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Cleveland Person, *Principal*

Jerima DeWese, *Chair, Board of Trustees*

March 18, 2021

Laura Hill
Charter School Office
New York State Education Department
89 Washington Avenue - EB 5N Mezzanine
Albany, NY 12234

Dear Ms. Hill:

Please find attached Harriet Tubman Charter School's (HTCS) evaluative comments and responses to the Final Site Visit Report (SVR). This correspondence is in response to your request on March 11, 2021, that we submit any "evaluative comments or responses" to the SVR by March 18, 2021.

As per the CSO's instructions, we were first given the opportunity to review the report for "factual correctness" and submit any corrections by February 19, 2021. In compliance with your instructions, HTCS submitted approximately 32 factual corrections by the February 19 deadline. Subsequently, HTCS received the final SVR on March 11, 2021, which indicated that approximately 16 of our requests were deemed by the CSO to be "nonfactual corrections."

Even with the minor corrections made by CSO, there are still factual errors in the SVR. For example, one of the most (if not the most) glaring errors is the statement that appears on pages 27 and 30 that, "[A]t the time of this report, the school has yet to meet all the conditional terms set forth in the LNO that was issued in August 2018." This statement is simply inaccurate and untrue. We have submitted the original LNO that lists each stipulation of compliance. We have had legal review and attestation of our compliance with the LNO. Additionally, we have submitted documentation, evidence, and context that details and affirms our compliance with the LNO to the CSO on several occasions. However, to date, it appears in the CSO's records and reports that we are not in compliance with the LNO.

Additionally troubling and most disparaging is that it appears that this false statement is the basis for the CSO's conclusions that the Board has been negligent in the oversight of the safety of the school and its legal compliance. It suggests that the Board does not prioritize nor is it concerned with the safety and well-being of our staff, students, teachers, families, and partnering community members.

When there are glaring factual errors in the SVR and other reports, applications, etc., it is apparent that any evaluations or conclusions reached will also be flawed. This is very problematic for HTCS as we rely on, use, and refer to the SVR and other reports for guidance,

planning, and implementation of our services, resources, and action plans. While HTCS recognizes that there is room for growth, it is simply not possible to correct something that is skewed negatively in the first place. Further frustrating is that these errors of fact and position were brought to the CSO's attention and not corrected when HTCS followed given procedures.

HTCS is very concerned with the disconcerting tonality, lack of objectivity, lack of neutrality, and what appears to be negative cogitation towards the BOT specifically, as underscored by contradictions within some of the general statements in the SVR. Throughout the report, there are inconsistencies in the CSO's guidance and reporting position. In one section of the SVR, there is language that alludes to micromanaging and performance/operational hindrance placed on the school leadership by the Board. In other parts of the document, the Board is criticized for lack of intervention, insertion, and/or implementation of policies or praxis with school leadership and the school. Furthermore, there is discussion that indicts the Board for not work collaboratively with school leadership.

Conversely, statements were made to suggest the opposite, such as "collegial and mutually supportive shared leadership . . . among the faculty, administrators, and Board over the academic success and well-being of HTCS students." Another example is the low rating of the Board's oversight and governance. The SVR notes that the Board has not appointed a new Treasurer; yet, it is also noted that the school is in good financial condition (HTCS received a Financial Composite Score rating of 2.6 out of 3, which is higher than most charter schools). These discrepancies and polarized statements are confusing and defamatory to the Board, their service, and dedication to HTCS.

The HTCS Board and school leadership commit their best efforts in moving forward as a united entity. We are committed to providing academic/instructional rigor and effective/ efficient operational and fiscal practices to bring about holistic success and worldly preparedness that results in our students' best possible outcomes.

Our Board consists of dedicated community members who volunteer their time and effort to bring professional expertise in education, accounting, law, compliance, accountability, and community service. We strongly believe we have done well in supporting student development and the realization of the HTCS mission and vision.

We look to the CSO as a neutral entity that will provide HTCS with objective feedback and review of our praxis. It is only with objective feedback and support that an organization can implement changes and improvements that help it thrive in its endeavors. As we move forward with our partnership with the CSO, we hope to continue to strengthen our collaboration to ensure that we are compliant and accountable to our growth as an organization. We seek a harmonious, synergetic, and collaborative relationship with the CSO.

Thank you,
The Board of Trustees of HTCS

FINAL REN SV REPORT and EVALUATIVE COMMENTS
Harriet Tubman Charter School
March 18, 2021

General Statement: The BoT of Harriet Tubman Charter School has chosen to submit a response to the Final Renewal Site Visit Report and Evaluative Comments to provide additional context to our position on comments made by our reviewers.

Page 10 The Site Visit Report stated that "The board's role and that of school leadership is rigid and does not promote cooperative, innovative problem-solving at the school."

Areas in Need of Improvement

School leadership interacts with Trustees on all Board committees. The Principal and ADs are invited to attend and participate in all Board retreats and planning meetings. The Board is involved in the planning and executing school Town Hall meetings, educational thematic festivals, and attending and collaborating on all professional development matters. Several Trustees facilitate workshops during professional development periods that focus on compliance, special education enrollment and needs, and the history/trajjectory of HTCS' success. We also collaborate on strategic planning.\

Facility Planning

The Renewal Site Visit Report stated that "The HTCS Board of Trustees has demonstrated pervasive issues with the implementation of strategies pertaining to facility planning and has not made timely progress toward achievement of goals in these areas."

Throughout this charter, as part of facility planning, the HTCS Board of Trustees has continually focused on purchasing a new facility as our Junior Academy is housed in a very old building requiring expensive renovation and upkeep. HTCS does not receive any aid for rental assistance as new charter schools currently receive. The Board has consistently addressed issues around the facility and has identified acquiring a new facility as a top need, as discussed at the Midterm Site Visit.

