



New York State Education Department

Guidance on Submission of Plans to Restructure an Existing Education Corporation At-Risk of Non-Renewal/Closure

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The deadline for submission plans to restructure an existing education corporation at risk of non-renewal/closure is:

12:00 Noon on February 28, 2018.

**All responses must be sent to the
NYSED Charter School Office online portal at:**

<https://nysed-cso-renewal-app.fluidreview.com>

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**Guidance for Plans to Restructure an Existing Education
Corporation At-Risk of Non-Renewal/Closure
January 2018**

I. Introduction

The Performance Framework outlines the standards, benchmarks and indicators that represent the high-level of performance necessary for charter schools authorized by the Regents to earn a charter renewal. The Regents and the Department evaluate three areas of charter school performance using quantitative and/or qualitative data and evidence, compiled over the course of the school's charter term.

- Educational Success
- Organizational Soundness
- Faithfulness to Charter and Law

The above key areas are measured by corresponding performance benchmarks. Though each performance benchmark is important, the Regents and the Department will consider *increases in student academic achievement for all groups of students described in Section 1111(b)(2)(C)(v) of the ESEA as the most important factor when determining to renew or revoke a school's charter.*

Student performance is held as a paramount indicator of a charter school's academic success because the nature of charter schools allows them to be procedurally untethered; they are afforded the opportunity to make strides toward innovative education practices that are beyond the threshold of what traditional public schools could realize. In exchange for this autonomy, charter schools are held to a higher degree of accountability and, ultimately, proof that this freedom promotes a rich academic environment that produces results surpassing other traditional educational paths.

The Framework clearly outlines the performance benchmarks that charter schools are expected to meet, Department renewal recommendations and Regents' renewal decisions are not dictated by a formula or point system. The Regents will make a charter renewal decision based on the totality of evidence presented by the charter school, and the Regents have the discretion to consider many relevant qualitative and quantitative factors when making these decisions.

Renewal Outcomes

The following three renewal outcomes are possible:

1. **Full-Term Renewal:** A school's charter may be renewed for the maximum term of five years. For a school to be eligible for a full-term renewal, during the current charter term, the school must have compiled a strong and compelling record of meeting or exceeding Benchmark 1, and at the time of the renewal analysis, have met substantially all the other performance benchmarks in the Framework;

2. **Short-Term Renewal:** A school’s charter may be renewed for a shorter term, typically of three years. In general, the option for a short-term renewal will be available only to schools applying for their first renewal, and the past practice of granting multiple short-term renewals to charter schools that have not been academically successfully will no longer be continued. For a school to be eligible for short-term renewal, a school must either:
 - a. have compiled a mixed or limited record of meeting Benchmark 1, but at the time of the renewal analysis, have met substantially all the other performance benchmarks in the Framework which will likely result in the school’s being able to meet Benchmark 1 with the additional time that short-term renewal permits, or
 - b. have compiled an overall record of meeting Benchmark 1, but falls far below meeting one or more of the other performance benchmarks in the Framework; or
3. **Non-Renewal:** A school’s charter will not be renewed if the school fails to meet the benchmark for either full-term or short-term renewal. In the case of non-renewal, a school’s charter will be terminated upon its expiration and the school will be required to comply with the Department’s Closing Procedures to ensure an orderly closure by the end of the school year.

II. About the Submission of Plans to Restructure an Existing Education Corporation At-Risk of Non-Renewal

The NYSED Charter School Office (the “CSO”) may accept plans to restructure charter schools at-risk of non-renewal and closure due to academic underperformance. In accepting such plans, the CSO endeavors to hold existing education corporations/boards of trustees, charter management organization (“CMO”), and schools accountable for academic underperformance by terminating the current governing board of trustees and educational program BUT alternatively accept a new or restructured board of trustees to govern and operate a new educational program for the same students utilizing the same charter.

The current Board of Trustees of the existing education corporation using the guidance contained herein must submit a plan that will allow the ‘essentially new charter school’ to operate under a new or restructured governing board to oversee a new/restructured educational program and operations that will serve the same students utilizing the same charter. The CSO will treat any resultant school as a new school with a five-year charter. The resultant school will **not** be eligible to apply for or receive a federal Charter Schools Program (CSP) grants.

If the submitted plan meets the high standards of the Board of Regents (the same standards that apply to the approval to create a new charter school), the CSO may recommend to the Regents that the charter be renewed, subject to the following requirements:

1. The current Board of Trustees of the existing education corporation submits the plan to restructure the charter school;
2. The plan may not be filed in conjunction with a for-profit management partner;
3. The plan must demonstrate that the “new operator” and/or restructured board has the organizational capacity to effectively operate the school given the unique circumstances pertaining to the renewal situation;
4. The plan must meet the standard for describing a high-quality educational program and providing sufficient evidence that the restructured charter school is likely to operate in an educationally and fiscally sound manner, meet all Performance Framework standards for Board of Regents-authorized charter schools, improve student learning and achievement of the students enrolled and to be enrolled in the schools and materially further the purposes set out in Education Law § 2850(2) *as well as* meet any additional requirements established by the Board of Regents as part of their rigorous commitment to student achievement; and
5. The plan must have viable strategies to attract and retain students with disabilities, ELLs and economically disadvantaged students.

In addition, any successful new operator and/or restructured board must agree to the following as part of the terms and conditions of a positive recommendation being presented to the Board of Regents:

1. The proposed new operator and/or restructured board must serve all grade levels currently served and students currently enrolled in the school that wish to remain enrolled, except for those who would have graduated from the highest grade (or aged out at 21). A plan may not propose or include any additional grades beyond those identified in the approved charter;
2. The proposed new operator and/or restructured board may propose a new school name which does not need to resemble the existing name;
3. The proposed new operator and/or restructured board will be required to accommodate or account for existing contracts, assets and liabilities. (The key concept is that the new operator and/or restructured board cannot vitiate the existing contracts through the restructuring process, (unlike the process of a bankruptcy restructuring);
4. A successful new operator and/or restructured board will be required to perform its own due diligence on the existing school(s) and agree to accept the charter(s) “as is” in terms of compliance issues, resources, liabilities, liens and existing contracts and obligations. The Board of Regents and NYSED makes no representations about the

- schools, their condition or states of compliance with applicable law, other than the fact that the schools are in good standing in terms of their corporate existence;
5. NYSED will apply its normal review standards for an initial charter application in evaluating any proposal for a proposed educational program tailored to address the current renewal circumstances. If NYSED's review of the plan is positive, NYSED will recommend that Board of Regents approval as a restructured charter application to the Board of Regents with restrictions so long as the current education corporation board(s) of trustees' assents;
 6. The successful new operator and/or restructured board may replace all existing staff members;
 7. Except for good cause shown, a successful plan must replace all existing education corporation board members, all existing school leaders/administrators, and the CMO (if applicable);
 8. The new operator and/or restructured board acknowledges that the school may have existing debt and obligations to be repaid; terms of grants that must be fulfilled and be in possession of restrictive gifts with terms that must be honored. The Board of Regents and NYSED make no representations about the fiscal condition of the education corporation;
 9. The decision to accept or reject the restructuring plan and proposed new operator rests solely with the Board of Regents;
 10. The decision by the Board of Regents is final and not appealable; and
 11. If the Board of Regents approves the plan, the education corporation must be maintained (NYSED will entertain any potential merger later as a separate revision).

Review Process for Restructured Plans

The review process will include:

1. a NYSED staff review of the plan with a focus on academic, legal and fiscal soundness;
2. a NYSED staff interview of the proposed new operator and/or restructured board and proposed education corporation trustees; and
3. a Request for Amendment process to resolve NYSED concerns, assure compliance with the Act and all applicable laws, rules and regulations and to conform to existing conditions at the school(s).

In addition, in cases where the proposed new board would partner with a non-profit CMO or a non-profit, community, or educational partner organization, NYSED will review the organization's business plan and conduct a due diligence review of the organization in the same manner as is done for new or initial charter school applications. The process requires the organization to provide information regarding the organization's structure, staffing, finances, future growth plans, and the academic performance of other schools it serves that enroll

similar student populations to determine the organization's capacity to support the restructured school. At their discretion, NYSED staff may also conduct an interview of representatives of the proposed CMO or partner organization in conjunction with the overall evaluation process.

If more than one plan is submitted to meet the Board of Regent's rigorous standards, NYSED will give greater weight to those proposed new operators and/or restructured boards that successfully demonstrate the following:

- Experience and expertise in implementing a program serving a similar student population;
- Experience and expertise in implementing a school turnaround model;
- Ability to provide remediation to meet a range of student needs across the given grade span; and
- The ability to effectively serve all at-risk student populations, including students with disabilities, English language learners, young parents, and economically disadvantaged students.

Business Plan Requirement

Proposed new operators and/or restructured boards that meet either of the two following criteria must also submit a business plan:

1. Applicants submitting a plan in conjunction with an organization that would be responsible for managing and/or providing significant portions of the school's academic program; in this case the CMO or partner organization must complete a business plan to be submitted with the Application; or
2. Existing Board of Regents approved education corporations seeking to operate this charter school and maybe later merge them into the education corporation; in this case, the education corporation must complete and submit a business plan in conjunction with the Application.

III. Process for Submission of an Application to Restructure an Existing Education Corporation At-Risk of Non-Renewal

Using the 2018 RFP, the current board of an existing education corporation is the recognized applicant for submission of a plan to restructure an existing education corporation at-risk of non-

renewal. Such a plan is akin to the submission of an application to establish a new charter school where applicant groups are expected to fully address a set of requests and evaluation criteria that directly align to the requirements and priorities stated in the Charter Schools Act. In reviewing the restructuring plans, the Department seeks to assess the will, skill, and capacity of the proposed board to launch and sustain a quality public charter school in New York State and demonstrate educational alignment and operational compliance with the requirements and educational priorities of the Act. This information becomes part of the approved charter and sets the conditions under which an education corporation may operate a school.

The plan to restructure a charter school may not exceed **75 pages** and the required attachments may not exceed **an additional 75 pages**, with certain exceptions outlined in the attachment information. Upon submission, NYSED staff will screen the Full Applications for compliance with submission requirements.

Evaluation of Restructuring Plans

Review panels (referred to as peer reviewers) with expertise in charter school operations, and when appropriate, knowledge that is relevant to the proposed school design, will evaluate Full Applications. Each reviewer will independently evaluate and rate how well the proposed plan addresses the evaluation criteria articulated in each section of the application. Reviewers will rate the response to each criterion as **Meets the Standard, Approaches the Standard, or Does Not Meet the Standard**, as defined in the sample evaluation rubric in Appendix A. The review panelists will develop a summary rating for each application section, as well as for the Full Application.

