infraction, the matter will be immediately referred to the Committee on Special Education (CSE) of the student's district of residence for consideration of a change in the guidelines.

If a student identified as having a disability is suspended during the course of the school year for a total of eight days, such student will immediately be referred to the CSE of the student's district of residence for reconsideration of the student's educational placement. Such a student shall not be suspended for a total of more than ten days during the school year without the specific involvement of the CSE of the student's district of residence prior to the eleventh day of suspension, because such suspensions may be considered to be a change in placement.

In considering the placement of students referred because of disciplinary problems, the CSE of the student's district of residence is expected to follow its ordinary policies with respect to parental notification and involvement.

The Charter School shall work with the district to ensure that the CSE of the student's district of residence meets within seven days of notification of any of the following:

- 1) The commission of an infraction by a student with a disability who has previously been suspended for the maximum allowable number of days.
- 2) The commission of any fraction resulting from the student's disability.
- 3) The commission of any infraction by a disabled student, regardless of whether the student has previously been suspended during the school year if, had such infraction been committed by a non-disabled student, the head of school would seek to impose a suspension in excess of five days.

The Charter School shall ensure that when the suspension or removal of a student with a disability will constitute a disciplinary change of placement, the CSE will be immediately notified so that the CSE can meet its required obligations to:

- 1) Convene a CSE meeting within 10 school days to make a manifestation determination.
- 2) Convene a CSE meeting within 10 business days to develop a plan to conduct a functional behavioral assessment or review an existing functional behavioral assessment or behavioral intervention plan.
- 3) Provide the student's parent with a copy of their procedural due process rights.
- 4) Determine education services or the interim alternative educational setting consistent with the FAPE requirements.

Provision of Services During Removal

Those students removed for a period fewer than ten days will receive all classroom assignments and a schedule to complete such assignments during the time of his or her suspension. Provisions will be made to permit a suspended student to make up assignments or tests missed as a result of such suspension. The school also

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

During any subsequent removal that, combined with previous removals equals ten or more school days during the school year, but does not constitute a change in placement, services must be provided to the extent determined necessary to enable the child to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. In these cases, school personnel, in consultation with the child's special education teacher, shall make the service determination.

During any removal for drug or weapon offenses [pursuant to 34 CFR §300.520(a)(2)] services will be provided to the extent necessary to enable the child to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. These service determinations will be made by the CSE of the student's district of residence. The school will place students in interim alternative educational settings as appropriate and mandated by 34 CFR §300.520(a)(2).

During any subsequent removal that does constitute a change in placement, but where the behavior is not a manifestation of the disability, the services must be provided to the extent necessary to enable the student to appropriately progress in the general curriculum and in achieving the goals of his or her IEP. The CSE of the student's district of residence will make the service determination.

CSE Meetings

Meetings of the CSE of the student's district of residence to either develop a behavioral assessment plan or, if the child has one, to review such plan are required when: (1) the child is first removed from his or her current placement for more than ten school days in a school year; and (2) when commencing a removal which constitutes a change in placement.

Subsequently, if other removals occur which do not constitute a change in placement, the school will work with the CSE of the student's district of residence to review the child's assessment plan and its implementation to determine if modifications are necessary. If one or more members of the CSE of the student's district of residence believe that modifications are needed, then the CSE is expected to meet to modify the plan and/or its implementation.

The Charter School ensures the special education coordinator or special teacher, and the general classroom teacher, will attend all meetings regarding their students initiated by the Committee on Special Education from the student's home district. These meetings could be relating to the development and implementation of behavioral intervention plans, initial referrals, change in service, or annual reviews, etc.

Due Process

Any time a student with a disability behavior constitutes a disciplinary action a Functional Behavioral Assessment (FBA) is conducted and a decision is made as to the Behavioral Intervention Plan (BIP). These procedures are followed each time to ensure that when a behavior incident occurs that a suspension or removal of a student with a disability does not constitute a disciplinary change in placement, and that the student is not suspended or removed for behaviors related to the student's disability as determined by the CSE and other qualified individuals.

If discipline which would constitute a change in placement is contemplated for any student, the following steps shall be taken: (1) not later than the date on which the decision to take such action is made, the parents of the student with a disability shall be notified of that decision and provided the procedural safeguards notice described in 34 CFR §300.504; and (2) immediately, if possible, but in no case later than ten school days after the date on which such decision is made, the CSE of the student's district of residence and other qualified personnel shall meet and review the relationship between the child's disability and the behavior subject to the disciplinary action.

If, upon review, it is determined that the child's behavior was not a manifestation of his or her disability, then the child may be disciplined in the same manner as a child without a disability, except as provided in 34 CFR §300.121(d), which relates to the provision of services to students with disabilities during periods of removal.

Parents may request a hearing to challenge the manifestation determination. Except as provided below, the child will remain in his or her current educational placement pending the determination of the hearing.

If a parent requests a hearing or an appeal to challenge the interim alternative educational setting or the manifestation determination resulting from a disciplinary action relating to weapons or drugs, the child shall 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 the disciplinary action, whichever occurs first, unless the parent and Charter School agree otherwise.

ATTACHMENT 34

If the charter school would implement a dress code policy, provide such policy including a description of how cost of any uniform would be covered for parents unable to afford them.

Achievement Academy Charter School, consistent with the Amistad model, plans to implement a uniform dress code policy in order to cultivate good discipline and a favorable learning environment while mitigating potential distractions and divisions among students. The specific uniform colors and style has not been finalized at this time, but likely shall consist of khaki pants, polo shirts, appropriate skirts or jumpers and blouses. The uniform requirement also will be further developed to regulate how they are worn (shirts tucked in, non-religious headwear, etc.)

Uniforms shall be made available at an affordable price, and funds are annually budgeted in the School's financial plan to assist families who show a demonstrable need in purchasing the clothing.

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ATTACHMENT 35

Provide a description of the food services to be provided by the charter school.

The Achievement Academy Charter School will offer a hot/cold breakfast, snack and lunch program to all students. Additionally, the School will participate in the federal School Breakfast Program and the National School Lunch Program, administered by the United States Department of Agriculture (USDA). Both programs offer free or reduced meals to all students that meet eligibility requirements. Typically, students from households with incomes at or below 130% of the poverty level are eligible for free meals, while students from households with incomes between 130% and 185% of the poverty level are eligible for reduced-price meals.

The Charter School will contract for food services through a food vendor and will seek vendor recommendations from local public schools and charter schools. The School anticipates having all meals prepared off-site and brought in on a daily basis. The School will provide an on-site refrigerator for short-term milk storage and an eating area/cafeteria for meal consumption. All meals will meet USDA minimum nutrition requirements, including dietary guidelines, and recommended daily allowances of protein, Vitamin A, Vitamin C, iron, calcium and calories.

ATTACHMENT 36

Describe plans for health services to be provided by the charter school, or options under consideration.

