

New York State Board of Regents State Education Department Charter School Office 89 Washington Avenue Albany, New York 12234

April 19, 2023

To the Board of Regents:

We appreciate the opportunity to provide evaluative comments in response to the renewal site visit report received March 28, 2023. We are proud of our growth in the area of Benchmark 2: Teaching and Learning, and appreciate the rating of "Meets" in comparison to the "Approaches" rating in our first renewal process. We are also proud of our consistent strong performance in Benchmarks 4-8. We would like to take the opportunity to provide context for your consideration regarding Benchmarks 1, 3, 9 and 10.

Benchmark 1:

We appreciate the mention of both Unity's high graduation rates and high participation rates in AP courses in the report. While it was not mentioned in the site visit report, we believe that our graduation rates for Students With Disabilities (SWD) and students who qualify as Economically Disadvantaged (ED) are also impressive and worthy of celebration. Roughly 25% of our students are classified as SWDs while approximately 75% of our students are classified as ED.

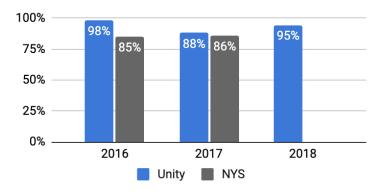


Figure 1. 4-Year Graduation Rate by Entry Cohort - All Students

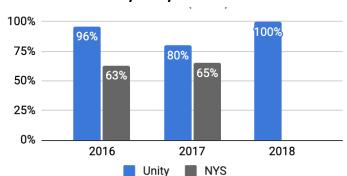
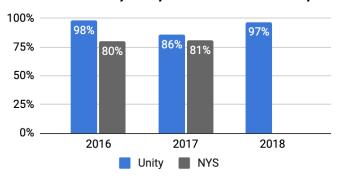


Figure 2. 4-Year Graduation Rate by Entry Cohort - Students with Disabilities (SWD)





While we continue to focus on middle school state exams as an area of growth for the school, we would also like to include the context that this past charter term was disrupted by the COVID-19 pandemic. In particular, tests were suspended for two of the years (2019-2020 and 2020-2021) and the participation rate for the 2021-2022 tests was abnormal across the state and makes apples-to-apples comparisons statistically challenging. As stated on NYSED's data site, "Due to the ongoing impacts of COVID-19, it may not be appropriate to compare 2021-22 NYS standardized assessment results with results from prior years." Notably, CSD 13 had relatively low participation rate for the 2021-22 tests, with 73% of students in grades 6-8 taking the ELA test and 71% of students in grades 6-8 taking the Math test. In comparison, Unity had 89% of students test in ELA and 91% of students test in Math. These differences in the populations taking the tests make comparisons between Unity and CSD 13 challenging. In addition, Unity has demonstrated absolute growth in the percentage of students scoring proficient in both Math and ELA from the 2015-2016 school year to the 2021-2022 school year for all students as well as all subgroups of students (SWD, ELL, and ED). We look forward to continuing to improve our middle school test results while maintaining our exceptional high school graduation rates.

Benchmark 3:

We are deeply troubled by the inaccurate rating of "Falls Far Below" for Benchmark 3 on our most recent site visit report. **This rating does not align with NYSED's own indicators, previous**

site visit reports that Unity has received (including the most recent rating of "Meets" in August 2022), or other similar charter school site visit reports.

Please refer to Appendix A: Summary of Changes from Midterm Site Visit Report (August 2022 Report) to Renewal Site Visit Report (March 2023 Report) and Appendix B: Overview Comparative Analysis of Benchmark 3: Midterm Site Visit Report (August 2022) and Renewal Site Visit Report (March 2023) for a detailed analysis of the changes in site visit reports from the Midterm Site Visit Report with a rating of "Meets" for Benchmark 3 in August 2022 and the most recent renewal report with a rating of "Falls Far Below," received only 7 months later with no significant changes to school-wide systems or major incidents.

In the site visit report, NYSED justifies a "Falls Far Below" for Benchmark 3 with the following [numbers added]:

"Over this charter term, the trajectory for this benchmark has fallen from Meets to Falls Far Below due to (1) concerns with student safety, particularly with (2) indicators referencing a shared staff and administration understanding of behavioral management and utilization of a (3) formalized social-emotional learning program and associated data collection and tracking. (4) The CSO having received several informal complaints during the charter term related to school culture, including complaints about bullying and fighting amongst students. (5) There were also concerns about dismissal at both buildings, instances of altercations occurring on nearby blocks after dismissal, lack of clarity of infractions, issues with notifications of infractions, and issues with disciplinary conversations and policies."