Note Regarding Criminal Background Check/Fingerprint Scan: Proposed board members will be required to undergo criminal background checks via fingerprint scans. NYSED will contact each member to arrange for the required fingerprint scans. The result of the background check may be shared with senior managers at the Department and/or the Board of Regents if a concern is noted. **The inability or unwillingness of any member of the applicant group to promptly undergo the required criminal background checks via fingerprint scans within the timeframe requested in advance of the Board of Regents meeting shall be grounds for denying a charter recommendation.**

Capacity Interview

Restructuring plans that substantially meet the evaluation criteria and demonstrate the proposed board of trustees has the required skills to operate a high-quality charter school will be invited to a Capacity Interview. Unless otherwise noted by NYSED, all Capacity Interviews will be held at 89 Washington Avenue, Albany, NY 12234. NYSED officials conduct the Capacity Interview foremost to assess the capacity of the proposed board of trustees to effectively launch and oversee the proposed charter school. NYSED staff use the interview to evaluate the proposed board members' understanding of academic and operational accountability as well as the

community to be served. The interview also provides the proposed board of trustees with the opportunity to present and elaborate on the information provided in the Full Application, and respond to any technical questions that may have been generated by reviewers during the review process.

NYSED Recommendation for Approval or Denial of the Application

Based on the review of the proposed plan and Capacity Interview, NYSED will determine whether to recommend approval of the restricting plan to the Board of Regents. Plan that do not meet the rigorous standards required will not receive a recommendation for Board of Regents approval.

A plan that is recommended to the Board of Regents for approval will provide a detailed and complete school design plan that:

- Demonstrates the ability to operate the school in an educationally and fiscally sound manner;
- Is likely to improve student learning and achievement and materially further the purposes of the Act;
- Includes clear strategies to meet or exceed enrollment and retention targets for students with disabilities, students who are English language learners, and economically disadvantaged students;
- Provides evidence of public outreach that conforms to the process prescribed by the Regents for soliciting and incorporating community input regarding the proposed charter school;
- Meets all requirements set forth in the Charter Schools Act as well as all other applicable laws, rules, and regulations; and
- Would have a significant educational benefit to the students expected to attend the proposed charter school.

In addition to all the above, the proposed board of trustees must demonstrate appropriate knowledge, capacity, and ability to effectively create, maintain, and oversee a high-quality charter school. For applications that meet all these conditions, NYSED will recommend that the Board of Regents approve the application and issue a charter.

If recommended for approval, NYSED will provide the proposed board members with an opportunity to review the terms and conditions of the initial charter agreement (contract) between the proposed school and the Board of Regents, and to sign said agreement. This will occur in preparation for the Board of Regents meeting at which the Regents will act to approve or deny charters.

The inability or unwillingness of all newly proposed board members to promptly undergo a fingerprint/background check in accordance with NYSED procedures for Adding a Board of

Trustee Member to an Existing Board of Regents-Authorized Charter School (see <http://www.p12.nysed.gov/psc/regentoversightplan/otherdocuments/addbotmember.htm>) within the timeframe requested shall be grounds for denying a charter recommendation.

IV. Content of A Plan to Restructure an Existing Education Corporation At-Risk of Non-Renewal

The current board of an existing education corporation is the recognized applicant for submission of a plan to restructure an existing education corporation at-risk of non-renewal. The current board must submit a plan to restructure the existing education corporation that addresses the same a set of requests and evaluation criteria for the development of a new charter school application as outlined in the 2018 Request for Proposals. The specific set of requests and evaluation criteria are stated in the following Guidance section.

Guidance

FULL APPLICATION SUMMARY

Proposed New Charter School Name ¹			
Proposed New Board Chair Name			
Proposed New Board Chair Email Address			
Proposed New Board Chair Phone Number			
Public/Media Contact Name			
Public/Media Contact Email Address			
Public/Media Contact Telephone Number			
District of Location			
Proposed Management Company or Partner Organizations			
Projected Enrollment and Grade Span for Indicated Years	Year	Grades	Enrollment
	1		
	2		
	3		
	4		
	5		
Current Mission Statement:			
New Mission Statement:			

After completing the table above, please provide a two-page summary of the proposed charter school. Include a discussion of the mission; objectives; key design elements; other unique characteristics of the program (if any); identification of student communities to be served or targeted; curriculum and instructional features; plan for instructional staffing and leadership/management design; plans for relationships with management or other partner organizations; and any other relevant information.

The summary is intended to provide the public with a concise description of the proposed school that is consistent with information provided elsewhere in the plan which may be shared to

¹ N.Y. Education Law § 2851(2)(k)

respond to public inquiries and used for documents prepared for Board of Regents. **Please limit the Summary to two pages.** This section will not count against page limitations.

Provide a bulleted high-level summary of all changes to the current charter that the new operator and/or restructured board seeks to make in the restricted charter school. This section will not count against page limitations.

CERTIFICATION AND ASSURANCES STATEMENT	
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Proposed/Current Charter School Name:	
School Location (District):	

I hereby certify that the proposed Board of Trustees have all read Article 56 of the New York State Education Law, and understand the relationship between a charter school and the authorized chartering entity as defined in that statute. By submitting a restructuring plan to the Board of Regents, the proposed Board of Trustees understands that the Board of Regents is the authorized chartering entity with the authority to approve our application to establish the proposed charter school and enter into a charter agreement setting forth the terms and conditions under which the Board of Trustees will operate the charter school.

I hereby certify that the information submitted in this application is true to the best of my knowledge and belief; and further I understand that, if awarded a charter, the proposed school shall be open to all students on a space available basis, and shall not discriminate or limit the admission of any student on any unlawful basis, including on the basis of ethnicity, race, creed, national origin or ancestry, gender, sexual orientation, disability, intellectual ability, measures of achievement or aptitude, athletic ability, age, religion, proficiency in the English language or a foreign language, or academic achievement. I understand that the Charter Schools Act allows, to the extent consistent with Federal law, “the establishment of a single-sex charter school or a charter school designed to provide expanded learning opportunities for students at-risk of academic failure or students with disabilities and English language learners.”²

The applicant group also makes the following assurances pursuant to Section 7221b of the United States Code (USC), which will be incorporated into, and made a part of, the Charter School’s charter, if granted, and be binding on the Charter School itself:

- An assurance that the charter school will annually provide the Secretary of the U.S. Department of Education and the State Education Department such information as may be required to determine if the charter school is making satisfactory progress toward achieving the objectives described in this application;³
- An assurance that the charter school will cooperate with the Secretary of the U.S. Department of Education and the State Education Department in evaluating the program assisted;⁴ and
- That the charter school will provide such other information and assurances as the Secretary of the U.S. Department of Education and the State Education Department may require.⁵
- That the school will follow any additional procedures required by NYSED to ensure an orderly closure and dissolution process, including compliance with the applicable requirements of Education Law §§2854(2)(t), 219 and 220 and any Closing Procedures specified by NYSED.

² N.Y. Education Law § 2854(2)(a)

³ 20 USC § 7221b(b)(3)(J)

⁴ 20 USC § 7221b (b)(3)(K)

⁵ 20 USC § 7221b (b)(3)(N)

I, enter name of Proposed Board Chair, hereby certify that the information submitted in this Full Application to establish Enter Name of the Charter School is true to the best of my knowledge and belief, realizing that any misrepresentation could result in disqualification from the application process or revocation after issuance of the charter.

Signature of Proposed BOT Chair:

Date:

I. MISSION, KEY DESIGN ELEMENTS, ENROLLMENT, AND COMMUNITY

A. MISSION STATEMENT, OBJECTIVES AND GOALS

General Overview: Charter schools should be mission-driven organizations designed to accomplish the objectives established in Education Law §2850(2):

- Improve student learning and achievement;
- Increase learning opportunities for all students, with special emphasis on expanded learning experiences for students who are at-risk of academic failure;
- Encourage the use of different and innovative teaching methods;
- Create new professional opportunities for teachers, school administrators and other school personnel;
- Provide parents and students with expanded choices in the types of educational opportunities that are available within the public-school system; and
- Provide schools with a method to change from rule-based to performance-based accountability systems by holding the schools established under this article accountable for meeting measurable student achievement results.

A school's mission statement provides the foundation for the entire charter application and for the full term of the school's charter. All elements of the school design should align with and support achievement of the proposed mission. Schools must also determine how they will evaluate and be held accountable for achievement of their mission. Schools must present the goals they intend to use to measure student achievement, the overall educational program, and the key components of the school design in alignment with the mission. Charter renewal recommendations will ultimately be based on progress toward and achievement of the benchmarks in the Charter School Performance Framework as well as the school's mission-specific goals. Applicant groups should keep in mind that at renewal, as set forth in the New York State Charter School Performance Framework Benchmark 1: Student Performance, the school is expected to meet or exceed growth and progress/achievement goals based on the New York State assessments (elementary and middle school) or Regents examinations (high school), as well as college and career readiness measures.

The new operator and/or restructured board may choose to change the charter school's existing mission, objectives, and goals, as long as the new operator and/or restructured board maintain a commitment to serve the same student population as is currently being served.

Requests:

1. Present the school's mission statement. If a change in mission is being proposed, state why.
2. Explain how the school will materially further one or more of the objectives specified in the Charter Schools Act.
3. Present the school's mission-specific goals and explain the rigor and ambitiousness of those goals. At a minimum these must include academic performance goals, but may also

include operational, governance, financial or other types of goals. Schools proposed to serve non-state testing grades, i.e., grades K-2, must include specific academic performance goals for those grades.

Evaluation Criteria:

A response that meets the standard will:

1. Present a concise mission statement, which establishes clear and measurable outcomes that are desired as a result of implementing the school program.
2. If a change in mission is being proposed, explain why.
3. Present a mission statement that defines the purpose and key values of the proposed charter school and informs the public about the students the school intends to serve⁶.
4. Present a mission that is consistent with high academic standards set forth in the Charter School Performance Framework.
5. Present a mission that is reflected throughout all sections of the application.
6. Clearly demonstrate how the proposed school will further at least one of the objectives specified in Education Law §2850(2).
7. Present measurable goals that reflect the school’s mission, including academic performance goals, particularly for grades K-2 if applicable, and provide compelling rationale for the rigor and ambitiousness of those goals, including evidence and/or data.