The Achievement Academy Charter School will comply with all health services requirements applicable to public schools, including Education Law §§ 901-914 and §136.2(d)(2) of the Commissioner's Regulations. To the extent possible, the Charter School will provide on-site health care services similar to those services available to children attending Albany Public Schools, including a part-time nurse, who is funded in the budget. Health services will include:

- 1) Physical examinations upon admittance to the School.
- 2) Physical examinations upon entry into seventh grade and at any other time deemed necessary by Albany Public Schools and/or the Charter School.
- 3) Annual vision screening testing for all students. Per section 905 of New York Education Law, the components of vision testing shall include distance acuity, color perception, and near vision.
- 4) Annual hearing testing for all pupils and any other time deemed necessary by Albany Public Schools and/or the Charter School.
- 5) Annual scoliosis (spinal) screening test for all students 8-16 years of age.
- 6) Maintenance of cumulative health records.
- 7) Emergency care of ill or injured students.
- 8) Compliance with and enforcement of mandatory immunization requirements.

Maintenance and Storage of Cumulative Health Records

The Charter School will store all health records for enrolled students. Cumulative student health records shall be held until the student is 27 years old. Immunization records will be held 10 years after the immunizations were administered.

Immunization Requirements

New York State law requires that each student entering kindergarten or a new school district in grades 1 – 12 have a certificate of immunization at the time of registration or not later than the first day of school. New York State immunization requirements include:

- Diphtheria [Toxoid Containing Vaccine (DTP, DtaP) 3 doses];
- Polio [(IPV)(OPV3 OPV or 4 IPV);
- Measles / Mumps / Rubella [(MMR) Born before 1985: 1 dose of MMR; Born on or after 1985: 2 doses of measles containing vaccine and 1 dose each of mumps and rubella (preferably as MMR)];
- Hepatitis B [Born on or after 1/1/93 – 3 doses];
- Varicella – 1 dose.

Before a child can be permitted to enter and attend school, parents or guardians must present documentation that their child has received all required doses of vaccines or

that their child has received at least one dose of each of the required vaccines and is waiting to receive the subsequent doses at the appropriate time intervals. Parents may waive immunization in accordance with Public Health Law and exceptions to immunizations shall be granted if a licensed physician or nurse practitioner certifies such immunization may be detrimental to the student's health, or if the student's parent or guardian holds genuine and sincere beliefs, which may include religious beliefs, contrary to such immunization [see §2164 (8) and (9) of the Public Health Law].

Defibrillator

The Charter School, in accordance with § 917 of the Education Law, maintains on-site automated external defibrillator (AED) equipment to ensure ready and appropriate access for use during emergencies and shall ensure that a staff member is trained in the operation and use of such equipment for use in the school and at any school-sponsored events at other locations.

ATTACHMENT 37

Attach the proposed school's policies and procedures for complying with the New York State Freedom of Information Law (Article 6 of the New York Public Officers Law).

Achievement Academy Charter School's policy and procedures to comply with the New York Freedom of Information Law are provided in Exhibit E in Volume II of this Application.

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Attachment 37-1

ATTACHMENT 38

Attach the proposed school's policies and procedures for complying with the New York State Open Meetings Law (Article 7 of the New York Public Officers Law).

Achievement Academy Charter School's policy and procedures for complying with New York's Open Meetings Law are provided in Exhibit F in Volume II of this Application.

ATTACHMENT 39

Attach the policies of the charter school's board of trustees for handling complaints from individual groups.

Any individual or group may bring complaints to the Board of Trustees of the Achievement Academy Charter School. Complaints will be submitted to the Board of Trustees at least one week prior to the next Board meeting. Complaints submitted later will be addressed at the subsequent meeting of the Board of Trustees. Emergency issues will be dealt with on an as-needed basis, with the Board responding at or prior to its next regular public meeting. Every effort will be made to respectfully address each matter to the satisfaction of the individual or group that presented the complaint. The Board, as necessary, may direct the Head of School or other responsible party to act upon the complaint and report to the Board. The Board of Trustees shall render a determination in writing if appropriate or required.

If a complaint alleges violations of applicable New York State and/or Federal law, or the School's Charter, the Board's response will be provided to the individual or group that presented the complaint, along with a copy of the current SUNY-CSI appeals process as published on the Charter Entity's website (www.newyorkcharters.org).

In accordance with Education Law § 2855(4), if after presentation of such a complaint to the Board of Trustees, the individual or group determines that the Board has not adequately addressed the complaint, that individual or group may present the complaint to the School's charter entity, the State University of New York Board of Trustees through the SUNY Charter Schools Institute, which shall investigate and respond. If, after presentation of the complaint to the Institute, the individual or group determines that it has not adequately addressed the complaint, they may present the complaint to the Board of Regents through the State Education Department, which shall investigate and respond. The SUNY Board of Trustees and the Board of Regents shall have the power and the duty to issue appropriate remedial orders to the Board of Trustees of the Charter School under their jurisdiction to effectuate the provisions applicable under Education Law.

ATTACHMENT 40

In the event of the dissolution of the charter school, attach the procedures that the school would follow for the transfer of students and student record and for the disposition of school assets.

In the event it is determined that closure or dissolution of the Achievement Academy Charter School shall occur, the Board of Trustees shall thereupon delegate to the Head of School the responsibility to manage the dissolution process. The Board shall designate a member or establish a subcommittee which shall directly oversee the dissolution process managed by the Head of School. This process shall include notification to parents of children enrolled in the Charter School. Additionally, a list of students attending the School will be sent to the school district in which the Charter School is located, the Albany City School District.

An escrow amount of \$25,000 shall be maintained to handle expenses to implement the dissolution process. The School shall transfer student records to the Albany City School District and the parents of the enrolled students shall be notified of the transfer of records.

The remaining assets of the Charter School, after satisfaction of outstanding debts, shall be transferred to another charter school within the Albany City School District or directly transferred to the District, in accordance with § 2851(2)(t) of the Education Law and any other applicable law.

ATTACHMENT 41

Attach a copy of the proposed school's personnel policies. The attached policies should include at least the following information:

- the procedures for hiring and dismissing school personnel;
- the school's qualifications for hiring teachers, school administrators and other employees; and
- a description of responsibilities for staff members.

The Achievement Academy Charter School's personnel policies, qualifications for hiring staff, and a description of staff responsibilities are contained in Exhibit G of Volume Two of this Application.

ATTACHMENT 42

Provide a roster of instructional staff for the school for each year of the charter that you are seeking. The roster should indicate and identify classroom teachers, and any teaching aides or assistants, as well as any specialty teachers. In addition, the roster should identify the number of instructional personnel in each classroom, e.g., one teacher, one teaching assistant, one paraprofessional for each class. Please indicate as well whether the charter school intends to utilize the limited waiver regarding teacher certification permitted by § 2854(3)(a-1). If so, indicate your understanding of the limitations of that waiver.

The table below outlines the number of teachers expected to be hired and serve at the Achievement Academy Charter School for each of its four operating years.