The Board has worked closely with school leadership in long-term facility planning and our search for a new building. This is evidenced in the various meeting minutes as detailed below. *Note: The Site Committee was renamed the Facilities Committee*

- Minutes- June 7, 2016 Site Committee Report - Page 2
- Minutes- June 7, 2016 Fundraising Committee Report - Page 2
- Minutes- July 12, 2016 Site Committee Report - Page 2
- Minutes- July 12, 2016 Fundraising Committee Report - Page 3

- Minutes: September 13, 2016 - Site Committee Report - Page 2
- Minutes: September 13, 2016 - Education Committee Report - Page 2
- Minutes- Jan 2017 Facilities Committee Report Pages 3-4
- Minutes: February 2017 Facilities Committee- Page 3
- Minutes: March 7, 2017 – Facilities - Page 3
- Minutes: May 2017 -Governance Report- page 1; Education Committee - Page 2
- Minutes: November 2017 Annual Board Business Meeting
- Letter to Jerome Blue from the Board's attorney (see next section)
- Minutes: January 2018 - Facilities Report - Pages 2-3
- Letter to Parents from the Chairperson of the Board of Trustees (see next section) in reference to the Capital Building Project
- Minutes: November 2019 - Secured commitment of the owner of the EA to allow HTCS to have a 50-year lease on the EA property which would be expanded to include the JA

With the consultants' help, the Board of Trustees has actively applied for numerous grants over this charter term to support its mission and vision for facility acquisition for HTCS.

Grant	Focus of Application
Louis Calder Foundation For Charter and Parochial Schools	\$100K sought funds for summer program
The Charles Hayden Foundation CHF Grants- Education	High academic expectations emphasizing math and reading and other core skill areas and active parental engagement. This application and budget was done in coordination with the Harris Foundation
USDOE Teacher and School Leader Program	
NSF National Science Foundation Science for All	
Charter School Growth Fund - Consolidated Grant Opportunities	Support for schools led by entrepreneurs of color through the emerging CMO Fund
Carnegie Corporation of NY Carnegie Education Grants	New design for schools and Systems; Strengthening Teaching and Human Capital
Kern Family Foundation K-12 Education Programs	3 Programs (International competitiveness, STEM support; Character formation; School leaders
Michael ad Susan Dell Foundation	General Operating Funds
AHF American Honda Foundation STEM Grant	Funding Drafted for the full year

Amgen Foundation	\$10,000 for Science education; community improvement
Bronx Borough President's Office and Councilmember Gibson	Expense funding for technology - laptops, tablets, and robotics lab equipment; applied for several years
New York Yankee Stadium Fund	NY Community Education Benefits
Robin Hood Foundation	Operating Grant Support
Arts and Culture, Education, NY Caribbean Cultural Center of the African Diaspora Institute proposal	Operating Grant Support
Common Grant of NY/NJ	\$20K for professional development; expanded enrichment programs, STEAM instruction

Lastly, it is important to note that we lost some momentum when Trustee Nisbett, who was Vice-Chair of the Board of Trustees and Chairperson of the Board of Facilities Committee, fell ill and subsequently passed away in August 2020. Trustee Rey Allen succeeded her as Chairperson of the Facilities and Fundraising Committees. Trustee Allen has restructured the Facilities and Fundraising Committees. In addition to trustees, a new community member with diverse community planning skills, Mr. Paul Moore, has been added to assist us with Project Management for facility acquisition.

The Facilities and Fundraising Committee has consistently held meetings and has also enlisted the services of Mr. Robert Gums to assist us in facility planning and fundraising. He is a known artist, member of Community Board 3, and has been very involved in the community for many years. He serves on the Board of Bronx Lebanon Hospital, a Bronx Care Center. He has developed innovative ideas for facility fundraising, such as an auction of a commissioned painting of Harriet Tubman and collectible coins in Harriet Tubman's likeness.

We have also accessed our Friends of HTCS account that has been accruing funds applied to our facility initiatives. The verifying account has \$25K to \$26K for scholarships, which would help the alumni association generate additional donations.

Page 11 **Academic Success of HTCS:** We feel strongly that the Board has not gotten the credit due for its impact on student achievement. The Board has played a significant role in the academic success of HTCS, and the school has exceeded expectations based on the students' academic performance.

Throughout the REN SV Report, there were several positive references regarding the board Education Committee's function, which meets each month's

collaboration with the school leaders. We still feel strongly that the rating should have been changed to "Exceeds" in light of our continued academic success in all areas. The report confirms that premise, stating that "Student outcomes have consistently exceeded those of NYC CSD 9 and NYS, for all students and all subgroup populations, in each year of the charter term. HTCS has demonstrated consistent success in implementing its academic program enriched with interdisciplinary science, technology, engineering, arts, technology, and mathematics (STEAM) focus. The school has effectively adapted its well-established and rigorous instructional program to remote instruction during the COVID-19 pandemic."

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Benchmark 3: Data Dashboard

The Site Visit Report states that "Data is not provided in a dashboard available to the school community outside of board meetings, nor posted with board minutes or published on the school's website."

With the help of our Accountability and Compliance Consultant, Dr. Marlaina Palmeri, we have researched the NYSED initiative for the Parent Dashboard. We were not aware that the dashboard was launched in late October 2020 as a way "to increase transparency and make information about school performance and other school-level data easier for parents and the public to access." When Dr. Palmeri was the SVP of Edison Learning working with HTCS, the company also used a SixSigma dashboard concept to share pertinent performance data with each of its charter school partners.

We have always shared our school's annual NYS Report Card data from the data.nysed.gov website with our parents at Town Meetings in the fall each year. With the development of an actual dashboard through NYSED, we can be more intentional in posting Dashboard data on our HTCS website or through a Board newsletter that will better provide parents with information about important indicators of school progress.