B. KEY DESIGN ELEMENTS

General Overview: Key design elements are those aspects of the school that are innovative or unique to the school’s mission and goals, are core to the school’s overall design, and critical to its success. They may be elements of the education or organizational plan and may include a specific content area focus; unique student populations to be served; specific educational programs or pedagogical approaches; unique calendar, schedule, or configurations of students and staff; and/or innovative organizational structures and systems. The Charter Schools Act allows, to the extent consistent with Federal Law, “the establishment of a single-sex charter school or a charter school designed to provide expanded learning opportunities for students at-risk of academic failure or students with disabilities and English language learners.”⁷ The key design elements should fit together into a cohesive school design that is supported by the proposed budget. While it is important to provide a rationale for the key design elements that is grounded in research and precedent, applicants may also present and refer to supporting information in subsequent sections that focus on specific aspects of the school, e.g., curriculum and instruction, culture or management and staffing. Approved schools will be accountable for implementation of the key design elements included in their charter (see Charter School Performance Framework Benchmark 8).

⁶ N. Y. Education Law § 2851(2)(a)

⁷ N. Y. Education Law § 2854(2)(a)

The new operator and/or restructured board may choose to change the charter school’s key design elements, as long as the new operator and/or restructured board maintain a commitment to serve the same student population as is currently being served.

Requests:

1. Provide a list and description of the proposed school’s key design elements. If a change in key design elements are being proposed, state why.
2. Describe the rationale for selecting these key design elements and provide any supporting research, evidence of effectiveness or examples of existing programs that serve a similar target student population that support the use of these key design elements in this school.
3. If applicable, provide a request and justification for waivers of any federal statutory or regulatory provisions that the applicant believes are necessary for the successful operation of the charter school, and a description of any state or local rules, generally applicable to public schools, that the applicant proposes to be waived or otherwise do not apply to the school.⁸

Evaluation Criteria:

A response that meets the standard will:

1. Provide a concise (generally no more than 3 pages) description of critical and/or unique features that are core to the school’s overall design.
2. If a change in key design elements are being proposed, explain why.
3. Demonstrate clear alignment with the school’s mission and all aspects of the full application, including educational, organizational, and fiscal plans.
4. Present evidence of success if drawing on existing models and/or present research or other information that demonstrates the efficacy of each proposed design element if it does not have a precedent.
5. Demonstrate how the key design elements will serve the diverse needs of all students.

C. COMMUNITY AND STUDENTS TO BE SERVED

General Overview: The characteristics and demographics of the community to be served are essential factors that inform the design of a successful charter school, ultimately driving support for student enrollment and community involvement in the school. At a minimum, applicants must demonstrate knowledge of any community school district (CSD) in which the school will be located and from which it will draw students. Applicants may also highlight narrower communities or neighborhoods within a CSD or discuss plans for drawing students from across multiple CSDs. Likewise, the academic program must reflect the needs of the specific target student population to be served.

⁸ 20 USC § 7221b(b)(3)(G)

Successful charter schools are typically embedded in their community and leverage community assets to help start and sustain the school. Community support may involve student recruitment, the academic program, professional development, facility assistance, fundraising or any other aspect of the school design. Applicant groups should cultivate community support and provide evidence of specific commitments in their charter application.

Requests:

1. Describe the community to be served by the proposed school.
2. Describe the educational options in the community, including the number, type and academic performance of local public and private schools. Provide academic data about the sending district's performance for the grade levels the proposed school will serve, including relevant NYS assessment outcomes and graduation rates, if applicable.
3. Describe the target student population to be served within the proposed school community, including the anticipated percentages of students with disabilities, English language learners, and economically disadvantaged students.
4. Describe the needs of the community that will be met by the proposed school.
5. Explain the rationale for selecting the school community and target population.
6. Explain how this school will enhance or expand educational options, including whether the educational program or innovative methods to be used by the proposed school differ from the district or districts from which the charter school is expected to enroll students.
7. Provide an assessment of the depth and commitment of community support and/or opposition within the proposed sending district(s)/region for the proposed school. Explain how community assets will be leveraged and any challenges presented by opposition will be overcome.

Evaluation Criteria:

A response that meets the standard will:

1. Demonstrate clear knowledge of the community and understanding of its needs. At minimum this must include an analysis of the CSD in which the proposed school will be located, including demographics of the community and description of local schools.
2. Demonstrate clear knowledge of the target student population and understanding of its needs.
3. Present a compelling rationale for selecting the school community and target student population and explain the applicant group's ability to serve this particular community.
4. Demonstrate how the proposed school increases options and innovation in the community.

D. APPLICANT GROUP HISTORY AND CAPACITY

General Overview: The applicant group consists of the proposed new operator and/or restructured board who will comprise the restructured board of trustees, and those individuals who will become school employees (i.e. the new school leader). The applicant group must

include at least one qualified applicant (teachers, parents, school administrators, community residents), and at minimum five proposed members of the school’s board of trustees.

Requests:

1. Identify and provide a brief description of each member of the applicant group.
2. Describe the process by which the applicant group formed, any pre-existing relationships among members, how the school design and application were developed, and how public outreach was conducted.
3. Identify the primary author(s) of the final application. Provide the names of any paid consultants or organizations that were involved in the development, fiscal planning or writing of the application.

Required Attachments:

- Table 1: Applicant Group Information;** If any applicant group members have been added between the Letter of Intent and Application phases, please update and resubmit Table 1 to reflect the additional members.

Evaluation Criteria:

A response that meets the standard will:

1. Present an applicant group that includes one qualified applicant and a minimum of five proposed board members.
2. Provide all requested information about applicant group members in Table 1.
3. Present an applicant group that possesses the range of expertise necessary for successful founding of a charter school.
4. Demonstrate applicant group involvement in and ownership of the charter school proposal, including development of the application and public outreach.

Note Regarding a Criminal Background Check/Fingerprint Scan: All members of the applicant group are required to undergo criminal background checks via fingerprint scans pursuant to the procedures outlined at:

<http://www.p12.nysed.gov/psc/regentsoversightplan/otherdocuments/addbotmember.html>.

E. ENROLLMENT, RECRUITMENT, AND RETENTION

General Overview: Charter schools are schools of choice that are thus accountable directly to parents. Charter schools must recruit their students and retain adequate numbers to be financially viable. They must also demonstrate how the charter school will meet or exceed enrollment and retention targets set by their authorizer. The minimum number of students shall be at least fifty at a single site, or, if less than fifty students are to be served by the school, the response must include a compelling justification for the enrollment projection. NYSED is unlikely to recommend for approval charters with enrollment plans that terminate in grades in the middle of logical grade spans at the end of the charter period, e.g., a grades 6-10 school. Instead it is recommended that applicants propose distinct elementary, middle or high school programs and

approved schools can request to add grades mid-charter with evidence of strong enrollment and academic performance, e.g., propose a grade 6-8 school and then, once the school has demonstrated success, request to add high school grades in the fourth year of operation.

Requests:

1. Complete the Projected Enrollment Table provided below, including the number of students and the ages and grade levels to be served in each year of the proposed charter term. If the enrollment table is changing from the table previously approved, please state why.
2. Explain the rationale for this enrollment plan, including school and grade sizes, growth patterns (if applicable), alignment with grade configurations of other local schools, and assumptions about student attrition and retention of students from grade to grade.⁹ If the school will continue to grow after the first charter term, present the ultimate grade span goal and the year in which this would occur (if applicable).
3. Describe the student recruitment plan, including how families in the community will be informed about the charter school and any community assets that will be leveraged to recruit students.
4. Provide evidence of interest in and demand for the proposed school.
5. Describe the proposed application, admissions, and enrollment process, including a plan for a public lottery.
6. Identify and explain enrollment preferences, including any preferences for students the applicant group has defined as at-risk of academic failure.
7. Describe how any vacancies created during the school year will be filled (backfilling) and any date by which the school will no longer fill such vacancies.
8. Complete the **Enrollment and Retention Targets Table** provided **below** using the [Charter School Enrollment and Retention Targets](#) resources on the NYSED webpage.
9. Describe the school's plans to meet or exceed the enrollment and retention targets established by the Board of Regents for students with disabilities, English language learners, and economically disadvantaged students.
10. Describe how the new operator and/or the restructured board will overcome any difficulties in enrollment/recruitment that were experienced by the education corporation during the current charter term.

⁹ Please note N.Y. Education Law § 2854(3)(b-1) requirements regarding negotiating unit representation for employees in a charter school that enrolls more than 250 students at any point during the first two years after the charter school commences student instruction.

Evaluation Criteria:

A response that meets the standard will:

1. Provide a reasonable and sustainable enrollment plan that aligns with other application sections, including the education, staffing and budget plans.
2. Provide a student recruitment plan that specifically addresses students with disabilities, English language learners, and economically disadvantaged students, is likely to achieve the school's enrollment targets, and demonstrates how students will be given an equal opportunity to attend the charter school.
3. Provide a fair and equitable admissions process with a clear rationale for any enrollment preferences.
4. Provide evidence of adequate demand for and interest in the charter school sufficient to reach its anticipated enrollment.
5. Provide a reasonable approach to meeting enrollment and retention targets.
6. Provide a clear plan for filling vacancies and/or provide a strong rationale for leaving seats vacant.
7. Describe how the new operator and/or the restructured board will overcome any difficulties in enrollment/recruitment that were experienced by the education corporation during the current charter term.

Required Attachment:

- Attachment 1: Admissions Policy and Procedures;** *(Policy should state how any vacancies created during the school year will be filled and any date by which the school will no longer fill such vacancies).*

Projected Enrollment Table Over the Charter Term ¹⁰						
Grades	Ages	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024
K						
1 st						
2 nd						
3 rd						
4 th						
5 th						
6 th						
7 th						
8 th						
9 th						
10 th						
11 th						
12 th						
Ungraded						
Totals						

Enrollment and Retention Targets		
	Enrollment # / %	Retention # / %
Economically Disadvantaged		
Students with Disabilities		
English language learners		

¹⁰ N.Y. Education Law § 2851(2)(p)

II. EDUCATIONAL PLAN

A. EDUCATION PHILOSOPHY

General Overview: Undergirding the academic program design should be a set of beliefs about teaching and learning that inform choices about curriculum, instruction, and assessment.

Requests:

1. Briefly describe the applicant group's education philosophy, including core beliefs and values about teaching and learning.
2. Provide a short summary of research or theories that substantiate this philosophy.

Evaluation Criteria:

A response that meets the standard will:

1. Present a clear and coherent education philosophy that informs the design of the academic program.
2. Provide specific research and theories that support the school's approach to teaching and learning.