	2005-06	2006-07	2007-08	2008-09
Enrollment	75	150	225	300
Grades	5 th	5 th & 6 th	5 th -7 th	5 th -8 th
Classroom Teachers	4	8	12	16
Specialty Teachers P.E./Arts/Spanish(yr3)	2 (half-time)	2	3	3
Special Ed. Teachers Coordinator Yr.1	1	2	2	2
Classroom aides Both part-time, all year	2	2	2	2
TOTAL				
instructors:	9	14	19	23
FTE staff:	7	13	18	22

Teaching Roster

There is planned one teacher in each class, and at least two part-time classroom aides who shall be shared among the teachers to assist them either in the classroom or for tutoring and enrichment in the afternoons. The Aides may serve on a contractual basis or through an internship arrangement with area colleges. At this time the budget does not include fringe benefits for these two part-time positions (though they are counted for insurance purposes).

A foreign language teacher (Spanish) will be added in the third year, 2007-08. The other specialty teachers, physical education and arts, will both be half-time in the first year, 2005-06, and be made full-time in year two.

Certification

Achievement Academy shall employ certified teachers, except that it may hire non-certified teachers equal to not more than 30 percent of the teaching staff or five teachers, whichever is less. Any such non-certified teachers employed by the School shall meet the criteria set forth in § 2854(3)(a-1) of the New York Education Law and shall be subject-based competent pursuant to the federal *No Child Left Behind Act*.

Professional Development

The Achievement Academy Charter School will set out to continuously improve the skills of its faculty with the implementation of a professional development plan to help ensure that quality, standards-based teaching is implemented—critical to the design of the School and the success of its students. The plan will provide for up to one week prior to school opening and at least 12 days during the school year of training (half of which will occur on Saturday to mitigate lost instruction time for children).

While details of the professional development program shall be the responsibility of the Head of School using both internal training and outside consultants, we expect three broad areas will be emphasized in any such program:

- Effective teaching with standards-based instruction in mind will be emphasized to ensure that each lesson from a teacher contains the most effective use of the time allotted for instruction each day and that lessons be linked to achieving a content standard being assessed;
- Effective classroom management of potential behavior problems will be given to teachers through presentation of the "REACH" program of Respect, Enthusiasm, Achievement, Citizenship and Hard work, and outside observation of faculty classroom management will be used;
- Collaborative meetings to promote best practices will allow for the Head of School and outside consultants to present successful pedagogy and plans, and for teachers to discuss successful lesson-planning, teaching and behavior management practices; teachers also will be encouraged to synchronize lessons across curricula to better prepare students to meet state standards.

Teacher Compensation

Achievement Academy Charter School will invest in its teachers and is committed to attracting a high-quality, results-oriented faculty to get our students to the achievement levels they are capable of. Teachers will have a demanding schedule, be held accountable for student academic performance, serve as student advisors, and have the flexibility to adjust practices and scheduling as the needs arise, in consultation with other faculty and the School leadership. With demands and accountability also come recognition and reward, as teachers will receive compensation commensurate with experience and background (average salaries are budgeted at \$45,000). In addition, teachers will not only receive competitive pay, but have the opportunity for bonuses based on objective evaluation criteria and measures of accomplishment. Opportunities for teacher involvement in school governance and administration are presented in Attachment 22b.

ATTACHMENT 43

If the charter school would have more than 250 students in the first year of operation, indicate whether you are requesting a waiver from the requirement that instructional employees must be members of the existing collective bargaining organization in the school district where the charter school would be located.

This question is not applicable since the Charter School shall open with and serve approximately 75 students during its first year of operation.

ATTACHMENT 44

Detail a start-up budget for the charter school, including the planned timetable, assumptions for revenue and expenditures, and documentation of start-up revenue. For any funds in the school budget that are provided by an outside source, please provide a letter of commitment detailing the amount and uses for the funding.

The start-up budget for the Achievement Academy Charter School is found on page 44-3. It reflects charter incorporation by summer 2004, and revenues and expenditures materializing during the latter half of school year 2004-05 (i.e., spring 2005) which shall serve as a planning year for the School. The following is a discussion of the start-up budget, including assumptions made for revenues and expenditures (which also are including in abbreviated form on the right margin of budget).

Revenue -- \$275,000

Federal PCSP. An amount of \$175,000 is assumed from the federal Public Charter School Program, typical of what many charter schools have received, and represents the first installment of this three-year Planning and Implementation Award. Such funds can pay for a portion of prior-opening salaries, professional development, furniture, equipment, curricular materials, accounting systems and other expenses.

Line of Credit. An amount of \$100,000 is assumed to borrowed through a line of credit arrangement with a bank, typical of arrangements obtained by most other charter schools. Repayment terms are assumed to be 6 percent for five years, and repayments are budgeted in the first and multi-year budget plans (Attachments 45 and 46).

Expenditures -- \$273,577

Personnel. Three administrative positions are expected to be filled during the course of the planning year, including the Head of School, administrative assistant, and the Business and Operations Manager. Payroll taxes and benefits are budgeted. The Head of School will be sought as early as possible in order to send him or her to the leadership training program with Achievement First, Amistad Academy's development organization; as such, salary and benefits are funded for nearly the full year.

Operations. Funding for postage, printing, staff and student recruitment costs, including search firm expenses, and phone, internet and utility costs are included.

Supplies & Equipment. Instructional materials (comprising the School's contractual commitment to Amistad's "Achievement First"), office equipment, classroom furniture and technology and software costs are included.

Contractual. Staff curriculum and development costs are included here, including \$15,000 for the Leadership Training Fee to Amistad's Achievement First.

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Head of School, along with consultant and legal and accounting expenses to prepare for opening.

Facility. Rent or lease costs up to four months, along with maintenance and security system, are factored. Leasing can take the form of temporary office space combined with assuming use of the School facility.

A modest surplus is assumed as the School will encumber as many one-time costs using start-up funds as practicable to preserve operating revenue for recurring school operations.

**Achievement Academy Charter School
Planning Year Start-up Budget
ATTACHMENT 44-3**

REVENUES	School Yr.	2004-05
	Enrollment	
Per Pupil Aid		0
Title I		0
Special Ed		0
Federal Lunch		0
Textbook/Library/Software Loans		0
Bank Line of Credit		100,000
Start-up Grant - Federal PCSP		175,000
Start-up Grant - State SSF		0
Private Grants - Foundations		0
Private Grants - Individuals		0
Prior-year Surplus/Deficit		0

Borrowing at 6%
1st year installment

TOTAL REVENUE **\$275,000**
=====

EXPENDITURES

<i>Personnel</i>	3
Head of School	75,000
Administrative Assistant(s)	7,500
Business/Operation Manager	10,833
Classroom Teachers	0
Special Ed Coordinator/Teacher	0
Special Ed Teacher	0
Specialty Teachers	0
Classroom Aides/Substitutes	0
Payroll Taxes FICA & Medicare	7,140
Unemployment Insurance	1,046
Workers' Compensation Insur.	840
Benefits: Health/Dental/Life/Disab.	18,995
Retirement 403b7 match	0
Annual Bonuses	0
Subtotal-Personnel	\$121,354

10-11 months
3 months
2 months

<i>Operations</i>	
Postage/Printing/Copying	6,000
Recruitment/Marketing	15,000
Advertising/Brochures	10,000
Insurance	2,000
Phone/Cable/Internet	1,500
Fire/Security Systems	0
Utilities	2,000
Board of Trustees	0
Subtotal-Operations	\$36,500

Enrollment needs
Include principal search firm
Incl. Student recruitment

2 months

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<i>Supplies & Equipment</i>	0
Instructional Materials/Tests	5,000
Office Supplies	3,000
Office Equipment/Furniture	10,000
Classroom Supplies	0
Classroom Furniture	9,000
Uniforms	0
Computers & Software	20,000
Phone Installation	2,500
Library/Reference	0
Physical Education	0
Subtotal-Supplies/Equipment	\$49,500

Amistad materials.