We are a very data-driven school, and we agree with Commissioner Rosa, who stated that "A key aspect of this connection is transparency. The Parent Dashboard increases data transparency by providing parents with valuable information about their child's school, enabling them to make informed decisions about their child's education."

We plan to communicate to our parents that the NYSED Parent Dashboard is a positive vehicle to keep them informed about our school progress. Dr. Palmeri will work with us to develop a tool that we can post on our website that reflects the focal points and the ratings process used in the new NYSED Parent Dashboard.

- Student Enrollment and Ethnicity
- Student Growth
- School Progress
- Average Class Size
- Absenteeism
- School Climate
- Accountability Status
- Assessment Results and Subgroup Progress (with a focus on our ELL/MLL/ED and SWD students)
- Financial Transparency
- School/District Location and Contact Information

While the Parent Dashboard data will be updated annually, we want to share this initiative with parents now and invite them to explore the Parent Dashboard and then provide feedback via the [online survey](#) at the appropriate time since it is available in 17 languages.

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Benchmark 6: Board Oversight and Governance – Indicator a. Board Treasurer

The report states, "The board has failed to appoint a new Treasurer to fill this position; this has placed the board out of compliance with its by-laws for two years."

We truly have not been cavalier in our efforts of appointing a Treasurer. Even in the absence of a Treasurer, we still have managed to maintain our fiscal accountabilities with much success.

This is evidenced by our Financial Composite Score rating of 2.6 out of 3, which the Site Visit Report equates to "very good financial condition and good financial health." This rating is much higher than most charter schools, and we feel that our financial oversight efforts, albeit without a Treasurer, should have been recognized to a greater extent by the reviewers.

The Board has sincerely kept the issue of Treasurer as a major priority in our monthly meetings, as noted in our Board minutes as outlined below:

- November 10, 2020
- December 01, 2020: The following actions were taken to address the absence of a Treasurer:
 - Added language to include "the fiscal duties of the Treasurer will be managed in the absence of a Treasurer" (the CSO rejected this language)
 - The Board has temporarily assigned fiscal duties of the Treasurer to the following agents under the jurisdiction of the Chair:

- 1) Director of Operations
 - 2) CSBM
 - 3) Chair of the Finance and Audit Committee
- All functions of the Treasurer have been assumed by these agents under the jurisdiction of the Board Chair.
 - The Board has still retained its fiduciary responsibilities through collaboration with CSBM, the Director of Operation, and the Finance and Audit Committee

The Site Visit Report also stated that "Harriet Tubman Charter School appears to be in very good financial condition as evidenced by performance on key indicators derived from the school's independently audited financial statements." We feel that there should have been more recognition that we have functioned exceedingly well in the absence of a Treasurer. Our audits have been without material findings, and we show positive trends in the following: Financial Composite Score, Working Capital, Debt to Asset, and Cash Position.

While we recognize that we have yet to find a Treasurer, we have expended significant time and effort to fill this position and maintain it as a priority. To date, there have been no documented financial issues.

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Benchmark 6: Indicator b. Strategic Plan

The Site Visit Report notes that: The Board has no current written Strategic Plan and has not been effective over the charter term of developing a viable, comprehensive strategic plan regarding the school's long-term facility and financial needs. We appreciate that the reviewers modified the sentence above and added information regarding the next charter term's goals.

However, the Site Visit Report still states that "The goals related to facilities and fundraising, however, remain unfulfilled. According to board minutes, strategic planning was an agenda item for the Board retreats scheduled in November 2019 and February 2020 (rescheduled for March 2020, likely interrupted by the 2020 pandemic). There is no evidence, though, that progress was made."

In the Board minutes of November 2019, Chairperson DeWese stated that "The Board of Trustees' Retreat will be held on November 16 from 10:00 A.M. to 4:00 P.M. in the Bronx. Agenda items include compliance training, our corrective action plan, and the development of our strategic action plan. Additional information will be forwarded via email." In subsequent discussions in preparation for the retreat, a set of draft goals were drafted that would be addressed at the February retreat.

The plan was to review and establish goals for 2021-2026, defined on the next page. We submit these goals as evidence of the Board's continued commitment to facilities and fundraising as a top priority as we move forward.

***HTCS Strategic Goals
Academic Years 2021-2026***

Sustainability Plans and Solvency Needs

- Explore, enhance and engage in effective and productive fundraising activities
- Establish and launch a comprehensive and extensive branding and marketing campaign highlighting "What Makes HTCS Different & Unique."
- This campaign would need to run in print materials, electronic and social media platforms, and be translated into several languages with images that reflect the diversity and inclusivity of the HTCS community.
- Increase parental/family, community, and partner involvement at HTCS.

Governance and Legacy

- Recruit new board members with specializations, credentials, and/or expertise that are needed. Transition and maintain founding Board members to ex-officio or advisory status to maintain continuity, allow for cross-training, honor the legacy, and protect/have access to historical knowledge to benefit and grow HTCS.
- Build in cross-training and encourage professional development, attaining advanced degrees and licenses/certifications to ensure our academic programs' integrity and eliminate gaps in pedagogy staff, support staff, and leadership.

Facilities

- Identify, contract, and acquire land or space to build an HTCS facility.
- Design, build and open an innovative high-tech academic facility to house HTCS.
- Ensure compliance with all local, state, and federal laws, NYSED, and NYC CSO requirements for our leased facilities (i.e., fire inspections, certificate of occupancy, etc.).

Academics

- Implement the STEAM philosophy and curriculum for all grades at HTCS.
- Identify and consider innovative and creative curriculum that could be used at HTCS.
- Continue to require the highest levels of academic rigor in our classrooms to ensure that we are preparing our students for college completion.

Fiscal Planning

- Stabilize our budget, implement conservative spending, examine fiscal allocations, and save/ invest in order to grow our fiscal resources.
- Actively fundraise.