B. CURRICULUM

General Overview: The application must include a description of the school's proposed curriculum.¹¹

Requests:

1. Describe the school's processes for selecting and/or developing curriculum.
2. Describe the school's processes for horizontally aligning curriculum across subjects and vertically aligning curriculum across grades, and for reviewing and revising curriculum. In this response, please include timelines, who will be involved, and the role of teachers in these processes. Explain how these processes will ensure that the curriculum is aligned to state standards and tests and meets the needs of all students, including students with disabilities, English language learners, students below grade level, and advanced students.
3. Describe how the school's curriculum will be organized and the curriculum resources that will be used to determine what teachers should teach and when they should teach it (e.g., curriculum maps, scope and sequences, pacing guides, etc.). Explain who will create/select, evaluate and revise these resources.
4. Describe the materials that will be used to deliver the curriculum, including any textbooks, commercial programs, software and/or teacher developed materials. Explain who will create/select, evaluate and modify these resources.

¹¹ 20 USC § 7221b(b)(3)(A)(iii)

5. Describe any unique or innovative aspects of the curriculum and explain how the proposed curriculum aligns with the school’s educational philosophy and furthers the school’s mission and applicable key design elements.
6. Describe any research or existing models that support the use of the proposed curriculum.
7. Explain how the proposed curriculum will allow the school to meet Benchmark 1: Student Performance of the [Charter School Performance Framework](#).
8. Describe any supplemental curriculum that will be developed and/or selected for interventions, special populations, and/or social emotional development or character education.
9. Provide an explanation of why the proposed restricted education program will succeed in meeting or exceeding NYSED Performance Framework standards considering the charter school’s past performance.

Attachments:

- ❑ **Required Attachment 3: Course Descriptions;** Provide brief course descriptions for each subject at each grade level the school would serve within the initial charter term, including both core and non-core subject areas. These should include an overview of content and skills addressed by each course and any known curriculum programs or materials planned for the course. For high school proposals, provide an outline of course sequences leading to graduation.
- ❑ **Required Attachment 3a: Student and Teacher “Day in the Life”;** Provide a brief narrative no more than 4 pages total describing a typical student and teacher day.
- ❑ **Optional Attachment 3b; *Please note:*** Applicants have the option to submit up to **10 pages** of curricular documentation for consideration. All supplemental material must relate directly to the Curriculum response and be labeled as **Attachment 3b** in the appendix. Such material can include, for example, framework or scope and sequence documents, unit or lesson plan templates, pacing calendars, or other means of cross-walking various curricula that may be essential to reviewers’ understanding of the proposed school model.

Evaluation Criteria:

A response that meets the standard will:

1. Present a comprehensive curriculum that is consistent with the school's mission, target population, key design elements, approach to serving at-risk students, staffing plan and other relevant components of the proposal.
2. Present a reasonable plan for developing and implementing the school's curriculum, particularly in the core academic areas of English language arts, mathematics, science and social studies.
3. Ensure curriculum alignment with New York State Learning Standards and the New York State Testing Program.
4. Ensure the curriculum meets the anticipated needs of all students in the school, including special populations.
5. Present credible research and models that demonstrate the efficacy of the proposed curriculum design.
6. Ensure the curriculum will generate academic results that meet Benchmark 1: Student Performance of the Charter School Performance Framework.
7. Provide an explanation of why the proposed restricted education program will succeed in meeting or exceeding NYSED Performance Framework standards considering the charter school's past performance.

C. INSTRUCTION

General Overview: The application must include a description of the school's proposed instructional practices.¹²

Requests:

1. Describe the specific instructional strategies and practices that will be used to deliver the curriculum and explain how these instructional methods will meet the needs of all students, including those with special needs, English language learners and those at risk of academic failure.
2. Describe fully any unique or innovative aspects of the school's pedagogical approach and explain how the proposed instructional methods align with the school's educational philosophy and furthers the school's mission and applicable key design elements.
3. Explain how the school will define, support and ensure rigorous and engaging instruction.
4. Describe any research or existing models that support the use of these instructional methods.

¹² 20 USC § 7221b(b)(3)(A)(iii)

Evaluation Criteria:

A response that meets the standard will:

1. Describe instructional methods that align with the school's education philosophy, mission and goals.
2. Describe instructional methods that are likely to meet the needs of the school's target population.
3. Provide precise definitions of instructional rigor and engagement and present a plan that is likely to ensure rigorous and engaging instruction.
4. Explain how the proposed instructional methods will provide special student populations with full and meaningful access to the curriculum.
5. Present credible research and models that demonstrate the efficacy of the proposed instructional methods.

D. SPECIAL STUDENT POPULATIONS AND RELATED SERVICES

General Overview: Charter schools have enrollment and retention targets for at-risk students and must demonstrate the capacity to identify and meet the needs of special student populations, which include students with disabilities, English language learners, struggling students and gifted/advanced students.

Requests:

1. Describe the proposed school's specific processes, methods, strategies and/or programs for identifying and serving students who are struggling academically and are at risk of academic failure, students with disabilities, English language learners, and gifted and advanced students.
2. Provide a rationale for these approaches and explain how they align with the school's mission and education philosophy.
3. Provide any research or evidence that supports the appropriateness of the school's approach to serving special populations.
4. Describe the staff members who will be responsible for meeting the needs of special populations and their responsibilities and qualifications.
5. Explain how services for special populations will be coordinated with general education instruction.
6. Describe any ancillary and support services the school expects to offer students and their families, such as counseling, family outreach, and/or relationships with community organizations or service agencies.
7. Describe the process used to evaluate the effectiveness of the programs employed to support special student populations and how the school will ensure that it is meeting the needs of these students.

Evaluation Criteria:

A response that meets the standard will:

1. Provide specific plans for meeting the needs of special populations both within general education classrooms and in other settings.
2. Provide specific plans for meeting the needs of special populations that align with other application sections, including target population, curriculum, instruction, assessment, staffing and budget.
3. Describe a Response to Intervention (RTI) process for identifying and meeting the needs of struggling students.
4. Demonstrate a clear understanding of law and regulations regarding identification and services for special populations, including the role of the Committee on Special Education (CSE) and Individualized Education Programs (IEPs).
5. Describe the specific special education services that will be offered with a compelling rationale for selecting those services.
6. Explain how the school will work with the districts of residence to ensure that eligible students receive services consistent with their IEPs and comparable to services provided in other public schools in the district.
7. Describe how the school will manage IEP record-keeping, including the processes for providing copies of the IEPs to teachers and service providers.
8. Demonstrate how the general education classroom environment and instructional approach will be responsive to the needs of special student populations and explain how they will be effectively coordinated with other interventions and services for special populations.
9. Provide compelling research or evidence that demonstrates the appropriateness and effectiveness of the school's approach to serving special populations.

E. ASSESSMENT SYSTEM

General Overview: Successful charter schools are data-driven organizations that regularly assess performance and make adjustments as part of a process of continuous improvement.

Requests:

1. Describe the school's proposed use of diagnostic, formative, interim, and summative assessments to evaluate academic progress and achievement, including each assessment's purpose, design, and format.
2. Explain how assessments will be selected and/or created and who will be involved in this process.
3. Provide an annual assessment calendar to demonstrate the frequency of assessments.
4. Explain how the school will ensure the validity and reliability of its assessments.
5. Describe the school's processes for administering assessments and collecting, storing and analyzing data.
6. Explain how the following stakeholders will use data: teachers, administrators, board members, families and students.

7. Explain how individual student, student cohort and school-wide results will be used.
8. Explain any goal-setting practices for students, teachers and administrators.
9. Describe how the school will inform families and students about academic progress and achievement.
10. Describe how the school will monitor progress toward meeting its mission-specific goals and benchmarks in the Charter School Performance Framework. Explain how these results will be communicated to the school community.

Evaluation Criteria:

A response that meets the standard will:

1. Present a comprehensive assessment plan likely to meet the needs of all stakeholders.
2. Present an assessment plan that aligns with the school's mission, goals, and education philosophy.
3. Present an assessment plan that aligns with the calendar, curriculum, staffing, budget and other sections of the application.
4. Demonstrate the ability to ensure valid and reliable assessments.
5. Demonstrate understanding of and commitment to assessment requirements applicable to all public schools consistent with state law¹³ and relevant policies of the Board of Regents, including the New York State Testing Program.
6. Present a clear and credible plan for sharing relevant data with students, families and the school community.

F. PERFORMANCE, PROMOTION, AND GRADUATION STANDARDS

General Overview: Charter schools must meet the same performance standards and assessment requirements set by the Board of Regents for students in other public schools but may also set their own unique promotion and graduation requirements in line with their mission and goals.

Requests:

1. Describe the proposed school's policies and standards for promoting students to the next grade, achievement level, or grouping level.
2. Explain what the school will do for students who do not meet its promotion and/or graduation standards.
3. If the proposed school will serve the 12th grade, provide the school's requirements to obtain a high school diploma.

Required Attachment:

- Attachment 3c: Exit Standards;** Provide sample exit standards for English language arts, mathematics, and one other subject area for each level (i.e., elementary, middle, high) that the school intends to operate.

¹³ N.Y. Education Law § 2854(1)(b)

Evaluation Criteria:

A response that meets the standard will:

1. Demonstrate that promotion and graduation standards are aligned with the school's mission, goals, educational program, and assessment system.
2. Demonstrate adequately rigorous performance standards that will allow the school to achieve the benchmarks in the Charter School Performance Framework and mission-specific goals.
3. For high schools, demonstrate that the school's graduation standards are aligned with state requirements for obtaining a high school diploma.
4. Describe a viable plan for meeting the needs of failing students.

G. SCHOOL CULTURE AND CLIMATE

General Overview: School culture is critical not only to the academic success of charter schools, but to student and staff retention as well. Applicant groups must have a clear vision of their school culture and a detailed plan for realizing that vision. The school may employ schoolwide, grade-wide or class-based strategies and applicants should address the social-emotional development of their students as well as their approach to behavior management and discipline.

Requests:

1. Present a vision of school culture that aligns with the school's mission and education philosophy.
2. Provide any research or proof of effective existing models that support the proposed approach to school culture and discipline.
3. Explain who has primary responsibility for school culture and discipline.
4. Describe the strategies and staff the school will employ to develop and sustain this school culture.
5. Explain how the school will establish a safe and orderly school environment that is conducive to learning.
6. Explain how the school will promote, monitor and assess the social-emotional development of its students.
7. Explain the school's approach to student behavior management and discipline for both the general student population and for students with disabilities.
8. Explain how the school will monitor and evaluate the efficacy of school culture and discipline.