Equip Building/office, classrooms

Equip Building/office

<i>Contractual</i>	
Consultants	10,000
Legal	3,600
Accounting	3,000
Audit	0
Payroll Service	1,500
Custodial/Groundskeeping	0
Staff/Curriculum Development	30,000
Special Education	0
Specialty Instruction	0
Food Service	0
Health Services	0
Transportation/Field Trips	0
Subtotal-Contractual	\$48,100

Technology; SpecEd, etc.

Amistad Ldrshp trng&facultyDev.

<i>Facility</i>	
Rent/Lease	16,623
Security System	1,000
Maintenance	500
Capital/Debt (Dissolution Yr. 1)	0
Subtotal-Facility	\$18,123

3-4 months

3-4 months

3-4 months

TOTAL EXPENDITURES	\$273,577

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SURPLUS/DEFICIT	\$1,423

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ATTACHMENT 45

Detail the charter school's proposed first-year annual budget and provide a discussion of the assumptions used to determine revenue and expenditures. Provide as well a cash flow projection on a monthly basis with related assumptions.

The Achievement Academy Charter School's budget for its first operating year, 2005-06 is provided on page 45-3. The budget assumes a July 1--June 30 fiscal year, corresponding with the school year. Abbreviated assumptions are provided in the right margin of the budget.

A cash flow projection for the first operating year is provided on page 45-5.

Revenue – \$1,145,660

Revenues are derived from several sources including the following:

- per pupil aid from the resident school district of \$667,050 (not even one-half percent of the District's budget) and assumes a AOE/TAPU calculation of \$8,894 recently published by the State Education Department for 2004-05;
- Title I funds using the formula for Albany which assumes only one-fourth of students in poverty;
- Federal lunch program, which is expended in full;
- Textbook, library and software loans from the District, which are more than expensed and will materialize as in-kind revenue;
- The second installment of the three-year Federal PCSP grant;
- Special education funding using the Excess cost aid ratio for the Albany district of approximately 50 percent for one-tenth of the students in the school (revenue is more than expended from school-provided special education services);
- Line of Credit of \$200,000 paid out over the next five years, and budgeted in the multi-year financial plan (Att.46);
- No private philanthropy is assumed, in order to budget conservatively. As of this submission, final fundraising commitments have not been made.

Expenditures – \$1,144,473

Expenditures cover the full gamut of school expenditures including:

- Administrative staff, faculty and benefits, including average teacher salaries starting at \$45,000, allowing for the longer year and above the District pay scale combined with sound benefits package of health, dental, life and disability insurance;
- Operations including ongoing recruitment and advertising costs along with insurance and utilities;
- Supplies and equipment including ongoing computer and furniture needs;

- Contractual costs including ongoing professional development; transportation for extra school days and field trips, nursing, custodial, accounting, payroll and legal costs, as well as funding for services for students with disabilities or limited English proficiency;
- Repayment of line of credit at 6 percent; and
- Facility costs including lease costs for 8,000 square feet at \$18 per square foot; building maintenance and repairs; and the required escrow payment of \$25,000 for dissolution contingency.

**Achievement Academy Charter School
First-Year Operating Budget
ATTACHMENT 45-3**

	School Yr.	2005-06	Assumptions
REVENUES	AOE/Tapu	\$8,894	Current 2003-04 AOE/TAPU amount.
	Enrollment	75	
Per Pupil Aid		667,050	
Title I		18,750	\$1,000 x one-fourth enrollment
Special Ed		30,000	\$4,000 x 10% students; 50% sped excess ratio.
Federal Lunch		48,000	\$3.20 /student 200 days; fully expensed.
Textbook/Library/Software Loans		5,438	In-kind: \$52 Textbk/\$6.50Lib/\$14software, expensed.
Bank Line of Credit		200,000	Short-term, repaid 5 years @ 6%
Plnng/Impl Grant- Federal PCSP		175,000	2nd installment, 3-year grant.
NY State Stimulus Fund		0	Budgeting conservatively.
Private Grants - Foundations		0	
Private Grants - Individuals		0	
Prior-year Surplus/Deficit		1,423	From start-up budget.

TOTAL REVENUE **\$1,145,660**
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EXPENDITURES

	9.0	Full-time equivalent staff.
<i>Personnel</i>	4	Classroom teachers.
Head of School	90,000	
Administrative Assistant(s)	30,000	
Business/Operation Manager	65,000	
Classroom Teachers	180,000	\$45,000 avg teacher salary.
Special Ed Coordinator/Teacher	50,000	
Special Ed Teacher	0	
Specialty Teachers	50,000	3 half-time, Art & PE & tutor
Classroom Aides/Substitutes	32,400	\$75 /day x clsrm tchr x 8days; 1 FTE Aide
Payroll Taxes FICA & Medicare	38,051	7.65% of salaries.
Unemployment Insurance	3,137	\$8,500 x FTE x 4.1%
Workers' Compensation Insur.	4,185	0.9% of payroll.
Benefits: Health/Dental/Life/Disab	42,750	\$4,750 \$4,000 health/\$600 dental/150 life&disab/FTE
Retirement 403-b match	9,000	\$1,000 avg per FTE
Annual Bonuses	9,000	\$1,000 avg per FTE (incl. employer taxes/insur.)
Subtotal-Personnel	\$603,523	
<i>Operations</i>		
Postage/Printing/Copying	4,200	\$350 per month
Recruitment/Marketing	10,000	includes staff recruitment.
Advertising/Brochures	8,000	includes student recruitment
Insurance	15,000	includes general liability/D&O.
Phone/Cable/Internet	12,000	\$1,000 per month
Fire/Security Systems	3,600	\$300 per month
Utilities	15,000	\$1,250 per month
Board of Trustees	5,000	Supplies; training.
Subtotal-Operations	\$72,800	

Supplies & Equipment

Instructional Materials/Tests	8,750	\$50 per student plus \$5,000 Amistad fee.
Office Supplies	7,500	
Office Equipment/Furniture	7,500	
Classroom Supplies	4,500	\$60 per student.
Classroom Furniture	20,000	\$5,000 per classroom.
Uniforms	6,000	\$80 per student.
Computers & Software	15,000	additional equipment from start-up.
Phone Installation	1,000	additional phones from start-up.
Library/Reference	4,000	additions and replacements.
Physical Education	5,000	Maintenance & new stuff.
Subtotal-Supplies/Equipment	\$79,250	