- Increase and control FTE per-pupil student enrollment.
- Consider hiring a fundraising/grant writing consultant

It was noted that the file history and properties show that the goals were created on 8/14/2020 by Chairperson DeWese. We submitted this in our Factual Response as evidence to demonstrate to CSO and the Board of Regents that we fully intended this to be reviewed and developed as our Strategic Plan at the Board Retreat. We commit to submitting our Strategic Plan as part of the Action Plan due on April 1.

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Indicator b (con't): Notice of Deficiency and LNO Fire Alarms

The Site Visit Report stated that "At the time of this report, the school has yet to meet all the conditional terms set forth in the LNO that was issued in August 2018. As evidenced in board minutes, the Board has failed to set priorities to resolve the issues related to the JA non-functioning fire alarm system."

The report further states that "The leadership group said that two recent bids were secured; they were forwarded to the board in September/October," implying that the Board failed to act.

In addition, as per email evidence (8/11-8/13 & 10/13/2020), NYSED was informed and made aware that HTCS complied with the LNO allocated to them for the JA building. NYSED was informed and made aware of the licensed contractors who had submitted bids to complete the construction work at the Franklin Avenue location. There is a misperception that the LNO for the Franklin Avenue building stipulates that construction work must be completed by a certain date/time for HTCS to be deemed in compliance with LNO stipulations. There is no stipulation of date, time, or time period when contracted construction work has to be completed.

In addition, the LNO stipulates that we MUST have fire wardens in place until the construction work is completed. HTCS has more than the required number of trained, certified fire wardens as stipulated in the LNO. As such, HTCS was in compliance with the terms of the LNO. Furthermore, the BOT of HTCS had approved that the school administer 100% of virtual online instruction for the Elementary and Junior Academy locations. Students, staff, and teachers were NOT in the buildings. The Board directed attention, focus, and resources to consistently ensure the safety and well-being of the entire HTCS community and its stakeholders.

We feel that the report should have taken into consideration the Board's justification as to why the fire alarm bids have yet to be executed. The Board's concern is that the cost of the projected construction project is approximately

\$300,000. In addition to the \$125,000 approximated cost for the new fire alarm system. The Board does not find it fiscally feasible or prudent to incur the cost of construction and facility upgrades for a property it does not own. The BOT continues to conduct lease negotiations for the Franklin Avenue building. Any new lease must address how these facility upgrade costs will be shared between HTCS and the Archdiocese in addition to the lease terms for the foreseeable future (3-7 years).

As of February, the Board is still trying to figure out the construction costs and then solidify a vendor to do the work. Contracts have been received from three individual companies. The Facility Committee has been working with the Archdiocese to determine what they will cover regarding the charges and costs. HTCS does not own the JA, and the Board does not want to invest in a building that they do not own. Perhaps there could be cost-sharing with the Archdiocese. The construction work that is going to take place in the JA costs upwards of \$300,000.

The Board does not want to put funds forward without having a secured lease and a financial commitment from the Archdiocese. The Archdiocese hasn't committed to what they would be willing to cover. Negotiations are still centered on what will go into the lease in terms of leasehold improvements.

Thus, we feel that the report's statement that the Board was "derelict or negligent" in its oversight of the facility's safety is unfairly negative.

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Indicator b (con't): Large Scale Facility Project

The Site Visit Report states that "The HTCS Board had not demonstrated the capacity to evaluate and secure the funding necessary for a large-scale facility project. According to board minutes, information about the facility process has been intermittent and unclear." We respectfully disagree with this statement.

Since the Fall of 2020, the BOT has focused its attention on finding, securing land, and/or a site to begin exploring the possibility of building or securing a property to house both instructional academies. Ideally, we seek a location that would allow for an innovative, academically rigorous, culturally diverse space that integrates a STEAM-focused curriculum that aligns with the mission, vision, and trajectory of HTCS to ensure the holistic development, effective matriculation, and success of our students.

We chose not to re-engage the BAIRD company (our previous bond lending firm) until we were certain that we had a feasible site to begin construction. Upon identifying and solidifying real estate contracts/leases, we will re-engage financial entities to secure funding.

Indicator b (con't): Notice of Deficiency: Enrollment of Students in Subgroups

The Site Visit Report states that "Despite the development of corrective action plans in 2016 and 2019, the school has failed to implement an effective recruitment plan to significantly increase the enrollment of SWD or ELL students."

The Board provided the following efforts to support the CAP and the enrollment initiative:

- Requested that school staff conduct walking recruitment tours to other community PK, nursery, and daycares.
- Implemented a direct admit and enrollment process for the school.
- Requested all-calls to parents/families to solicit neighbors, friends, and family members.
- Updated the tri-fold brochure for mailing and handing out.
- Requested having recruitment materials being translated in different languages
- Requested the fixing and updating of the marquee that's on the school
- Requested that the website have a more prominent place on the homepage to advertise openings, application periods.
- Requested that the Principal attend the community board meetings for informational purposes, to forge networking and community partnerships, and to solicit recruitment and enrollment at HTCS
- Requested that exit interviews be conducted with families and staff if they were exiting HTCS to determine why
- Requested tracking sheets, contact information, and document evidence that the tasks we requested were taking place and analyze if there was an impact on enrollment.

We feel strongly that the school leadership should be the key driver in the recruitment efforts and the CAP action strategies since they have daily interactions with families, students, and the community. They are the "face" of the school in its ability to attract parents and students to the school. However, it feels as though the reviewers place the onus of blame fully on the Board for not meeting the enrollment targets for Sped and ELL. We disagree with this premise.

Benchmark 6 – Indicator c. Funding for Technology

The report states, "[The Board} has failed to set or achieve goals.....to support the school's technology (smartboards)." While the revised REN SVR report noted

that "We added information about the grant that was awarded and the intention to use it for the purchase of Smart Boards. We do take note of and appreciate the Board's intentions for the next charter term regarding technology and facilities. We are happy to add in the information about the grant that was applied for during this charter term."