We respectfully present the following counter-arguments:

- 1. Concerns with student safety:
 - a. The two incidents specifically cited in the report took place in 2019. We took part in a formal midterm site visit report on May 13, 2021, well after these incidents took place. While we repeatedly asked for the site visit report in order to inform our planning for the 2022-23 school year and our renewal application, we did not receive the midterm site visit report until August 18, 2022. This midterm report did include a review of prior CSO monitoring reports as well as supplementary evidence or data from NYSED, and had the same ratings as our site visit report for our first term ("Meets" for Benchmarks 3-8 and "Approaches" for Benchmarks, 1, 2, 9, and 10). We received a rating of "Meets" for Benchmark 3 for our midterm site visit. It is extremely unclear why the rating would be retroactively lowered for two incidents from 2019 that, while unfortunate, were handled appropriately by the school and did not impact our rating in 2022.
- Indicators referencing a shared staff and administration understanding of behavioral management:
 - a. While we appreciate the feedback from focus groups and look forward to continuing to clarify our community's understanding and implementation of behavioral management systems, the narrative included in the report does not

- align with a "Falls Far Below" rating based on our prior reports or the site visit reports of comparable schools. We had comparable data in both our first renewal site visit report and the midterm site visit report referenced above, and earned a rating of "Meets" at those times.
- b. In addition, the narrative in our report is comparable to similar schools that received a "Meets" rating for Benchmark 3. For example, New Dawn Charter High School is another Brooklyn high school that is one year older than Unity. In their 2022 site visit report, they received a rating of "Meets" on Benchmark 3. The site visit report stated, "Of the teachers that responded to the 2021 CSO Teacher Survey, 71 percent strongly agreed with the statements "The school's discipline policy is clear" and "The school's discipline policy is fair to all students." (p. 17). In contrast, Unity's narrative includes the line, "Further confirming staff focus group dialogue, the 2021 CSO Teacher Survey includes the notable data point of 28 percent of respondents not believing the school's discipline policy is equally enforced by all teachers and staff, eliciting the highest negative response rate from staff on the entire teacher survey" (p. 21). It is notable that Unity also had 72% positive responses to similar survey questions, but it was framed negatively. It is unclear why comparable survey data would be used to justify a rating of "Meets" for New Dawn but "Falls Far Below" for Unity.
- 3. Formalized social-emotional learning program and associated data collection and tracking
 - a. The draft site visit report was inaccurate for this indicator, and we appreciate that the final report was updated from "Unity Prep does not employ a formal social-emotional learning (SEL) curriculum" to "The school's behavioral system is built on the PBIS framework which, along with CLAWS and PRIDE core values, as described in indicator 1a above, is designed to provide SEL support to students" (p. 23). With this update, it is clear that social-emotional learning is a critical part of Unity's work that is deeply embedded in school systems. While we will continue to reflect on the focus group feedback and refine our implementation, there is no indication of concerns that have arisen since the rating of "Meets" in the August 2022 midterm report. This rating is based on an inaccurate and outdated mischaracterization of our school's program in the draft report.
 - b. Once again, similar schools with similar narratives in their site visit reports received a rating of "Meets" rather than "Falls Far Below." For example, New Dawn Charter School's report states, "The renewal application describes a range of social-emotional supports available to students. These include schoolwide programs such as advisory and mentoring, as well as additional supports for identified students such as counseling."..."School leaders reported monitoring a range of social-emotional data points, including attendance, engagement, and referrals" (p. 18). Similarly, Unity's report states, "The school's behavioral system is built on the PBIS framework which, along with CLAWS and PRIDE core values, as described in indicator 1a above, is designed to provide SEL support to students. Both buildings have an advisory time."..."Collection of SEL data and tracking of SEL concerns resides with the social work team, according to

leadership focus group members, and weekly IDT meetings track concerns. It is during those meetings where plans for customized individual support and academic check-ins are made. Academic counselors have a formal meeting with each student once per quarter" (p. 23-24). These systems are comparable, and it is unclear why one would lead to a rating of "Meets" and the other would lead to a rating of "Falls Far Below."