Contractual

Consultants	10,000	includes technology/computer.
Legal	7,200	\$600 per month retainer.
Accounting	4,800	\$400 per month service.
Audit	3,000	annual financial audit.
Payroll Service	2,400	\$200 per month service.
Custodial/Groundskeeping	15,000	\$1,250 per month service.
Staff/Curriculum Development	11,000	\$2,000 at least per classrm tchr; Confs./Travel
Special Education	23,000	contingency for specialists beyond district staff.
Specialty Instruction	10,000	incl. LEP instruction & staff training
Food Service	48,000	expending federal meal revenue.
Health Services	18,000	\$1,500 per month nurse availability.
Transportation/Field Trips	7,500	
Subtotal-Contractual	\$159,900	

Facility

	8,000	Square footage
Rent/Lease	144,000	\$18 rate per square foot
Security System	3,000	\$250 per month
Maintenance/Repairs	12,000	\$1,000 per month
Capital/Debt (Dissolution Yr. 1)	70,000	Incl. \$25k Dissolution; \$45k repay Bank.
Subtotal-Facility	\$229,000	

TOTAL EXPENDITURES **\$1,144,473**

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SURPLUS/(DEFICIT) **\$1,188**

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**Achievement Academy Charter School
First-Year Cash Flow Projection
ATTACHMENT 45-5**

	School AOE/Ta Enrollm	2005-06	July	August	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	TOTAL
REVENUES		\$8,894													
	75														
Per Pupil Aid		667,050	111,175		111,175		111,175		111,175		111,175		111,175		667,050
Title I		18,750					18,750								18,750
Special Ed		30,000	5,000		5,000		5,000		5,000		5,000		5,000		30,000
Federal Lunch		48,000			4,800	4,800	4,800	4,800	4,800	4,800	4,800	4,800	4,800	4,800	48,000
Textbook/Library/Software Loa		5,438		5,438											5,438
Bank Line of Credit		200,000		100,000								50,000		50,000	200,000
Plnng/Impl Grant- Federal PCS		175,000		50,000	75,000	50,000									175,000
NY State Stimulus Fund		0													0
Private Grants - Foundations		0													0
Private Grants - Individuals		0													0
Prior-month Surplus/Deficit		1,423	1,423	\$10,955	\$10,916	\$123,280	\$94,369	\$150,484	\$55,573	\$92,938	\$10,427	\$44,191	\$13,815	\$47,713	N/A
TOTAL REVENUE		\$1,145,660	117,598	166,392	206,891	178,080	234,094	155,284	176,548	97,738	131,402	98,991	134,790	102,513	1,144,238
EXPENDITURES															
<i>Personnel</i>	4														
Head of School		90,000	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	90,000
Administrative Assistant(s)		30,000	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	30,000
Business/Operation Manager		65,000	5,417	5,417	5,417	5,417	5,417	5,417	5,417	5,417	5,417	5,417	5,417	5,417	65,000
Classroom Teachers		180,000		15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	165,000
Special Ed Coordinator/Teache		50,000		4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	45,833
Special Ed Teacher		0													0
Specialty Teachers		50,000		4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	45,833
Classroom Aides/Substitutes		32,400		2,700	2,700	2,700	2,700	2,700	2,700	2,700	2,700	2,700	2,700	2,700	29,700
Payroll Taxes FICA & Medicare		38,051	3,171	3,171	3,171	3,171	3,171	3,171	3,171	3,171	3,171	3,171	3,171	3,171	38,051
Unemployment Insurance		3,137	261	261	261	261	261	261	261	261	261	261	261	261	3,137
Workers' Compensation Insur.		4,185	349	349	349	349	349	349	349	349	349	349	349	349	4,185
Benefits: Health/Dental/Life/Dis		42,750	3,563	3,563	3,563	3,563	3,563	3,563	3,563	3,563	3,563	3,563	3,563	3,563	42,750
Retirement 403-b match		9,000		750	750	750	750	750	750	750	750	750	750	750	8,250
Annual Bonuses		9,000												9,000	9,000
Subtotal-Personnel		\$603,523	22,760	49,544	49,544	49,544	49,544	49,544	49,544	49,544	49,544	49,544	49,544	58,544	576,740

<i>Operations</i>														
Postage/Printing/Copying	4,200	3000					3000		600	600				7,200
Recruitment/Marketing	10,000	2500					7000		1500	1500				12,500
Advertising/Brochures	8,000	3000					6000		1000	1000				11,000
Insurance	15,000	500	500	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	12,667
Phone/Cable/Internet	12,000	500	500	917	917	917	917	917	917	917	917	917	917	10,167
Fire/Security Systems	3,600		300	300	300	300	300	300	300	300	300	300	300	3,300
Utilities	15,000	500	500	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167	12,667
Board of Trustees	5,000		3000						500	500	500	500	500	5,000
Subtotal-Operations	\$72,800	10,000	4,800	3,550	3,550	3,550	19,550	3,550	7,150	7,150	4,050	4,050	3,550	74,500
<i>Supplies & Equipment</i>														
Instructional Materials/Tests	8,750		8750											8,750
Office Supplies	7,500		7500											7,500
Office Equipment/Furniture	7,500	5000	7500											12,500
Classroom Supplies	4,500		4500											4,500
Classroom Furniture	20,000	10000	20000											30,000
Uniforms	6,000		6000											6,000
Computers & Software	15,000	7500	15000											22,500
Phone Installation	1,000	1000												1,000
Library/Reference	4,000		4000											4,000
Physical Education	5,000		5000											5,000
Subtotal,Supplies/Equipmen	\$79,250	23,500	78,250	0	0	0	0	0	0	0	0	0	0	101,750
<i>Contractual</i>														
Consultants	10,000		1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000		10,000
Legal	7,200	600	600	600	600	600	600	600	600	600	600	600	600	7,200
Accounting	4,800	400	400	400	400	400	400	400	400	400	400	400	400	4,800
Audit	3,000	250	250	250	250	250	250	250	250	250	250	250	250	3,000
Payroll Service	2,400	200	200	200	200	200	200	200	200	200	200	200	200	2,400
Custodial/Groundskeeping	15,000	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	15,000
Staff/Curriculum Development	11,000	4000	4000		500	500	500	500	500	500	500	500		10,000
Special Education	17,000			1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	17,000
Specialty Instruction	10,000			1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	10,000
Food Service	48,000			4,800	4,800	4,800	4,800	4,800	4,800	4,800	4,800	4,800	4,800	48,000
Health Services	18,000			1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	18,000
Transportation/Field Trips	7,500	3500		400	400	400	400	400	400	400	2400	2400		7,500
Subtotal-Contractual	\$153,900	10,200	7,700	13,400	13,500	13,400	13,500	13,400	13,500	13,400	13,500	15,400	12,000	152,900

<i>Facility</i>	8000													
Rent/Lease	144,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	144,000
Security System	3,000	250	250	250	250	250	250	250	250	250	250	250	250	3,000
Maintenance/Repairs	12,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	12,000
Capital/Debt (\$25k Dissol. Yr.1	70,000	26933	1933	3867	3867	3867	3867	3867	3867	3867	4833	4833	4833	70,434
Subtotal-Facility	\$229,000	40,183	15,183	17,117	17,117	17,117	17,117	17,117	17,117	17,117	18,083	18,083	18,083	229,434
TOTAL EXPENDITURES	\$1,138,473	\$106,643	\$155,477	\$83,611	\$83,711	\$83,611	\$99,711	\$83,611	\$87,311	\$87,211	\$85,177	\$87,077	\$92,177	\$1,135,324
SURPLUS/(DEFICIT)	7,187	10,955	10,916	123,280	94,369	150,484	55,573	92,938	10,427	44,191	13,815	47,713	10,337	8,914

ATTACHMENT 46

Provide a five-year budget plan for the charter school, including the assumptions for changes to expenditure and revenue amounts during this period.