However, the reviewers added some references to what was stated in the parent focus group regarding technology and facilities, saying that "The school community feels that modernization of the school's technology and facilities is long overdue."

In response to the reviewers' invitation to include any updated information about the decisions/purchases made following the Renewal Site Visit, we add the following:

- Trustee Allen and Chair DeWese confirmed that the grant was received from the NY Council Subcommittee on Capital, and the funds would be earmarked for technology (Smartboards). The grant of \$100K was awarded with that specific understanding.
- Mr. Taylor reported at the February 2021 Board meeting that 540 Chromebooks are at the vendor's facility being configured. Distribution was slated for the end of February. The vendor was waiting for them to come to Samsung from Japan. There is a system in place to give out the Chromebooks without contact.
- DOE iPads were given out in February for parents. Some devices are brand new, and another 144 are cellular-enabled ipads specifically for Sped and ENL students.
- The Board applied for a CSP Grant, which is just under \$50,000.

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Benchmark 6: Indicator d. School Policies

The Site Visit Report cites several issues with the enrollment policy, discipline policy family handbook, employee handbook, and the fiscal policies and procedures manual. Policies are outdated and need revision. In addition, in the review and revision of the policies, the report furthers that other concerns exist, as follows:

- No involvement of school community, school leadership, staff, and families on policy revision and review
- Lack of timeliness of submission
- Failure to submit revisions to the CSO for review and approval
- Failure to take delegated action on items to be addressed
- Lack of clarity in policies and procedures
- Failure to provide policies/handbooks to families on the website

We appreciate that the reviewers add information to show that the school is currently working with the CSO to update its policies. We recognize that there are noted deficiencies with outdated school policies and the processes around policy revision, input of stakeholders, and subsequent submissions to the CSO for approval as noted in the Site Visit Report.

We commit to being more intentional in revising all policies to be more current and compliant with NYS laws and regulations. To date, the Board has submitted the revisions and received approval for the Complaint Policy, the By-Laws, and the Enrollment Policy. We also have just completed a draft for a more articulated Fingerprinting Policy for Employment and Certification.

We commit to conducting a 2-year rotational review of each policy to ensure that our policies are current and continue to reflect any NYS revisions and updates. Dr. Palmeri has subscribed to several state website publications to keep the Board apprised of any new modifications or accountabilities required in the school policies. These include:

- The NYS Next Generations Roadmap Spotlight
- News and Notes from the NYSED
- NYS Ed Tech Innovators
- Office of Accountability Newslines
- Parent Updates
- Rethink K-12 Education Models Grant

Dr. Palmeri is also researching exemplary models and practices from NYC and NYS Charter Association websites and exemplars from national charter organizations.

We plan to address improved oversight in the April 1 Action Plan by focusing on the following:

- All revisions to policies, handbooks, etc. that are required as part of effective and efficient Board governance will be reviewed and revised with appropriate feedback from stakeholders.
- Any suggested revisions will be submitted in a timely manner to CSO for review and approval.
- We will also seek guidance and input from the CSO liaison to ensure that we have clarity on required modifications and that all policies comply with NYS Charter Law.
- Once approved, all policies/handbooks will be posted on HTCS's website so that all stakeholders are apprised of any revisions.

Indicator e (con't): Principal Evaluation Tool

The Site Review States that, "The Board also submitted a summary of its 2018-2019 evaluation of the Principal to the CSO upon request. However, it is unclear from this

summary how the Board utilized the rubric in the process and if the actual evaluation provided to the Principal shares details and evidence that are aligned with this evaluation tool."

The process for evaluating the Principal is as follows. Each Board member is provided a Principal's Performance Evaluation Rubric to tally their results and compose any comments as they relate to the Principal's performance. When completed, each Board member signs and submits their evaluation forms to the Personnel Committee Chair for overall tallying and analyzing.

The Personnel Committee Chair presents the comprehensive calculated tallies and reads comments (without detailing names) for each benchmark. The Board collectively discusses and analyzes the data and comments and comes to a consensus and determination (satisfactory, unsatisfactory, in need of remediation/discipline or a performance improvement, etc.) regarding the Principal's performance. A performance evaluation review meeting is held with the Principal and the Board to discuss the performance evaluation, the Principal's goals and plans, and the Principal's employment terms, status, and expectations at HTCS.

The Principal is provided the opportunity to self-evaluate himself and provided goals and/or aspirational initiatives that he has planned to set forth at HTCS. The Principal is asked to provide this information to the Board before he meets with them to discuss and review his evaluation.

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Indicator f: Legal and Statutory Obligations

The Revised REN SVR states that "The Board has not demonstrated full awareness of its legal obligations in the following areas:

- Failure to implement CSO requested corrective actions,
- Failure to fulfill safety terms outlined in the LNO for the Franklin Avenue site
- Failure to meet CSO oversight requirements related to statutory reporting and revision or promptly respond to requests to complete/correct reporting deficiencies.

"Timely communication and document submission was an ongoing issue throughout the charter term cannot be attributed to the COVID-19 pandemic. These issues indicate a lack of awareness by the Board of its statutory obligations."

The Board rejects the implication that there is a lack of awareness regarding legal and/or statutory obligations. The Board understands its role is to collaborate with and seek feedback from school leadership on approvals for projects, vendors' contracts, and payment for services as part of oversight and governance.

The Board contends it is not their role or function to organize, schedule, or facilitate building projects or on-site work. Such duties rest with the school leadership and the Director of Operations. The Board Chair does not act unilaterally or as an individual entity; the Board Chair acts on behalf of the Board of Trustees.

The revised REN SVR does not acknowledge that HTCS complies with the stipulations outlined in the LNO. We have also addressed safety issues with an overabundance of trained and certified Fire Marshalls for the proposed hybrid learning plan for school opening.