- 4. The CSO having received several informal complaints during the charter term related to school culture, including complaints about bullying and fighting amongst students.
 - a. As indicated in our final site visit report, "School leaders state in written comments that complainants to the CSO did not properly follow Unity Prep's complaint policy as detailed in its Student and Family Handbook and that the head of school and board chair were not contacted before complaints were sent to the CSO. They state that once an informal complaint was directed to the head of school, complaints were properly addressed." While we are reflecting on this feedback and continue to refine our systems of communication with families, this is fundamentally a concern around community members not following the complaint policy, not an abundance of complaints that were not addressed.
 - b. In addition, there have been very few complaints received since we received the rating of "Meets" in the midterm site visit report of August 2022. It is very unclear why the rating would have dropped since that time, when the vast majority of the complaints were registered before the "Meets" rating was assigned on the midterm site visit report.
- 5. There were also concerns about dismissal at both buildings, instances of altercations occurring on nearby blocks after dismissal, lack of clarity of infractions, issues with notifications of infractions, and issues with disciplinary conversations and policies."
 - a. While Unity acknowledges that there is valuable feedback for reflection from the site visit report in this area, none of these indicators are significantly different from their status during the midterm site visit when we received a rating of "Meets." As stated above, the staff survey data cited in the report was comparable to the New Dawn Charter School survey data that was used to support a rating of "Meets." We look forward to addressing this feedback in our action plan, but do not understand how it would be used to justify a rating of "Falls Far Below."

Again, this section is focused on addressing the primary concerns outlined in the site visit report. Please refer to Appendices A and B for a detailed analysis of all evidence included in the Midterm Site Report from August 2022 with a rating of "Meets" as compared to the Renewal Site Visit Report in March 2023 with a rating of "Falls Far Below." We respectfully submit that this rating is wholly inaccurate and deeply troubling.

Benchmark 9:

We are proud of our continued and consistent strong subgroup enrollment, particularly for SWD and ED students. We would also like to note that **Unity's 2022-23 enrollment level of 83% of our designated maximum enrollment is not due to a lack of demand. Rather, it is due to the**

school's high school facility being significantly smaller than what was originally anticipated. Currently, we can enroll no more than 280 students at our high school. Ideally, if we had more space, we would have 330 students enrolled at our high school. There is an existing demand based on our high school waitlist to readily do this. With a high school enrollment of 330, our total enrollment for grades 6-12 would be 91% of our max enrollment (595/655).

Benchmark 10:

We have already addressed the majority of the deficiencies outlined in Benchmark 10. Regarding under-enrollment, please see the notes above in Benchmark 9 regarding the physical constraints of the high school building.

Regarding the missing survey from 2019, this issue has been corrected and has not recurred since. In addition, although it has been difficult to gauge due to disruptions from the pandemic, progress has been made on the CAP for ELA scores for SWD at the middle school.

Regarding the fingerprinting concerns, it is worth noting that the two employees who began before receiving their fingerprint clearances were teaching remotely during the 2020-21 school year, and were not ever physically present with students before receiving their clearance. However, this is still a concern that Unity takes seriously and there are now systems in place to ensure that all new employees receive fingerprint clearances before their start date.

We respectfully note that Unity was never asked to submit a revision request for the acquisition of our high school building. Our liaison was aware of the acquisition at the time, and we have correspondence from the Executive Director of the CSO wishing us luck in the new building after receiving the fire inspection receipt. Our CSO liaison was also cc'ed on this correspondence. Had we been asked to submit a revision request, we would have done so. We will plan to submit a timely revision request for a new elementary school facility as soon as practical if the downward expansion is approved.

Finally, we have noted the concerns regarding teacher certification and have taken a number of steps to support teachers in obtaining their certification. This includes individual counseling for teachers from our Director of Administration, including certification as a prerequisite for promotion to certain levels of our teacher career ladder, a partnership with Relay Graduate School, partial tuition reimbursement for teachers enrolled in certification programs, and reimbursement for all state certification exams. We look forward to continuing to support our teachers in earning certification.

Once again, thank you for the opportunity to submit evaluative comments in response to the renewal site visit report.

Sincerely,

Joshua Beauregard, Head of School Jim Ellsworth, Chairperson of the Board of Trustees

Appendix A: Summary of Changes from Midterm Site Visit Report (August 2022 Report) to Renewal Site Visit Report (March 2023 Report)

For each of the three indicators of Benchmark 3, we summarize the changes in evidence provided from the August 2022 report to the March 2023 report. Evidence highlighted in green reflects positive changes while evidence in red reflects negative/constructive changes. Context is provided as sub-bullets whenever helpful. Overall, the number of positive changes is more than twice the number of negative changes.

Indicator 1: Behavior Management and Safety

Concerns with dismissal

At the middle school, all hallways are monitored daily by a host of school personnel who
have designated posts to ensure safety as students transition to our after-school
programming, including athletics, clubs, and tutoring. Students are also monitored by
Unity staff during dismissal immediately outside our building.