Required Attachment:

- Attachment 4: Student Discipline Policy;** Provide a student discipline policy that includes rules and procedures by which students may be disciplined up to and including expulsion or suspension from the school, which are consistent with (a) the requirements of due process and with federal laws and regulations governing the placement of students with

disabilities¹⁴, and (b) the requirements of the Dignity for All Students Act (Education Law Article 2) relating to the creation of policies intended to create a school environment that is free from discrimination or harassment.¹⁵

Evaluation Criteria:

A response that meets the standard will:

1. Present a clear and detailed vision of school culture.
2. Present a credible plan for creating and sustaining a school culture that aligns with the school's mission and education philosophy and supports academic achievement and social emotional development.
3. Present a reasonable plan for establishing a school environment that is safe and conducive to learning and describes specific and age-appropriate behavior management strategies that are either school-wide, grade-wide or class-based.
4. Present age-appropriate strategies for the social-emotional development of its students with a reasonable plan for monitoring and assessing student growth.
5. Provide a student discipline policy that reflects the mission and culture of the school. The discipline policy must specify: the substantive acts for which a child may be disciplined, the consequences (or range of consequences) resulting from committing each such act, the due process procedures that the school will follow in applying its discipline policy (in accordance with federal law), and the individuals responsible for carrying out the discipline policy and any appeals.
6. Demonstrate a clear understanding of the law regarding due process and procedures for disciplining students with disabilities.
7. Provide compelling research or evidence that demonstrates the appropriateness and effectiveness of the school's approach to school culture.

H. SCHOOL SCHEDULE AND CALENDAR

General Overview: The Charter Schools Act requires applicants to submit “The school calendar and school day schedule, which shall provide at least as much instruction time during a school year as required of other public schools.” In addition to the information included in the narrative as per the evaluation criteria, three attachments are required for this section.

Requests:

1. Provide a brief explanation of the school calendar, noting any unique or innovative aspects and how it aligns or differs from the district calendar. Address the number of instructional days, organization of the school year (e.g., quarters, semesters, trimesters), professional development days, and summer programming and/or instruction for students and/or teachers. If a change in school calendar is being proposed, state why.

¹⁴ N.Y. Education Law § 2851(2)(h)

¹⁵ N.Y. Education Law Article 2

2. Provide a brief account of the instructional day, from three student perspectives: on-grade level, at risk for academic failure, and above grade level.
3. Provide a brief explanation of the student weekly schedule, noting any unique or innovative aspects and how it supports implementation of the academic program and school culture. Address core and non-core classes, intervention and remediation programs, electives, and other relevant key design elements.
4. Provide a brief explanation of the teacher weekly schedule, noting any unique or innovative aspects and describing the length of the teacher's work day, supervisory time, planning periods, professional development, and any other duties the teacher performs in a given day.
5. Provide any research or other evidence that supports the school's calendar and schedules.

Required Attachments:

- ❑ **Attachment 4a: Sample Weekly Student Schedule;** Provide a sample weekly student schedule for at least one grade that is representative of each level the school intends to operate (elementary, middle, and/or high school). If scheduling structures are unique to each grade, please provide a sample schedule for each grade.
- ❑ **Attachment 4b: Sample Weekly Teacher Schedule;** Provide a sample weekly teacher schedule for at least one grade that is representative of each level the school intends to operate. If scheduling structures are unique to each grade, please provide a sample schedule for each grade.
- ❑ **Attachment 4c: Proposed First Year Calendar;** Provide a copy of the proposed school calendar for year one of the school's operations that clearly demonstrates:
 - Days that school is in session;
 - Holidays, days off, and half days;
 - Professional development days;
 - Summer programming and/or instruction;
 - First and last days of class; and
 - Organization of the school year (quarters, semesters, trimesters) including the beginning and ending for each segment.

Evaluation Criteria:

A response that meets the standard will:

1. Demonstrate how the proposed daily instructional schedule will meet the needs of students of all levels and abilities.
2. Present a calendar that demonstrates the required number of instructional days and aligns with the school's mission and school design.
3. Present student and teacher schedules that align with each other and the proposed education program.
4. Present student schedules that provide adequate time to achieve the school's academic performance and other goals.
5. Present teacher schedules that provide adequate time for instruction, planning and professional development.
6. Present compelling research or models that demonstrate the efficacy of the school's calendar and schedules.

III. ORGANIZATIONAL AND FISCAL PLAN

A. ORGANIZATIONAL STRUCTURE

General Overview: Charter schools are unique institutions that must be effectively structured and organized to support their education, operations and financial plans. Applicants should present an organizational chart that clearly outlines how they will structure their school to meet the myriad needs of stakeholders and achieve their mission and goals. An effective organizational chart does not need to represent all individual staff members, and instead should focus on the types of positions the school will employ. In addition, the organizational chart should show how the school's structure will change over time to reflect growth in student and staff sizes. This can be accomplished with multiple charts or a single chart with footnotes indicating when specific positions are added to the organization.

Requests:

1. Provide an organizational chart that shows the proposed staffing structure and lines of reporting for the board, administration, and staff over the charter term. Include management and/or partner organizations if applicable.
2. Explain and provide a rationale for the proposed organizational structure of the school.

Evaluation Criteria:

A response that meets the standard will:

1. Present an organizational chart with clear lines of accountability and reasonable supervision responsibilities over the course of the charter term.
2. Present an organizational chart that aligns with the school's mission, program design, staffing plan, budget and other relevant sections of the application.
3. Demonstrate a clear understanding of the administrative relationship between the charter school and the Board of Regents as the chartering entity.

B. BOARD OF TRUSTEES AND GOVERNANCE

General Overview: The board of trustees of the charter school education corporation has final authority for policy and operational decisions of the school, but the board may delegate decision making authority to officers and employees of the school in accordance with the provisions of the charter. The proposed initial board as identified in Table 1 must consist of a minimum of five members and no more than 25 members.¹⁶

Requests:

1. Describe the roles and responsibilities of the school's board of trustees.
2. Describe the proposed governance practices of the school, including:

¹⁶ N.Y. Education Law §226(1)

- Board size
 - Qualifications for board membership
 - Board member recruitment and selection
 - Board member appointment or election
 - Member terms
 - Ex officio and/or representative positions
 - Structure of the board, including officers and committees
 - Conduct of board and committee meetings
 - Process to promote parental and staff involvement in school governance
 - Process to govern multiple schools under one educational corporation
 - Adherence to Open Meetings Law
 - Board training and development and for new and veteran members
3. Describe the expertise and backgrounds of the proposed members of the initial board of trustees and any vacant positions that will be filled between charter approval and school opening.
 4. Describe what authority the board of trustees will retain and what authority it will delegate to school employees or others.
 5. Explain how the board of trustees will hold school management (and management or partner organizations if applicable) accountable for achieving the school's mission and goals.

Required Attachments:

- Table 1: Applicant Group Information;** Provide information for each member of the proposed board of trustees.
- Attachment 5a: Proposed Board Member Forms;** For each proposed board member submit:
 - New Applicant and Prospective School Trustee Background Information Sheet and Signed Statement of Assurance. Blank copies of this form may be found at <http://www.p12.nysed.gov/psc/startcharter.html>.
 - A signed Statement of Assurance and a signed Statement of Intent which is included at the bottom of the Assurance statement. See Background Information Sheet at <http://www.p12.nysed.gov/psc/startcharter.html>
 - Resume or curriculum vitae.
 - Education Credentials. A copy of the individual's diploma or transcript from their highest level of education. If such documents cannot be provided, submit a signed and notarized letter stating the highest level of education obtained and the reason why these documents cannot be provided.
- Attachment 5b: By-Laws;** Submit a draft of proposed by-laws for the board of trustees.
- Attachment 5c: Code of Ethics;** Submit a draft of a proposed Code of Ethics for the charter school.

Evaluation Criteria:

A response that meets the standard will:

1. Demonstrate a clear understanding of the key roles and responsibilities of a charter school board of trustees and its officers, including the administrative relationship between the charter school governing board and the Board of Regents as the chartering entity.
2. Present governance practices likely to produce effective oversight and accountability for the school, including effective recruitment of members with relevant expertise, conduct of monthly meetings at the school, ongoing board training and development, and reasonable delegation of authority to school employees.
3. Present proposed by-laws that meet the requirements of Education Law and all applicable laws and regulations governing education corporations in the State of New York.
4. Present a proposed Code of Ethics for the charter school that set rigorous standards of conduct for the school's trustees, officers and employees, including standards with respect to disclosure of conflicts of interest regarding any matter brought before the board of trustees.

C. MANAGEMENT AND STAFFING

General Overview: Charter schools have flexibility in deciding how to manage and staff their organization and many use innovative roles and structures to meet the needs of staff, students and families.

Requests:

1. Complete and include in the narrative the staffing table below for all positions employed over the first charter term.
2. Explain the staffing plan, including delegation of responsibilities and relationships with key stakeholders, and provide a rationale for the proposed staffing plan.
3. Describe the roles, responsibilities and desired qualifications of the school leader (i.e., the person who is responsible for management of the school and reports to the board of trustees).
4. If a proposed school leader has been identified, describe that person's experience and qualifications. If a school leader has not yet been selected, describe the plans for the recruitment and selection of that individual.
5. Explain the management roles and responsibilities of key administrators with respect to the education program, school operations and finance.
6. Describe management and staffing plans for identifying and serving students with disabilities and English language learners.
7. Explain how the school will recruit and retain high quality teachers, including plans for compensation and benefits.

Required Attachments:

- ❑ **Attachment 8a: Hiring and Personnel Policies and Procedures;** Present a hiring plan and complete the proposed staffing chart. The hiring plan, which should include:
 - Job descriptions, including qualifications and responsibilities, used in the hiring of school administrators, teachers and other school employees.
 - Hiring processes for administrators, teachers and other staff members.
 - Evaluation processes for administrators, teachers and other staff members.
 - Complaint process for staff.
- ❑ **Attachment 8b: Resume for Proposed School Leader;** if one has been identified.

Proposed Staffing Chart						
Positions	Avg. Starting Salary	FTE				
		Year 1	Year 2	Year 3	Year 4	Year 5
e.g., Principal	\$100,000	1	1	1	1	1
e.g., Director of Operations	\$90,000	1	1	1	1	1
e.g., English Teachers	\$65,000	2	4	6	6	6

Evaluation Criteria:

A response that meets the standard will:

1. Present a comprehensive staffing plan that is aligned with the school's enrollment projections, key design elements, education plan, and budget and is likely to achieve the school's mission and goals. The staffing plan should present a thorough understanding of how the school will be operated and managed and provide a clear picture of the school's operating structure and priorities.
2. Describe a proposed school leader with the qualifications to effectively manage the school or, if a leader has not been proposed, describe an effective process for identifying and recruiting such a leader.
3. Demonstrate an understanding of management needs with respect to curriculum and instruction, assessment, special populations, teacher development and evaluation, operations, finance, facility, health services, food services, transportation, and security.
4. Describe an effective plan for administration and implementation of special education and ESL programs.
5. Present job descriptions of all key positions, including qualifications and responsibilities, that align with the school's mission, design and education philosophy.
6. Provide a recruitment and hiring plan that is likely to yield high quality teachers in all subjects, especially hard-to-fill subjects (e.g., special education) and positions requiring unique expertise (e.g., co-teaching, blended learning, dual language).
7. Present personnel policies that address background checks, discrimination, harassment, Code of Ethics, and other key responsibilities of employers.
8. Present a plan that is reasonably likely to retain effective staff, including information pertaining to the school's working conditions and compensation packages and increases.
9. Describe how the school will address potential human resource challenges as the school grows to scale over the course of the charter term.