The Achievement Academy Charter School's multi-year budget follows on page 46-3. This plan comprises the four operational years of the school within the five-year charter agreement. The plan includes abbreviated assumptions in the right-side margin.

Revenue

Per pupil revenues from the resident school district (assumed to be Albany for the entire student population) reflect the figure published by the State Education Department for 2004-05. This amount increases in the 2nd year of the plan, school year 2006-07, by a rate of 3 percent above the level of the AOE/TAPU paid to charter schools for school year 2004-05—two full years prior. This amount remains flat for the remainder of the charter.

Payment rates for Title I, federal lunch, and special education are held flat, increasing only by enrollment growth. No philanthropic funds are assumed, and line of credit revenues are not assumed after the second year of the financial plan.

Expenditures

- Personnel costs are increased in two ways: the increase in staffing from growing annual enrollment and assumed pay increases of 4 percent, while fringe benefits are increased 6 percent annually.
- Operations costs are mostly increased by five percent annually except for certain expenditures tied more to increased facility size or student population, e.g., postage/printing/copy increases 25 percent annually; insurance is up 10 percent annually; and funds for utilities nearly triple from year one to year four. Other costs such as recruitment and marketing are held flat as the School, once established, has less need to increase such funds.
- Most expenses for supplies, equipment and contractual costs are budgeted to increase by five percent annually, while others, including furniture and computers are held flat since the need for increases diminish somewhat over time (e.g., the bulk of computers and office furniture are purchased early in the life of the School).
- Funding for special needs children is included and increased as a contingency in the event the district of the students' residence fails to provide timely services to implement the IEPs (though the Albany District has a sound record of fulfilling its legal obligations to such students in charter schools) or the School chooses to use the funding to hire an additional staff or certified aide.

- Facility costs include covering the lease for larger space needs annually (nearly \$750,000 by the fourth year) with square footage cost assumption increasing from \$18 to \$20 by year three. The significant increase in space by the fourth operating year, to 37,500 square feet, assumes more program space and space to serve students with particular needs, such as those with IEPs. Growth of 20 percent in the budget is provided for maintenance and repairs. Repayment of the line of credit, reflecting increased borrowing, is provided in this section. A large proportionate increase in square footage by the fourth year, reflects the affordability of more building space for increased programming.
- Debt service costs include covering the borrowing during the planning year and first two operational years of the School, as no philanthropic funds are assumed at this time. The repayment rate is 6 percent and payments are doubled in the fourth year in order to more quickly retire this debt.

**Achievement Academy Charter School
Four-Year Operating Budget (5-year charter)
ATTACHMENT 46-3**

	School Yr.	2005-06	2006-07	2007-08	2008-09	
REVENUES	AOE/Tapu	\$8,894	\$9,161	\$9,161	\$9,161	3% incr. Year 2
	Enrollment	75	150	225	300	
Per Pupil Aid		667,050	1,374,123	2,061,185	2,748,246	
Title I		18,750	37,500	56,250	75,000	\$1000 x1/4 students
Special Ed		30,000	60,000	90,000	120,000	10% Stdnt; Excscs\$
Federal Lunch		48,000	96,000	144,000	192,000	\$3.20/meals expenser
Textbook/Library/Software Loans		5,438	10,875	16,313	21,750	In-kind & expensed
Bank Line of Credit		200,000	100,000	0	0	Repaid @6% below
Plnng/Impl Grant- Federal PCSP		175,000	0	0	0	2nd&3rd installments
NY State Stimulus Fund		0	0	0	0	Budget conservative
Private Grants - Foundations		0	0	0	0	
Private Grants - Individuals		0	0	0	0	
Prior-year Surplus/Deficit		1,423	1,188	1,610	18,752	

TOTAL REVENUE	\$1,145,660	\$1,679,686	\$2,369,357	\$3,175,748
	=====	=====	=====	=====

EXPENDITURES

	9.0	15.0	20.0	25.0	FTE Employees
<i>Personnel</i>	4	8	12	16	Classroom Teachers
Head of School	90,000	93,600	97,344	101,238	4% annual growth
Administrative Assistant(s)	30,000	31,200	32,448	65,000	4%; 2nd pos. Yr.4
Business/Operation Manager	65,000	67,600	70,304	73,116	4% annual growth
Classroom Teachers	180,000	374,400	584,064	809,902	4% plus new staff
Special Ed Coordinator/Teacher	50,000	52,000	54,080	56,243	4% annual growth
Special Ed Teacher	0	46,800	48,672	50,619	4% annual growth
Specialty Teachers	50,000	93,600	146,016	151,857	2FTE,Yr.2; 3FTE,Yr.3
Classroom Aides/Substitutes	32,400	34,800	37,200	39,600	Sub days; 2 1/2aides
Payroll Taxes FICA & Medicare	38,051	60,741	81,865	103,089	7.65% of payroll.
Unemployment Insurance	3,137	5,228	6,970	8,713	8500 formula,payroll
Workers' Compensation Insur.	4,185	6,833	9,296	11,772	0.09% of payroll
Benefits: Health/Dental/Life/Disab	42,750	75,525	106,742	141,433	6% growth plus FTE
Retirement 403-b match	9,000	15,000	20,000	25,000	\$1,000 avg./FTE
Annual Bonuses	9,000	15,000	20,000	25,000	\$1,000 avg./FTE; incl
Subtotal-Personnel	\$603,523	\$972,326	\$1,315,001	\$1,662,582	emplr tax/ins
<i>Operations</i>					
Postage/Printing/Copying	4,200	5,250	6,563	8,203	25% annual growth
Recruitment/Marketing	10,000	10,000	10,000	10,000	incl.staff recruitment
Advertising/Brochures	8,000	8,000	8,000	8,000	incl.student recruit.
Insurance	15,000	16,500	18,150	19,965	10% annual growth
Phone/Cable/Internet	12,000	12,600	13,230	13,892	5% annual growth
Fire/Security Systems	3,600	3,780	3,969	4,167	5% annual growth
Utilities	15,000	20,000	25,000	40,000	Building growth
Board of Trustees	5,000	5,000	5,000	5,000	Supplies; training.
Subtotal-Operations	\$72,800	\$81,130	\$89,912	\$109,227	