We also are up to date and have valid fire inspection certificates from the FDNY as well. Permits weren't pulled, and fire alarm system work wasn't started because the building was closed. There also wasn't any HTCS occupancy over the last 5 months due to the coronavirus pandemic.

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Benchmark 7: Element 1 – Indicator b. Roles and Responsibilities – Paragraph 2

The Site Visit Report states that "Board action to resolve issues [brought to them by school leadership] is often neither timely nor transparent. Some examples are the development of an action plan for special populations, student recruitment, teacher hiring, and resolution of facility equipment and safety needs. Board minutes show that the Board hears management needs and concerns but often tables action to approve proposals, suggestions, and requests. Specific examples include approval of draft MOUs with community organizations, updates to the school website, resolution of outstanding JA facility safety issues, and approval of school policies and handbooks."

The Board contends that the responsibility to develop a recruitment plan for special groups of students that have been identified as under-enrolled at HTCS is an operational function of the school leadership team. Increasing the enrollment and the strategies employed falls under the purview and responsibility of the Principal. The Board recognizes its role in monitoring the recruitment plan's effectiveness and makes suggestions to improve it. But we again reiterate that student enrollment and recruitment are best managed by the Principal and school leaders. The Board is fully aware of the school's enrollment concerns, not only for the financial implications but also for equity in educational opportunities.

Board assistance and support are always available to the school leaders. Chairperson DeWese developed a strategy called Direct Admit, where applicants are personally contacted before school opens to complete the enrollment process in a timely manner. Initially, almost 20 additional students were directly enrolled due to this initiative. The Chair of the Education Committee also presented a video from the New York City Charter School Center, which offered

monthly strategies to increase enrollment of special populations. The training also explained how to document activities and how to glean which foreign languages are most prevalent in a charter school community using data from public schools. This is important in terms of meeting community language and translation needs.

We feel that the school that shoulders the SPED population's accountability, student enrollment, and teacher hiring. These duties rest with the school leadership since these are operational functions.

Concerning MOUs, the Board did not ignore the submitted MOU. The MOU was not satisfactorily written and reflected a misunderstanding on the Principal's part. The purpose and need for the MOU were explained and verbalized by the Board, both in Board and committee meetings via the Chair on several occasions. The Board also wanted HTCS to have a working relationship with a neighboring hospital or wellness center to help us support student(s) who may be in immediate crisis. This relationship would allow health emergency personnel to remove and evaluate the student discreetly from a wellness standpoint as opposed to initiating the assistance or removal by the Police department.

The presented MOU was a 4-page document written in the format of a formal resolution to hire a health professional to serve as HTCS staff instead of entering into a collaborative wellness supportive community partnership. The Board declined the presented MOU as it did not depict the intended community partnership or supportive resource for the school as intended.

Lastly, with regards to updating the school's website, while the Board reads the website for timely information, ease of use, etc., it is not the Board's responsibility to keep it current. We have a Technology staff for that very reason. On multiple occasions, Trustee Nowell reads the website and notices glaring misspellings or outdated information, and she informs the Principal, who then contacts the Technology Manager. He then makes changes in a timely fashion and notifies the Trustee via email. The implication that it is the Board's responsibility to update a website is like asking the Board to update the school's marquee. These operational functions are under the purview of the school to handle.

Lastly, we do not feel that there is a lack of transparency as it pertains to teacher hiring. While potential candidates may have the proper teaching credentials, they may not be a good fit for the position for which the school has an opening. This observation is noted and shared. But it is the school's responsibility to interview and hire teachers. There are collaborative recruitment and hiring processes and practices in place at HTCS. The Board respects and leans on the

school leadership and Operations team's expertise and skillset to ensure that these processes and procedures are transparent and effective.

With regard to MOUs, the Board asserts that these agreements with community organizations should be approved by the Board when they present satisfactory terms and detailed responsibilities and expectations between both organizations. Conversely, the Board contends that the school website's updates are school functions and not under the Board's purview. We agree that JA facility safety issues and approval of school policies/handbooks fall under the Board's authority and should be addressed in a timely manner.

We feel that the negative language around the Board's timeliness and transparency is misdirected unless it specifically relates to their governance function vs. the school's responsibilities. The Board contends that updates to the school website are school functions and not under the Board's purview. With regard to MOUs, the Board asserts that agreements with community organizations should be Board-approved when they present satisfactory terms, detailed responsibilities, and expectations between both organizations. We agree that JA facility safety issues and approval of school policies and handbooks fall under the Board's authority and should be addressed in a timely manner.

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Benchmark 7: Element 1 – Indicator b. Roles and Responsibilities – Paragraph 3

The Site Visit Report states that "It is not clear what rationale is used to differentiate the reports' content or whether reports are provided in writing, as they are included with published board minutes. The site visit team could not understand how the role of the Board's Education Committee interfaces with the Principal's role at the school."

We would argue that these reports and functions serve very different purposes. The role of the Education Committee at HTCS is defined in the By-laws as follows:

- Monitor the progress of the overall student body against their Charter academic goals and objectives.
- Review student life issues in concert with the Grievance Committee, including appeals of school suspensions and expulsions as decided by the Principal.
- Ensure compliance with key measures and milestones of the Charter and the Charter School Performance Framework Benchmarks.

The committee meets monthly as per our annual calendar. The Chair of the committee is a Trustee as per our by-laws. Members are four trustees with diverse backgrounds in education, the Principal, the Elementary Academy Director, and the Junior Academy Director.

Education Committee meetings are open to the public, except when dealing with personnel issues which are a private internal matter. Our undertaking is to ensure that the school's charter's academic goals are being met for all students.