C.1. CHARTER MANAGEMENT ORGANIZATION

General Overview: Schools may contract with a not-for-profit charter management organization (CMO) to provide substantially all of the educational or management services for the proposed school. Pursuant to recent amendments to the Charter Schools Act, for-profit business or corporate entities are not eligible to operate or manage a charter school created pursuant to this RFP.¹⁷ If the applicant group is **not** part of an existing education corporation but still intends to contract with a CMO, please complete the following section. Otherwise, write "Not Applicable" and skip to the next section.

Schools that intend to employ a management organization but have not yet identified one are unlikely to be able to provide sufficient information for the authorizer to evaluate this section and conclude that the school has an adequate management plan.

¹⁷ N.Y. Education Law § 2851(1)

Requests:

1. If a management organization has been identified, describe the process for selecting that organization and the rationale for this choice. Also describe the role of the management organization in the charter application process.
2. If a management organization has not been identified, explain the process that will be used to select that organization, including individual roles and responsibilities as well as a timeline and decision criteria for selecting the organization.
3. Explain the fee structure for employing the management organization over the term of the charter, and how the applicant group evaluated the appropriateness of the fee structure.
4. Describe the proposed roles and responsibilities of the management organization in the school and the relationships between school staff and the management organization.
5. Describe the relationship between the management organization and the school's board of trustees, including whether any employees or board members of the management organization will serve on the proposed school's board of trustees.
6. Explain how the school's board of trustees will provide oversight and hold the management organization accountable for achieving the school's mission and goals.

Attachments (if applicable):

- ❑ **Attachment 6a: Charter Management Organization information;** If a management organization has been identified, provide the following:
 - A list of any other schools managed by the organization in New York and in other states, including contact information;
 - Academic performance data from all schools managed by the organization for the past three years;
 - A summary of the organization's fiscal performance for the past three years and a description of the organization's current financial plan;
 - A description of services to be provided by the organization; and
 - A description of the management structure and a summary of key personnel at the organization.
- ❑ **Attachment 6b: Proposed Management Contract;** Submit a copy of the management contract or term sheet.
- ❑ **Attachment 6c: Management Organization Business Plan;** Submit a business plan for the management organization using the format outlined in Appendix E.

Evaluation Criteria:

A response that meets the standard will:

1. Present a clear description of the contractual relationship and accountability between the management organization and the school's governing board that is consistent with the school's mission and educational program.
2. Present a persuasive rationale for selecting and contracting with a management organization, in general, and the specific provider, in particular.
3. Provide a clear description of the services to be provided by the management organization.
4. Present a coherent delineation of the roles and responsibilities between the school's governing board, management and the management organization.
5. Provide evidence of the capacity of the board to conduct a thorough and independent evaluation of the management organization that is consistent with the school's accountability requirements.
6. Present rigorous performance expectations for the management organization and how the board will hold the management organization accountable for meeting those expectations.

C.2. PARTNER ORGANIZATION(S)

General Overview: The statute permits an application to establish a charter school to be submitted by teachers, parents, school administrators, community residents or any combination thereof. Such application may also be filed in conjunction with a college, university, museum, educational institution, or not-for-profit corporation exempt from taxation under paragraph 3 of subsection (c) of section 501 of the internal revenue code.¹⁸ If this application is being filed in partnership with one of the entities described above, please complete this section in its entirety for each partner organization. Otherwise, write "Not Applicable" and skip to the next section.

Please note: This section is intended only for affiliations with organizations that are committed to providing a substantial benefit to the charter school. It is not necessary to list as institutional partners organizations that will provide the same services to the charter school as the organization provides to other public schools and/or the general public, e.g., museums that provide tours or sports teams that provide tickets to all public schools. Please also note that due to recent amendments to the Charter Schools Act, this application may not be filed in conjunction with a for-profit business or corporate entity.¹⁹

Requests:

For each proposed partner organization, address the following:

1. Provide the name of the organization.
2. Provide public contact information (name, address, phone number, and e-mail address) for a contact person at the affiliated organization.

¹⁸N.Y. Education Law § 2851(1)

¹⁹ N.Y. Education Law § 2851(1)

3. Describe the nature and purpose of the proposed affiliation (e.g., teacher training and staff development, curriculum and assessment, access to physical facilities, etc.).
4. Provide the rationale for the affiliation.
5. Describe the benefit that the school expects to receive from the affiliation.
6. Describe any associated fees that will be assessed to the school.
7. Explain how the school will coordinate the services of the partner organization with the school program.
8. Explain how the school will monitor and evaluate the partnership to ensure the school is deriving sufficient value.

Attachment (if applicable):

- Attachment 7: Partnership Information;** Letter of intent/commitment or an agreement or contract from a bona fide representative of each partner organization indicating that the organization is undertaking the affiliation and the terms and extent of the undertaking, including evidence that the organization has legal standing to do business in New York and has tax-exempt status under Internal Revenue Code section 501(c)(3).

Evaluation Criteria:

A response that meets the standard will:

1. Provide all the required information about each partner organization, including specific terms and costs, if any.
2. Demonstrate the value of each partnership and its likeliness to support achievement of the school’s mission.
3. Describe how the relationship with each partner will be effectively managed and coordinated.
4. Demonstrate the capacity of the school to evaluate each partnership on an ongoing basis to ensure value to the school.

C.3. NETWORKED SCHOOLS

General Overview: Some schools are replications or affiliates of existing schools, often under one education corporation, and share staff and services without employing a separate management organization. Existing education corporations seeking to operate additional schools should use the Replicator Version of the 2018 RFP and Application Kit. Write “Not Applicable” and skip to the next section.

D. STAFF SUPERVISION AND DEVELOPMENT

General Overview: Successful charter schools provide robust instructional leadership to support ongoing pedagogical improvement.

Requests:

1. Describe the school's instructional leadership roles and responsibilities for teacher supervision, support, and professional development.
2. Describe the school's professional development plan for administrators, teachers and other staff, including how schoolwide and individual staff needs will be identified and how the plan will address these diverse needs.
3. Explain how and by whom professional development will be delivered and differentiated based on the experience level and subject area expertise of teachers.
4. Explain how this plan will be implemented and evaluated within the context of the proposed charter school's design.
5. Explain how the school intends to establish a professional climate that results in purposeful teaching and learning and leads to reasonable rates of retention for school administrators and teachers.
6. Describe any formal and/or scheduled opportunities and the frequency of such opportunities for teacher planning and collaboration.

Evaluation Criteria:

A response that meets the standard will:

1. Describe specific roles and responsibilities of school staff and any other individuals or organizations involved in providing teacher support and professional development that align with the school's education model and staffing plan.
2. Present a credible plan for identifying both school-wide needs and the individual needs of administrators and teachers.
3. Describe a comprehensive professional development and training plan that is likely to produce effective administrators and teachers who enable the school to achieve its mission and goals and meet the needs of all students, particularly those students identified as at-risk of academic failure, students with disabilities, and English language learners.
4. Provide a reasonable plan for monitoring and evaluating the professional development program.
5. Provide adequate planning and collaboration time to effectively develop curriculum and assessments and implement purposeful, rigorous and engaging instruction.

E. EVALUATION

General Overview: Successful charter schools regularly monitor the performance of their board, management, staff and programs to support continuous improvement.

Requests:

1. For each of the following stakeholders, describe the school's evaluation processes and procedures, including key roles and responsibilities, and explain how the results will be used:
 - A. Board of trustees and individual board members

- B. School leader(s)
 - C. Key management positions
 - D. Teachers
 - E. Non-academic staff
2. Explain how teachers will be held accountable for quality instruction and student performance.
 3. Describe the processes and procedures that will be used to evaluate the school's operational effectiveness and fiscal soundness.
 4. Describe the school's requirements and procedures for programmatic audits.
 5. Explain how the school will monitor progress towards achievement of its mission and goals as well as the benchmarks in the Charter School Performance Framework and share those results with the school community. Describe the steps that will be taken when the school is not meeting expectations.
 6. Describe how family and student satisfaction will be evaluated and the results used to improve the school.
 7. Explain how the school will evaluate family and community involvement.
 8. If relevant, discuss how the school will evaluate the effectiveness of organizational partnerships or management service agreements.

Evaluation Criteria:

A response that meets the standard will:

1. Provide rigorous evaluation processes and procedures for all stakeholders that are likely to identify valid strengths and areas for improvement.
2. Present a credible plan for using evaluation results to ensure improvement and achievement of the school's mission and goals and the benchmarks in the Charter School Performance Framework.
3. Demonstrate the capacity to hold stakeholders accountable for school performance.
4. Present a reasonable plan for programmatic audits that take place at least annually.

F. INSURANCE

Requests:

1. Describe the types and amounts of insurance coverage to be obtained by the school, including insurance for liability, property loss and the personal injury of students.
2. Explain the types and amounts of insurance proposed for the school.

Evaluation Criteria:

A response that meets the standard will:

1. Describe adequate insurance coverage that aligns with school enrollment, staffing, program design, facilities, and budget.
2. Provide evidence of ability and preparation to obtain the appropriate insurance coverage.
3. Present evidence to support the budget expense assumptions related to insuring the school.

G. NON-ACADEMIC OPERATIONS

General Overview: General Overview: Charter schools must meet the same health and safety, civil rights, and student assessment requirements applicable to other public schools, except as otherwise specifically provided in the Charter Schools Act. Provide a description of the health services and food services to be provided to students attending school. Additionally, discuss the school’s plans for transportation of students, including how the school will arrange for transportation for students who do not qualify for public school transportation under Education Law Section 3635, and any other supplemental transportation arrangements.²⁰

Requests:

1. Describe the school’s plans for health services, addressing staffing, record-keeping, administration of medications, health services and programs, and facility requirements.
2. Describe the school’s plans for food services. Indicate whether the charter school will participate in the Federal school lunch or school breakfast programs and/or whether the charter school will participate in the local school district’s food service programs and whether food will be prepared on or off site.
3. Describe the school’s plans for transportation of students, including how the school will arrange for transportation for students who do not qualify for public school transportation under Education Law Section 3635, and any other supplemental transportation arrangements.²¹
4. Explain how the school will manage other non-academic operations, including facility, technology, student information and other record-keeping, procurement, compliance and reporting, security, and custodial services. Address relevant staffing, resources, systems and procedures.