Hallway congestion

This is a direct result of the space limitations and full enrollment of our high school.
 Hallways are always heavily monitored and safe.

Suspension rate of concern

The increase in suspensions was a city-wide trend, not only specific to Unity. Excluding
infractions that took place outside of school and beyond school hours, our suspension
rate in 2021-22 would be <5%.

Uneven implementation and enforcement of discipline policies

 This is an area of reflection for the school, but it is notable that this has been a challenge for schools across the country with the return to in-person learning after disruptions from the COVID-19 pandemic.

Student complaints concerning how discipline is administered

- This was one data point within the student focus group of approximately 10 students. We currently serve 540 students and families.
- 77% of parents feel school is free of disruption

Day Long Reflection (DLR) - teachers felt it led to lack of supervision

- This is an alternative to suspension and designed to be restorative. Students attend classes, sit in a designated seat in the classroom, and complete a reflective tracker period-by-period. Over the course of the school day and in between classes, these students are checked in by their grade-level dean.
- Phones are not a distraction

Indicator 2: Family Engagement & Communication

All of the new information for this indicator was positive

- Parents take part in IEPs meetings via Zoom
- Teachers call home to discuss academic progress
- Stakeholders are aware of the translation hotline
- Advisors call home upon an absence
- Parents noted open-door policy if the school and individual attention given to students as reason for choosing the school
- Parents were very appreciative of the way UPCS implemented remote instruction
- 23% of parents don't attend board meetings or know when they are 77% do.

Indicator 3: Social-Emotional Supports

- The UPCS behavioral framework is built on the PBIS framework, and is designed to provide SEL support to students
- Middle school teachers said mindfulness activities are no longer a focus
 - In the return to in person learning after disruptions from the COVID-19 pandemic, advisory has shifted focus from mindfulness to discussions based on feedback from teachers to students.
- Teachers stated there have been many community meetings and cancellations of advisory
 - In the return to in-person learning after disruptions from the COVID-19 pandemic, advisory has sometimes been canceled due to community meetings or other school-wide priorities.
- Teachers expressed support for SEL during advisory if there is accountability
- Overall attendance rate is 87%
 - This exceeds the DOE high school attendance rate for 2021-22.
- College Board's advisory curriculum guides high school advisory
- Students view advisory as "time to chill," be with friends and doing assignments they don't care
 about
 - While this is valuable information for reflection, it is not sufficient to justify a change in rating.
- Some classrooms display advisory topics on the wall
- Director of academic counseling runs the advisory program
- SEL data collection and tracking reside with social work team
- Weekly IDT meetings track concerns identified and develop plans for support
 - IDT meetings are attended by deans, social workers, and the Co-Principal of Culture & Operations. Leadership and the social work team are able to track data and develop supports on a regular basis.
- Academic counselors meet with students quarterly
 - Most schools do not have the staffing to provide this level of support for students, and it has a significant impact on Unity's exceptional graduation rate.
- Heavy reliance on social workers and counselors for any issue outside of academics
 - This is an intentional staffing decision to allow for robust holistic supports for students.

Appendix B: Overview Comparative Analysis of Benchmark 3: Midterm Site Visit Report (August 2022) and Renewal Site Visit Report (March 2023)

For each of the three indicators of Benchmark 3, we summarize the overall evidence provided in both the August 2022 report to the March 2023 report. Evidence highlighted in green reflects positive evidence while evidence in red reflects negative/constructive evidence. Evidence highlighted in yellow reflects conflicting evidence. Context is provided whenever helpful. Overall, the evidence provided significantly overlaps across the two reports even though the ratings are not the same. As noted above, the evidence provided in the March 2023 report leans even more positively than the overall evidence provided in the August 2022 report.

	Included	in Report	
Indicator 1: Behavioral	Midterm	Renewal Visit	Context
Management & Safety	Report (Aug.	Report (Mar.	
	2022)	2023)	
 Concerns with 	No	Yes	At the middle school, all hallways are
dismissal			monitored daily by a host of school
			personnel who have designated posts
			to ensure safety as students
			transition to our after-school
			programming, including athletics,
			clubs, and tutoring. Students are also
			monitored by Unity staff during
			dismissal immediately outside our
			building.
2. Altercations on nearby	Yes	Yes	This was included in the August 2022
blocks after dismissal			report, which had a rating of "Meets".
			We maintain a safe learning
			environment for our students and
			community during our school day.
			There are occasions in which students
			make poor decisions after our school
			day has ended and in a setting beyond our school building.
			Unfortunately, this is more common
			in recent years among all schools and
			we do intervene directly when we
			learn
			of such events happening. When
			intervening, we partner with families,
			neighboring schools, and, if
			necessary, local authorities. Since an
			increase in incidents after dismissal at
			the high school during the current