Supplies & Equipment

Instructional Materials/Tests	8,750	7,500	11,250	15,000	incl. \$5000 Amistad
Office Supplies	7,500	7,500	7,500	7,500	5% annual growth
Office Equipment/Furniture	7,500	7,500	7,500	7,500	Adds; replacements
Classroom Supplies	4,500	4,725	4,961	5,209	5% annual growth
Classroom Furniture	20,000	20,000	20,000	20,000	Added Classrooms
Uniforms	6,000	6,000	6,000	6,000	Enrollment growth
Computers & Software	15,000	15,000	15,000	15,000	Adds & replacemts
Phone Installation	1,000	1,050	1,103	1,158	5% annual growth
Library/Reference	4,000	4,200	4,410	4,631	5% annual growth
Physical Education	5,000	5,250	5,513	5,788	5% annual growth
Subtotal-Supplies/Equipment	\$79,250	\$78,725	\$83,236	\$87,786	

Contractual

Consultants	10,000	10,500	11,025	11,576	5% annual growth
Legal	7,200	7,560	7,938	8,335	5% annual growth
Accounting	4,800	5,040	5,292	5,557	5% annual growth
Audit	3,000	3,150	3,308	3,473	5% annual growth
Payroll Service	2,400	2,520	2,646	2,778	5% annual growth
Custodial/Groundskeeping	15,000	15,750	16,538	17,364	5% annual growth
Staff/Curriculum Development	11,000	11,550	12,128	12,734	5% annual growth
Special Education	23,000	23,000	40,000	40,000	Contingency
Specialty Instruction	10,000	10,500	11,025	11,576	5%; incl. LEP svcs.
Food Service	48,000	96,000	144,000	192,000	Same as revenue
Health Services	18,000	18,900	19,845	20,837	5% annual growth
Transportation/Field Trips	7,500	7,875	13,125	13,781	5%; more buses Yr.3
Subtotal-Contractual	\$159,900	\$212,345	\$286,869	\$340,012	

Facility

	8000	13000	23000	37500	Square footage
Rent/Lease	144,000	234,000	460,000	750,000	\$18 & \$20/sq.foot
Security System	3,000	3,150	3,308	3,473	5% annual growth
Maintenance/Repairs	12,000	14,400	17,280	20,736	20% annual growth
Capital/Debt (\$25k Dissol. Yr.1)	70,000	82,000	95,000	190,000	Pay credit line@6.0%
Subtotal-Facility	\$229,000	\$333,550	\$575,588	\$964,209	(last year double)

TOTAL EXPENDITURES

\$1,144,473	\$1,678,076	\$2,350,605	\$3,163,815
=====	=====	=====	=====

SURPLUS/(DEFICIT)

\$1,188	\$1,610	\$18,752	\$11,933
=====	=====	=====	=====

ATTACHMENT 47

Provide supporting evidence that the start-up budget plan, the first-year budget, and the five-year budget plan are sound and that the proposed school would have sufficient start-up funds available to it.

The financial plans presented for the Achievement Academy Charter School are very realistic, responsible and conservative. The evidence for this assertion includes, but is not limited to, the following:

- The primary source of revenue, from school district AOE payments following each student attending the charter school, assumes the formula amount of \$8,894, the amount calculated to be paid to charter schools for the 2004-05 school year. This conservative assumption allows for modest 3 percent inflationary increases in only the 2nd year of the budget, remaining flat in the 3rd and 4th years. More than likely, the Albany City School District will raise its spending far in excess of inflation, consistent with recent and extended history.
- The line of credit amount is a realistic level and repayments are doubled in the fourth year. Federal PCSP funds are consistent with other charter school awards.
- Fundraising has already underway, but no such funds are assumed at this time. Achieving a realistic target of \$250,000—slightly above the start-up award from the Walton Foundation for other charter schools—will allow for reduced borrowing from the line of credit.
- By the 3rd operating year, the School can function on traditional operating revenues derived from statutory formulas.
- No funds are assumed from the State Stimulus Fund or private donors, though both sources will be sought.
- The special education revenue is formula-driven, consistent with other charter schools in Albany, and exceeded by the School's expenses for students with disabilities.
- Spending categories are comprehensive and wide-ranging, and are budgeted in excess of historic inflation, including 4 percent for salaries, 6 percent for fringe benefits, 5 percent for most non-personnel service costs, and even higher growth rates on items such as utilities, facility, insurance, postage and other costs tailored to increasing enrollment over four years.
- Teacher salaries, starting at an average of \$45,000 are competitive and exceed the comparable salaries in the District in order to account for the longer schedule

but also to attract a quality, results-driven faculty that will increase student learning and achievement.

- Funds are budgeted for consultant assistance in areas including, but not limited to, technology assistance, serving students with limited English proficiency and students with disabilities, and training staff for LEP student needs.
- Facility square footage cost of \$18 increases to \$20 in year three and but exceeds the market rate of sought-after space. Moreover, facility space needs are assumed somewhat higher than could be accommodated, particularly in the 4th operating year when fully enrolled at 300 students (costing \$750,000 in lease payments).
- Annual surpluses remain deliberately modest by using conservative revenue assumptions (e.g., no increase in AOE/TAPU for most of the period); and liberal expenditure assumptions, including high out-year lease costs that could be reduced under mortgage or lease/purchase arrangements similar to some other charter schools.



July 30, 2004

James D. Merriman IV
Executive Director
Charter Schools Institute
74 North Pearl St.
Albany, New York 12207

RE: Achievement Academy Charter School

Dear Mr. Merriman:

The Brighter Choice Foundation has been in ongoing discussions with representatives of the Achievement Academy Charter School regarding its financial needs to operate a quality education program in a fiscally sound manner. The Foundation is prepared, should the need arise, to assist this Charter School either by pledging Foundation assets to enable the School to secure a line of credit or loans from lending institutions for up to \$400,000 over the next three years; or provide philanthropic and loan funds from its own assets directly to the Charter School.

If you have any questions or wish to discuss these matters in further detail, please feel free to contact me at (518) 694-4114.

Sincerely,

M. Christian Bender
Executive Director

ATTACHMENT 48

Detail the charter school's requirements for the performance of programmatic and fiscal audits.

The Achievement Academy Charter School shall undertake programmatic and fiscal audits on an annual basis in accordance with Education Law § 2851(2)(f). Information gathered for and provided in these documents will inform both classroom instruction and school-wide decision-making, including financial planning and personnel decisions.

Programmatic Audit

The Achievement Academy Charter School will submit an Annual Report to the SUNY Charter Schools Institute and the New York Board of Regents. This Report will include the state-mandated *School Report Card*, which is required of every New York public school. This Report Card will show the comparative academic and fiscal performance of the School and will also list: the School's federal and state revenue sources, expenditures for salaries, capital expenses, student services, drop-out rates, student suspensions, standardized test performance, student enrollment, students with limited English proficiency (LEP) data and other relevant information. The Annual Report will further include a discussion of the progress made toward the School's achievement goals.

The School will also develop an Accountability Plan as part of the charter agreement with the SUNY Charter School Institute. This Plan will outline of the goals for the School and will outline the measures the School will undertake should performance fall below expectations. A draft version of this plan is expected to be due in the fall of the School's first academic year, with the final version due in the winter of that same year (typical of other SUNY-approved charter schools). The Accountability Plan will include academic performance measures, including norm-reference and criterion-referenced assessments, organizational viability, and measures of progress on any of the School's unique program features.