The Education Committee is charged with:

- Monitoring socio-emotional factors that promote or impede teaching and learning at HTCS and make recommendations to address such factors;
- Assisting school leadership in providing an enriched academic program with opportunities for students to display multiple intelligences via school activities;
- Promoting respect among different cultures at HTCS;
- Overseeing curricular efficacy and assessment; and
- Examining the application of the NYS Learning standards at HTCS.

Moreover, the Education Committee meets twice a year formally with the Personnel Committee and interacts with the Grievance Committee (as per our by-laws) in matters relating to students. Our meetings follow an agenda usually typed or emailed by the Chair of the Education Committee. School leadership has an opportunity to modify or add to the agenda before it is printed. If not at that time, there is an agenda item, "New Business," which provides an additional opportunity for members to add ideas or concerns. New programs or materials for students are often first introduced here before they come before the whole Board.

Much of our meetings are spent reviewing the statistical data analyses from the monthly interim mock assessments or Star 360 in ELA and math. The data from the assessments are presented by the Academy Directors in graph format, by grade and subgroup, with trends to determine if there a pattern of success. We compare and contrast results. Recently, a new protocol has been implemented because of distance learning. A written narrative interpreting the data is now submitted by grade and subgroup to the Education Committee.

The Principal's Report for the monthly Board meeting is quite different. In his role as the school leader, his report includes data on student attendance and enrollment, information on school-wide professional development in any area, and the status of instruction via observation and evaluations. Teacher efficacy is discussed without delving into confidential personnel issues. The Principal's Report explains to the Board what activities are used daily to accomplish the school's goals, mission, and vision. The Academy Director's reports inform the Board of the students' monthly and daily activities, as well as any upcoming student activities such as contests, trips, programs, awards, etc.

These reports keep the Trustees informed with a snapshot of what is happening in the classroom. It also provides a communicative platform between the Board and the school leaders.

We disagree with the site reviewers' assumption that there is ambiguity around the Principal and Education Committee's interfacing with regard to reports. The reports' content does indeed serve diverse purposes in that the school leadership presents data as a snapshot of performance/progress trends overall, while the Education Committee delves more deeply into the "whys" of performance trends or programmatic issues. It should not matter whether these are verbally presented or shared in written form since the information is documented in the Board minutes.

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Benchmark 7: Element 1 – Indicator c. Paragraph 2

The Site Visit Report states that "At the time of the site visit, the Board said it recently realized that it might be possible to update and successfully register the existing fire alarm system, a solution that would be more cost-effective than the installation of a new system and directed the school to explore and investigate the possibility. However, at the time of the visit, school leaders indicated that they were awaiting further direction from the Board, and follow-up had not been done to engage a contractor and begin the work."

This statement is not accurate and implies that the Board did not follow up. The Chair directed/requested the Operations team, which is supervised by the Principal and the Director of Operations, to explore and investigate the possibility of registering the current on-site fire alarm system at the JA building. The Chair consistently communicated with the Director of Operations and Principal regarding the RFP's status and bids regarding the JA facility project. Additional information such as plans, timelines to completion, and determination of the most feasible time to conduct the work was requested by the Board and the licensed contractors that submitted bids for the project.

As outlined and discussed in the CSO Site Visit meeting, the Board decided that it was not financially feasible or sound to solely take on the projected construction costs (approximately \$425,000) without having an understanding and financial arrangement with the Archdiocese as to how said costs would be shared and/or negotiated and reflected as part of the new HTCS lease at the Franklin Avenue site.

We respectfully disagree with the implication that the Board did not follow through on the facilities project and the JA LNO. The Board Chair requested, via email, that all RFPs be documented and the list communicated to CSO/NYSED and legal counsel via email to the Director of Ops on August 14, 2020. The completed list was sent to all parties on August 25, 2020.

Benchmark 7 - Element 1 - Indicator d: School Leadership

The Site Visit Report states that "As noted below in Benchmark 10, teacher retention rates could not be ascertained for this report because the school did not submit teacher retention data to NYSED by the deadline."

Update: The Director of Operations completed the snapshot of teacher assignments for 2020 and 21 as per the CSO Liaison guidance. Due to the document's sensitive and personal information, we preferred not to upload the documents into the portal unless the sensitive information can be redacted since it is available to the public.



Staff Snapshot
Reports2021.pdf



Staff Snapshot
Reports2020.pdf

Benchmark 7 - Element 2: Professional Climate

The REN Site Visit Report states that "A separate NYSED investigation found the school to be in violation of education Law §2854(3)(a-1)(iv) for not adequately covering the fourth grade ICT class (see Benchmark 10).

It should be noted that during the October 2020 Board meeting, Trustee Hunter, who is the head of the Grievance Committee, addressed this issue with the school leadership regarding non-compliance of services. The minutes state, "We were concerned when we found out that there was no General Ed teacher in Grade 4. The Special Ed teacher was covering the class. Trustee Hunter clearly explained that HTCS was out of compliance on this issue, and it was urgent that the school hire a General Ed teacher in Grade 4 because the Sped Teacher was spreading her services too thinly and was out of compliance." The Grievance Chair also stated that the Sped Teacher must service the group of children for whom she is responsible.

The school leadership commits to all requirements outlined in the Compliance Action and has begun completion of the tasks listed below:

- By 1/29/21, two teachers are assigned to all ICT classes. (The school has hired 2 teachers, and they will start work on 2/22/21.)
- The school must submit evidence that two teachers are assigned to provide daily instruction in ICT Class 4-1.
- By January 29, 2021, the school must submit to NYSED the names, titles, and schedules of the two teachers assigned to ICT Class 4-1.
- The Committee on Special Education (CSE) 1 must convene a meeting for the students with disabilities enrolled in ICT Class 4-1 with IEP recommendations for an ICT program to consider whether the school's

failure to assign a second teacher to the class consistently had an impact on the students' performance and if so, recommend additional services.