²⁰ 70 N.Y. Education Law § 2851(2)(j); 2853(4)(b);

²¹ N.Y. Education Law § 2851(2)(j); 2853(4)(b);

Evaluation Criteria

A response that meets the standard will:

1. Present reasonable plans for providing health services that meet legal requirements and align with the school's program, staffing and budget.
2. Present reasonable plans for providing food services that meet requirements and align with the school's mission, program, target student population, staffing and budget.
3. If the school will provide transportation to students, present a thorough, realistic, and cost-effective transportation plan; provide specific evidence of third party readiness and terms for providing transportation services consistent with the school's budget assumptions, including an assurance that it will provide special transportation and accommodations that are included in a student's IEP or 504 plans.
4. If the school will not provide transportation to students, present a clear statement of the school's intent not to provide transportation services; describe viable transportation options for students; and describe contingency plans to provide transportation services that are included in a student's IEP or 504 Plan.
5. Present a reasonable plan for managing non-academic operations (including facility, technology, student information and other record-keeping, procurement, compliance and reporting, security, and custodial services) that demonstrates anticipation of challenges and capacity to meet school, student and family needs.

H. FAMILY AND COMMUNITY INVOLVEMENT

General Overview: Charter schools are schools of choice, designed to provide families with opportunities to send their children to innovative and high performing public schools. Charter schools are also embedded in local communities and expected to respond to community needs. Thus, they should have clear plans for involving families and the community in the life of the school.

Requests:

1. Explain how the school will involve families and the community in the school during its pre-opening phase, i.e., between charter approval and opening to serve students.
2. Describe the school's plan for communicating with the families of enrolled students.
3. Describe the school's plan for family involvement in the school once it opens.
4. Explain how the school will support families in helping their child to grow and achieve.
5. Describe the school's plan for community involvement in the school, including any plans for leveraging community resources to support implementation of the school's program and achievement of its mission and goals (Note: Significant partnerships should also be addressed in Section C2: Partner Organization(s)).
6. Describe any research or successful models that support the school's approach to family and community involvement.
7. If applicable, discuss how the school will partner with low performing public schools in the area to share best educational practices and innovations.

Evaluation Criteria:

A response that meets the standard will:

1. Present a vision and plan for family and community involvement that is achievable and reasonably likely to further the school's mission and program.
2. Present effective strategies for supporting families that align with the school design, staffing plan and budget.
3. Provide evidence of specific community organizations or resources with which the school is either already working or likely to partner, e.g., letters of commitment, and demonstrate how anticipated community involvement is realistic and achievable.
4. Provide credible research and successful models that demonstrate the efficacy of its approach to family and community involvement.

I. FINANCIAL MANAGEMENT

General Overview: Charter schools are multi-million-dollar organizations responsible for the appropriate and effective use of public funds. Applicant groups must demonstrate the capacity to establish and maintain the financial viability of the school over the entire charter term.

Requests:

1. Describe the school's annual budgeting process.
2. Describe the policies, procedures and systems for managing the school's finances and identify the staff position(s) that will be responsible for financial management.
3. If the school will contract for any financial services, explain the role of the contractor(s) and describe their proposed relationship with the school.
4. Explain how the school will provide financial oversight and ensure meeting fiscal compliance and reporting requirements.
5. Explain how the school will maintain and protect student and financial records.
6. Describe the school's process for conducting independent fiscal audits.

Evaluation Criteria:

A response that meets the standard will:

1. Demonstrate a keen understanding of the financial management needs and obligations of a charter school.
2. Present a budgeting process that will ensure financial viability of the school.
3. Demonstrate capacity to provide effective financial management and oversight, including development of adequate fiscal policies and procedures.
4. Present evidence that the school is prepared to adhere to generally accepted accounting practices.
5. Present a credible plan for selecting an independent financial auditor and conducting an independent audit at least annually.
6. Present evidence that the school will have the capacity to develop adequate policies and processes for tracking enrollment and attendance eligibility, eligibility for free- and reduced-priced lunch, and special education services and other services for special populations of students.

J. BUDGET AND CASH FLOW

General Overview: The statute requires the applicant to include a proposed budget and fiscal plan for the school, including supporting evidence that the fiscal plan is sound and that sufficient start-up funds will be available to the charter school. The plan should present a clear picture of the school's revenue projections and expenditure requirements that address all aspects of the proposed school during the pre-opening and operational phases, including staffing, facility needs, transportation and food service plans.

Applicants must use the Budget and Cash Flow Template to detail the school's estimated revenues and expenditures for the proposed term of the charter including the pre-operational start-up year, as well as a cash flow analysis for the start-up year. An active version of the template (including accompanying worksheets) may be downloaded from NYSED's website at <http://www.p12.nysed.gov/psc/startcharter.html>. The templates structure may not be modified.

For each revenue and expenditure line item the template provides space for assumptions and applicants should make extensive use of this opportunity to annotate their budget, including assumptions on which line item numbers are based, evidence on which assumptions are based, and description of calculations used to arrive at line item numbers. The five-year budget should explain the changes in line items from year to year.

Include an explanation and discussion of key budget assumptions underlying the budget projections and explain how the budget aligns with and supports implementation of the educational program. If the school anticipates incurring debt for any reason, such as for acquisition of its facility, the budget must address the schedule for debt repayment and the budget discussion should elaborate on the repayment assumptions and plan.

Attachments:

- Required Attachment 9: Budget and Cash Flow Template** (with Fiscal Impact Table); Microsoft Excel Template can be found at [Starting a Charter School](#). All budget lines in the budget template are required to include assumptions.
- Optional Attachment 10: Evidence of Financial Support;** If the proposed budget relies on contributions, provide evidence of commitment for those contributions.

Evaluation Criteria:

A response that meets the standard will:

1. Present a balanced budget that is sound and reasonably likely to support start-up and operation of the school throughout the charter period.
2. Present realistic, evidence-based revenue and expenditure assumptions, including any plan to incur and repay debt.
3. Demonstrate ability to plan for cash flow during the first year of operation such that the school can cover its monthly costs.
4. Present budget priorities that are consistent with and support key parts of the plan, including the school’s mission, educational program, staffing and facility.
5. Demonstrate concrete commitments for contributions necessary to achieve a balanced budget.
6. Provide for the establishment of an escrow account of no less than \$100,000 (\$20,000 per academic year for the first 5 years of operation) to pay for legal and audit expenses that would be associated with dissolution should it occur. The school may provide for the full amount in its first-year budget, or provide for a minimum of \$20,000 per year for the first five years of its charter term.
7. Present viable strategies for meeting potential budget and cash flow challenges, particularly for the first year of operation.
8. Budget lines in the budget template include detailed and understandable budget assumptions.

K. OPENING PLAN

General Overview: Applicant groups must demonstrate a deep understanding of the complexity of restructuring a charter school and the many tasks that must be completed. The Opening Plan is an opportunity to present a comprehensive plan that addresses all key components of restructuring and the order in which they will be completed. The Opening Plan attachment does not count against the application narrative page limit.

Required Attachment:

- Attachment 11: Pre-Opening Plan;** Provide an Opening Plan with a timeline that documents the start and end dates of key tasks to be completed between approval of the application and the opening of the school and the person(s) responsible for each task.

Evaluation Criteria:

A response that meets the standard will:

1. Demonstrate understanding of key opening responsibilities consistent with the school's education, organizational and financial plans.
2. Present a detailed plan with reasonable start and end dates for each task.
3. Present a plan that includes the person(s) responsible for each task and aligns with the pre-opening budget and staffing plans.
4. Present a plan that addresses implementation of the school's key design elements and any other unique aspects of the school design.

L. DISSOLUTION PLAN

General Overview: A major component of the charter school bargain of flexibility in exchange for accountability is the possibility of school closure if the school does not meet its goals and the Charter School Performance Framework benchmarks. Applicant groups must recognize the possibility of school closure and have a detailed plan for dissolution of the school that incorporates the NYSED Closing Procedures Guide found at [Charter School Closing Procedures](#).

Required Attachment:

- Attachment 12: Dissolution Plan;** Present a Dissolution Plan that describes the procedures to be followed in the event of closure or dissolution of the school.

Evaluation Criteria:

A response that meets the standard will:

1. Identify detailed and reasonable procedures to be followed in the case of the closure or dissolution of the charter school the incorporates the NYSED Closing Procedures Guide, including provisions for the transfer of students and student records to the school district in which the charter school is located and for the disposition of the school's assets to the school district in which the charter school is located or another charter school located within the school district.²²

²² N.Y. Education Law § 2851(2)(t)

IV. TABLE OF REQUIRED AND OPTIONAL ATTACHMENTS

Note: Attachments are limited to 75 pages, excluding those marked with an asterisk (*). Page limits are suggested for each attachment below to help applicants keep within the total 75-page limit.

Attachment #	Title	Suggested Page Limits
Attachment 1	Admissions Policies and Procedures	5 pages
Attachment 3*	Course Descriptions	No limit
Attachment 3a	Student and Teacher “Day in the Life”	4 pages maximum
Attachment 3b	Optional Curricular Materials	10 pages maximum
Attachment 3c	Exit Standards	2 pages
Attachment 4	Student Discipline Policy	5 pages
Attachment 4a	Sample Weekly Student Schedule (ES, MS, and/or HS)	3 pages
Attachment 4b	Sample Weekly Teacher Schedule (ES, MS, and/or HS)	3 pages
Attachment 4c	Proposed First Year Calendar	2 pages
Attachment 5a*	New Applicant and School Trustee Background Information Form (including educational, employment history or attached resume, Statement of Intent, and Statement of Assurance)	No limit, excluded from total attachment page limit
Attachment 5b	By-Laws	10 pages
Attachment 5c	Code of Ethics	5 pages
Attachment 6a*	If applicable: CMO Information	No limit, excluded from total attachment page limit
Attachment 6b*	If applicable: Proposed Management Contract or Term Sheet	No limit, excluded from total attachment page limit
Attachment 6c*	If applicable: Management Organization Business Plan using format outlined in Appendix E	No limit, excluded from total attachment page limit
Attachment 7*	If applicable: Partnership Information	No limit, excluded from total attachment page limit
Attachment 8a	Hiring and Personnel Policies and Procedures	15 pages
Attachment 8b	Resume for Proposed School Leader, if identified	5 pages
Attachment 9*	Budget and Cash Flow Template	No limit, Excel Template
Attachment 10*	Evidence of Financial Support, if applicable.	No limit, excluded from total attachment page limit
Attachment 11	Opening Plan	5 pages
Attachment 12	Dissolution Plan	3 pages
Table 1*	Applicant Group Information	No limit, use Table provided

APPENDIX A: REVIEWER EVALUATION GUIDANCE AND RUBRIC

Reviewer Information: The evaluation rubric is designed to guide the review of charter school applications submitted to the Board of Regents. The evaluation rubric is aligned to each section and subsection of the application, and list the evaluation criterion by which the reviewers are to evaluate each section and sub-section, mirroring the RFP. Throughout the evaluation, reviewers determine whether the applicant group has responded to all evaluation criterion and rate how well the applicant group’s responses address the evaluation criterion. Reviewers are to rate the responses as **Does Not Meet the Standard, Approaches the Standard, or Meets the Standard** as defined below:

Rating Definitions

Does Not Meet the Standard	The response lacks meaningful detail; demonstrates lack of preparation; or otherwise raises substantial concerns about the applicant’s understanding of the issue in concept and/or ability to meet the requirement in practice.
Approaches the Standard	The response addresses most of the selection criteria, but lacks some meaningful detail and requires important additional information to be reasonably comprehensive.
Meets the Standard	The response reflects a thorough understanding of key issues and indicates capacity to open and operate a quality charter school. It addresses the topic with specific and accurate information that shows thorough preparation and presents a clear, realistic picture of how the school expects to operate.