Fiscal Audit

The Charter School will hire an independent certified public accountant (CPA) to conduct an annual fiscal audit of all financial reports including statement of financial position, statement of cash flows, statement of activities, and schedule of functional expenses. This audit will be conducted in accordance with the *Government Auditing Standards* issued by the Comptroller General of the United States, and shall be included in the School's Annual Report. All transactions will be recorded in accordance with generally accepted accounting principles (GAAP).

RECEIVED

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Attachment 48-1

Charter Schools Institute

ATTACHMENT 49

Describe the insurance coverage to be carried by the charter school, including the name of the insured and amounts of insurance for liability, property loss, and student personal injury.

The Achievement Academy Charter School will attain at least the following insurance coverage:

- General Liability -- \$2 million aggregate and \$1 million for each occurrence;
- Umbrella Liability -- \$5 million limit of coverage;
- Directors & Officers -- \$1 million in coverage;
- Student Accident & Medical Expense -- \$1 million limit;
- Auto -- for non-owned vehicles in use for school business;
- Property -- \$250,000 in coverage for leasehold improvements, school furnishings and equipment;
- Workers' Compensation -- calculated at 0.09 percent of payroll, statutory limits of coverage.

We have approached thus far one Albany-area insurance agent for appropriate coverage estimates, Austin & Co., Inc.

The School's financial plan budgets \$15,000 for insurance coverage (not including workers' comp, budgeted separately) in the first year—above the preliminary estimate for the cost of coverage that year. The plan assumes 10 percent annual increases by year four to a cost of nearly \$20,000, reflecting inflation and School growth.

ATTACHMENT 50

Indicate where the charter school would be located, including complete street address (if known), municipality and school district. If the school would be located within the City of New York, provide the community school district of location.

The Achievement Academy Charter School shall be located in the Albany City School District. A specific location within the City has not yet been determined.

ATTACHMENT 51

(a) If you have already identified a charter school facility, describe the facility, including whether it is new construction, part of an existing public or private school building, or a conversion in use.

The Achievement Academy Charter School has not yet identified a site for the School. The facility will most likely be an existing building rather than a new construction project. The selected building will comply with all applicable Albany City zoning and code requirements, pursuant to Education Law § 2853(3)(a), and all equal-access building code requirements of the federal *Americans with Disabilities Act*.

(b) If you have not identified a charter school facility, describe plans for doing so. The applicant must notify the Charter Schools Institute within ten days of securing a facility.

Achievement Academy Charter School's Founders are pleased to take advantage of the opportunity offered by the SUNY Charter Schools Institute to review application submissions during the spring to enable more time to prepare for opening the School—fully 12 to 14 months—following approval and issuance of the charter agreement. This period allows for critical time to ready a suitable facility alternative. CSI will be notified within ten days of securing a facility.

The Founders are presently undergoing the facility search process and are working with CB Richard Ellis to identify suitable properties within the City of Albany. We are exploring at least three potential options within the District:

- Sharing space transitionally with KIPP Tech Valley or other charter schools in Albany;
- Within this market, a number of suitable sites exist, including vacant lots, commercial space that could be modified, and former school buildings; and/or
- Leasing unused classroom space from the Albany City School District (inquiries have not yet been made to the District, which would stand to achieve savings by charging at-cost rates for vacant space that currently brings no revenue).

ATTACHMENT 52

If the charter school or its applicants or partners would own or lease its facility, provide a description of the ownership or lease arrangement of the facility, including indicating specifically any potential conflicts-of-interest and arrangements by which such conflicts will be managed or avoided.

The Achievement Charter School will likely lease its facility. The School expects to pay up to \$20 per square foot for any facility it leases. Leasing is assumed at this time as it accommodates the School's financial obligation for expenses such as down payments and closing costs. The financial plan set forth in Attachments 45 and 46 reflect these assumptions.

ATTACHMENT 53

Provide a description of the charter school facility, or proposed facility, and its layout. Include the number and size of the classrooms, common areas, recreational space, and community facilities, and any residential facilities (e.g., dormitories or faculty housing).

The Achievement Academy Charter School is seeking to match its facility space needs to its enrollment growth to minimize lease costs. At this time the financial plan reflects the use of 10,000 square feet of space in the first operational year of the School to accommodate five to six classrooms, an office suite, foyer/reception area and a larger, multi-purpose open space.

By the fourth year of operation the school will be fully-enrolled with 300 students. We project 16 to 18 classrooms and at least a second multi-purpose space, and additional office space and storage, altogether comprising up to 37,500 square feet.

ATTACHMENT 54

Attach a description of the transportation arrangements made for charter school students, including arrangements made for students who would not qualify for public school transportation under Education Law, and any supplemental transportation arrangements planned with the school district.

The Charter School's students shall receive transportation services for which they are eligible under § 2853(4)(b) and § 3635 of the Education Law. Specifically, the Albany City School District provides yellow-bus service to students attending charter schools who reside beyond the statutory mileage limits from the School and within the City.

Subject to annual approval and funding by the Board of Trustees, the Charter School may seek to provide transportation for any students enrolled in the School who are not eligible for transportation from his or her residence. The School may accomplish this by arranging provision of transportation with the Albany School District to provide such services to resident students attending the School as the District would receive state transportation aid monies for this purpose. In the event the Charter School does not provide for transportation of ineligible students, the parents or guardians of such students will be responsible to provide transportation.

Since the Charter School is in session on days when the students' school district(s) of residence is not in session, the School shall seek arrangements with the Albany City School District, if necessary, to provide transportation, at cost, pursuant to § 2853(4)(b) of the Education Law, or shall make other necessary transportation arrangements. Funding is including in the School's financial plan for this purpose.

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ATTACHMENT 55

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 beyond the requested time period of the charter.

The Achievement Academy Charter School does not plan any physical expansion or grade-level expansion beyond the five-year term of the charter, as it will be fully enrolled serving 300 students, grades 5 thru 8 in its fourth year of operation. Any financial expansion would reflect the funding formula in district, state or federal revenue. Should the Board of Trustees decide to seek any such expansion, the School shall submit a proposed amendment of its charter to the SUNY Charter Schools Institute.

ATTACHMENT 56

Please indicate whether the charter school you propose would:

- have the same or substantially the same Board of Trustees and/or officers as an existing private school;
- draw from an existing private school a substantial portion of the employees of the charter school;
- would receive from an existing private school a substantial portion of such private school's assets or property; or
- would be located at the same site as an existing private school.

The Achievement Academy Charter School shall not have the same or substantially the same Board of Trustees and/or officers as an existing private school; it shall not draw from an existing private school a substantial portion of its employees; it shall not receive from an existing private school a substantial portion of such school's assets or property; nor shall it be located at the same site as an existing private school.

ATTACHMENT 57

Please provide, if you wish, any other information that you think would be helpful to the Charter Schools Institute and the Board of Trustees in their evaluation of your application.

Additional information on the proposed Achievement Academy Charter School is provided in Exhibit H of Volume Two of this Application.