- By February 12, 2021, the CSE must submit to NYSED:
 - A copy of the meeting notice sent to the parents with an explanation of the purpose of the meeting,
 - The IEPs developed or amended at the review meeting,
 - A copy of the Prior Written Notice (PWN), including a description of the determination regarding student impact, and
 - The schedule of any additional services recommended.

According to the Board minutes of October 2020, the Board addressed the compliance concern with school leadership when the vacancy occurred. Since the filing of the complaint, the Board has approved the hiring of Ms. Van Note for the Sped teacher position and Ms. McGee for the 4-1 GenEd position. This puts HTCS in compliance with Education Law 2854.3 (a-1)(v) and 8NYCRR 200.6(g)(2). As per the Principal, documentation has been sent to the Brooklyn Office of Special Education, indicating that HTCS has met the NYSED requirements.

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Mission and Key Design Elements

We feel that there was very little recognition of the Board's longevity and role in the success of the school's mission and vision. Rather, the school leadership's longevity was cited instead, even though the Board's tenure is much longer.\

As a collective, the Board has demonstrated noteworthy stability since HTCS opened its doors in 2000. One Founding Trustee has served for 20 years and three others for 15 and 16 years, respectively. Three Trustees are moving into their 5th term on the Board. This provides a legacy of institutional knowledge that is unique and highly unusual in the charter school arena.

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Benchmark 9 - Element 2 - Indicator B: Enrollment, Recruitment, and Retention Paragraph 1 states that "MOUs with health and human service providers."

During the enrollment/intake process, all families meet with the intake committee, consisting of the Special Education Coordinator, social worker, school counselor, 2 ELL teachers, the Instructional Coach, and the Parent Coordinator to determine student placement. In addition, all families complete a Home Language Survey to aid in accurate student placement.

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Summative Evidence of Benchmark 10: Legal Compliance Indicator a.

The Site Report states that "The CSO will be in communication with the school to discuss this. The school must adopt a multi-step, comprehensive process to

ensure that all school employees have fingerprint clearance before their start date at the school."

We have developed a Fingerprinting Policy for Employment and Certification as per the NYSED guidelines submitted to the CSO Liaison for review on March 18, 2021.

The Director of Operations and the HR Manager have been explicitly instructed by the Board Chair (via email) that a complete application with candidate credentials, proof of educational degrees, professional licenses, reference checks, background checks, fingerprint clearances, and salary requests must be provided and approved by the Personnel Committee Chair prior to any offer of employment, hire date, or start of work.

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Benchmark 1 Deadline

The report states that, "The school has been plagued by board deficiencies, failure to meet meeting notice requirements, late board submissions (including, most recently, the late submission of the ~~stod~~ Benchmark 1 Narrative.")

With regard to meeting the Benchmark 1 deadline, CSO extended the deadline to October 19 because its Accountability and Compliance Consultant, Dr. Marlaina Palmeri, wrote to Mr. Frank and Ms. Hill on October 14 stating that she was unaware that the performance data had been uploaded to the portal. All guidance from the NYSED website and the portal specifically noted that the information on school performance would be sent to the schools. Even though Dr. Palmeri is listed as the Program Administrator in the portal, she was never notified that the performance data had instead been posted to the Portal on October 2 and was not sent to the school as originally stated.

The CSO team agreed to extend the deadline for HTCS to October 19, 2020. The deadline was met, and Ms. Hill acknowledged receipt of the Benchmark 1 narrative. The Board asked that Dr. Palmeri be included in all communications regarding expectations, deadlines, and guidance from the CSO office going forward. This has been resolved as she is now included in email communications, except when emails or notifications only include the school principal and the Board Chair.

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Board Deficiencies

The Site Visit Report states that, "The school has been plagued by board deficiencies and failure to meet meeting notice requirements, late board submissions."

We want to point out an ongoing issue that has also spanned the life of this charter term. On September 14, 2020, the Board Chair did not respond to Karonne Jarrett Watson Esq's request to sign the Renewal Charter Agreement.

On September 25, an urgent reminder was sent again to the Board Chair, reminding her that the Charter Agreement had not been received. On October 6, another urgent reminder was sent out, followed by another request on November 19 until Ms. Jarrett-Watson called Ms. DeWese to inquire why emails were being ignored.

It was Ms. DeWese who identified the recurring issue. NYSED and CSO had listed her email as [REDACTED] instead of [REDACTED]. This was occurring as far back as 2017. Ms. DeWese notified David Frank that her email was recorded incorrectly, but it continued to occur throughout 2018 when Laura Hill was assigned as HTCS liaison. Ms. Hill realized that Ms. DeWese wasn't receiving email communications. However, even as recent as January 9, 2021, CSO/NYSED emails still have been going out with the incorrect email address. Ms. DeWese checked that her email credentials were accurately listed in Annual Reports, Board lists, the school's website, and compliance documents. Ms. DeWese communicated this error again to Ms. Hill, who has since confirmed that this issue has been corrected.

The Final REN SVR Report confirms that the recurring issue with the Board Chair's email was brought up in an email from Laura Hill to Jerima DeWese on September 18, 2018. As stated in the initial email, Ms. DeWese needed to correct her address in the SEDREF system – that is not something that the CSO can do.

After Ms. DeWese responded, asking for the link to SEDREF, Ms. Hill provided the link along with detailed instructions on how to update an email in SEDREF. The email that Ms. Jarrett Watson used in September 2020 to contact Ms. DeWese matched the one listed in SEDREF at that time, which had remained unchanged following the September 2018 email exchange.

After Ms. DeWese explained (in November 2020) that the CSO was using the wrong email address, Ms. Jarrett Watson relayed the same information on how to change an email address in SEDREF. It was after this that Ms. DeWese made the change. As stated, the CSO cannot alter information in SEDREF. However, it should be noted that even after the CSO/NYSED started communicating with the Board Chair using the correct email address, it still took several weeks to get the charter agreement.