At the end of each sub-section, reviewers note key strengths and identify questions and areas of concern. Reviewers explain and elaborate on their respective ratings, providing summative ratings and comments for each section of the application and the application as a whole. Reviewer comments are essential and used to prepare feedback to the applicants, to prepare NYSED staff for the Capacity Interviews, and to inform final recommendations.

Reviewer Instructions:

- Read the relevant sub-section of the application and the corresponding bulleted evaluation criteria and indicate the rating that best fits your assessment of the response (*Does Not Meet, Approaches, or Meets the Standard*).
- Use the sub-section text boxes to identify key strengths and questions or concerns to identify areas of concern that impede your ability to have a full understanding of the proposed plan. Reference specific sections, page numbers, and evaluation criteria.
- Use the summary text boxes at the end of each section to highlight the key strengths and concerns that you have for that section of the application.
- At the end of the application, provide an overall rating for the application and insert your comments into the text boxes to support the rating. Reference the relevant sections, page numbers, and attachments.

APPENDIX B: SAMPLE PAGE FROM THE REVIEWER EVALUATION RUBRIC

Proposed School Name: _____

Reviewer Name: _____ **Review Date:** _____

F. INSURANCE

Requests:

1. Describe the types and amounts of insurance coverage to be obtained by the school, including insurance for liability, property loss and the personal injury of students.
2. Explain the types and amounts of insurance proposed for the school.

Evaluation Criteria:

A response that meets the standard will:

1. Describe adequate insurance coverage that aligns with school enrollment, staffing, program design, facilities, and budget.
2. Provide evidence of ability and preparation to obtain the appropriate insurance coverage.
3. Present evidence to support the budget expense assumptions related to insuring the school.

Rating of Section III.F: Programmatic and Fiscal Impact

Initial Application Interview		
Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths: •	Questions or Concerns: •	
After Capacity Interview		
Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Strengths: •	Questions or Concerns: •	

APPENDIX C: BUSINESS PLAN

Business Plan Requirement: A business plan is required if:

- A plan is submitted in conjunction with an organization that would be responsible for managing and/or providing significant portions of the school's academic program; in this case the CMO or partner organization must complete and submit a business; or
- An existing Board of Regents approved education corporations seeking to operate this charter school and maybe later merge it into the education corporation; in this case, the education corporation must complete and submit a business plan.

A. Comprehensive Management Organization Information:

1. Name of the Comprehensive Management Organization;
2. Role of the Comprehensive Management Organization;
3. State of incorporation;
4. State(s) in which the Comprehensive Management Organization(s) operates;
5. Year founded; and
6. The contact name, address, phone number, and email address for each member of the Comprehensive Management Organization leadership team.

B. Comprehensive Management Organization History and Growth Plan:

1. Describe the Comprehensive Management Organization's mission, strategic vision, and desired impact.
2. Provide a brief overview of the organization's history. List all charter revocations or surrenders, bankruptcies, school closures, non-renewals, or shortened or conditional renewals for any of the schools operated by the organization and provide explanations. Explain any performance deficits or compliance violations that have led to formal authorizer intervention with any school operated by the organization. Provide details as to how such deficiencies were resolved.
3. List and describe all schools currently operated by the Comprehensive Management Organization.
4. List and describe all future schools the Comprehensive Management Organization plans to operate (excluding the school described in the current RFP application).

5. Describe the Comprehensive Management Organization's five-year growth plan for developing new schools in New York and other states.
6. Provide a rationale for the proposed five-year growth plan; for example, how the organization determined the appropriate pace and scope of the proposed growth and why the organization is well-positioned to implement the growth plan.
7. Specifically identify the key risks associated with this growth plan and describe the steps the organization is taking to mitigate these risks. Respondents should demonstrate an understanding of the challenges of replication in general and as they relate specifically to their organization's growth plans. The response should detail specific risks and explain how the organization will minimize the impact of each of these risks, and ideally provide contingency plans for them. Examples may include:
 - Inability to secure facilities/facilities financing;
 - Difficulty raising philanthropic funding;
 - Insufficient leadership pipeline/difficulty recruiting school leaders; and
 - Ambiguous student performance outcomes and the need to curtail expansion if performance drops.
8. Discuss lessons learned during any past replication efforts. For example, identify challenges encountered and how the organization addressed them, as well as how the organization would minimize such challenges for the proposed schools.

C. Performance of Existing Schools:

1. Provide an overview of prior performance across all schools ever operated by the Comprehensive Management Organization, including closed schools and schools that merged away from the organization.
2. Select one or more of the consistently high-performing schools that the organization operates and discuss the school's academic performance.
3. Select one or more of the organization's schools whose performance is relatively low or not satisfactory and discuss the school's academic performance and efforts to improve it.

D. Market Analysis and Selection of Target Communities:

1. Describe how the target communities in New York State were identified and selected as attractive markets to the Comprehensive Management Organization. If the existing portfolio does not include schools in New York, provide the rationale for entering New York.

2. Discuss the Comprehensive Management Organization 's competition for students and staff in the target communities, assess student demand, and describe the organization's competitive advantages.

E. Attachments:

Provide the following documentation with the business plan narrative:

- A. **By-laws:** Include the organization's current by-laws.
- B. **Meeting schedule:** Provide a copy of the Comprehensive Management Organization's board meeting schedule for the current year or school year, and a proposed schedule for the first year of operation of the proposed new school.
- C. **Organizational Chart:** Provide an Organizational Chart that shows the staffing structure and reporting responsibilities for the organization's board, administration, and staff.
- D. **Management Contracts:** Identify which services and costs are included in any management contract as well as services and costs billed in addition to the management contract fee. In the case of separately billed services/goods shared across schools, please explain how costs will be distributed among schools. If the organization does not partner with a Charter Management Organization (CMO), then describe which centralized services the organization would offer, how costs would be allocated to the various schools, and how the schools will pay for those services. If there would be a contract or a shared services agreement, provide the most recent executed agreement as well as any new proposed agreement. If the parties are still negotiating some provisions, provide a draft agreement.
- E. **Philanthropic Support:** Provide a detailed list of donor organizations, along with the dollar amount contributed, for the past three years. If philanthropic funding is included in the budget, then provide commitment letters from the top five contributors. Note, letters should include a statement that the contributor plans to continue the relationship with the organization and note any restrictions on the funds, but does not need to cite actual funding amounts.
- F. **Consolidated Financial Reports:** Provide copies of, or other access to, the three most recent annual consolidated audited financial reports, including management or advisory letters and related notes. Provide the same information for related entities, subsidiaries, real estate or other service entities that would provide goods or services to the charter school or the organization.
- G. **Audited Financial Statements:** For the Comprehensive Management Organization and all charter schools operated by the Comprehensive Management Organization, provide copies of, or other access to, all audited financial statements and all management or advisory letters issued during the previous three years by any independent auditors who prepared the audited financial statements or any governmental agency (i.e. the NYC or NYS Comptroller) that conducted an audit. Be sure to include any out of state charter school audited financial statements.

- H. **Form 990s:** Provide copies of, or other access to, all IRS Form 990s filed during the previous three years by the organization including any non-SUNY authorized charter school education corporations operating a school presently managed by the organization.
- I. **Authorization to do Business in New York State:** Provide evidence that the organization is authorized to do business in New York State (New York corporate formation documents from the Secretary of State or copy of approved application for authority to do business in New York from the Secretary) or the New York State Board of Regents.
- J. **Not-for-Profit Status:** Provide evidence of the organization's not-for-profit state and federal status, including tax-exempt status under section 501(c)(3) or other provision of the Internal Revenue Code, if applicable.
- K. **Client List:** Provide a list of clients with whom the organization has contracted over the preceding four years. Include clients with which the organization has severed the relationship, and clients that have severed the relationship with the organization for financial deficiencies or malfeasance, charter revocation or non-renewal, statutory, regulatory, or charter compliance deficiencies, conflict of interest or other reasons, and explain the reason(s) for the severance of each relationship.
- L. **Litigation:** Provide a list of any current or past litigation, including arbitration proceedings, that has involved the organization, its related entities, or any of the charter schools it operates. If applicable, provide demand, any response to the demand, and results of the arbitration or litigation.

APPENDIX D: LIST OF MOST COMMON PITFALLS

1. Failure to conduct sufficient public outreach to community and stakeholder groups.
2. Failure to continue public outreach throughout the application process.
3. Plagiarizing from applications previously submitted by other applicant groups or other sources for sections that require original content.
4. Resubmission of the applicant's previously rejected application with corrections, instead of submitting a cohesively and thoughtfully revised proposal.
5. Failure to demonstrate knowledge of relevant laws, rules, and regulations.
6. Failure to submit a complete response to every numbered request in each section of the application.
7. Failure to provide a detailed, clear, consistent, and cohesive application that presents not only a clear vision, but also a comprehensive and realistic plan.
8. Failure to follow application instructions, including guidelines for font, formatting, document length, size, and content.
9. Failure to present a balanced budget based on reasonable assumptions and workable cashflow
10. Failure to demonstrate the applicant group's capacity to start, sustain, and renew a successful charter school
11. Failure to have all members of the applicant group review the application, and the Guidance to ensure compliance with all requirements, and knowledge and agreement with all aspects of the application.
12. Waiting until the day of the deadline to upload and submit documents.