3. Hallway congestion	No	Yes	school year, Unity has developed a relationship with Youth Officers in the neighborhood and begun weekly meetings between building leaders and other neighboring school leaders and our local precinct to strategize around community safety. This is a direct result of the space limitations and full enrollment of our high school. Hallways are always heavily monitored and safe.
4. Mention of student bringing a firearm to school	Yes	Yes	The inclusion of a student entering our building with a firearm without further context grossly mischaracterizes the situation and leaves out critical facts. The full context is as follows: one of Unity's students who was being harassed and physically threatened in his home neighborhood made the serious mistake of concluding that carrying a firearm with him as he traveled to school from his home was his best option to preserve his safety. Through our social work team of 4 staff members within a small school, we learned of the incident and responded promptly according to all safety protocols. Unity staff contacted law enforcement, secured the firearm, and ensured the safety of our students and community. We then addressed the needs of our community through a town hall event and community circles. Ultimately, we were applauded for our response by the DOE and our families. We also took action to support the student, including partnering with an outside organization to offer intensive support to the student and his family. Proudly, the student has turned things around and now serves as paraprofessional in a neighboring school. Ultimately, we believe that we should be assessed on our effectiveness in addressing the

			situation, not penalized for the event occurring due to factors that were outside of the school's control. Additionally, this was included in the August 2022 report, which had a rating of "Meets".
5. Suspension rate of concern	No	Yes	The increase in suspensions was a city-wide trend, not only specific to Unity. Moreover, a vast majority of the suspensions were not a result of in-school infractions but occurrences that took place outside of school and beyond school hours. Excluding occurrences that took place outside of school and beyond school hours, our suspension rate in 2021-22 would be less than 5%.
6. Praised effective relationships with students	Yes	Yes	
7. Uneven implementation and enforcement of discipline policies	No	Yes	This is an area of reflection for the school, but it is notable that this has been a challenge for schools across the country with the return to in-person learning after disruptions from the COVID-19 pandemic.
8. Student complaints concerning how discipline is administered	No	Yes	This was one data point within the student focus group of approximately 10 students. We currently serve 540 students and families.
9. Reference to 2021 CS Teacher survey - discipline policy concerns was highest negative (28%)	72% agree in report	Yes - stated as 28% disagree in report	The finding is essentially the same here except that it is framed positively in the August 2022 report and negatively in the March 2023 report.
10. Complaints to CSO concerning student fighting and bullying, 2019 physical altercation outside th school		Yes	There was a single physical altercation that occurred outside our school in October 2019. The altercation was prompted by students from a neighboring school who physically attacked Unity students outside Unity's building. The altercation was handled by Unity's

11. Compliant with DASA 12. 77% of parents feel school is free of	Yes	Yes	leaders appropriately, including collaborating with school safety from neighboring schools and local authorities to ensure that such events do not happen again (which they have not). Moreover, the altercation was reported by a neighbor who was not happy with Unity moving into a building that abuts his property. This neighbor has put forward a number of complaints that were factually inaccurate and should not be relied on by the CSO as a part of this renewal report. In any case, the school has collaborated with the neighbor to foster a positive, working relationship in recent years. Notably, we have collaborated in successfully applying for a state grant to upgrade our windows to noise canceling windows. The windows are set to be installed in April. There have been zero complaints from this neighbor in at least two years. In addition, 95% of the informal complaints received by the CSO did not properly follow our complaint policy as detailed in our Student & Family Handbook. Specifically, Unity's Head of School and Board Chair were not contacted before complaints were sent to the CSO. Once an informal complaint was directed to the Head of School, complaints were properly addressed. Finally, all of this information was included in the August 2022 report, which had a rating of "Meets".
school is free of	No	Yes	
disruption	NI-	V	This is an alternative to success in
Day Long Reflection (DLR) - teachers felt it	No	Yes	This is an alternative to suspension and designed to be restorative.

led to lack of			Students attend classes, sit in a
supervision			designated seat in the classroom, and
			complete a reflective tracker
			period-by-period. Over the course of
			the school day and in between
			classes, these students are checked in
			by their grade-level dean.
14. Phones are not a	No	Yes	To clarify, there was no mention of
distraction			phones in the August 2022 report. In
			the March 2023 report, phones were
			stated to not be a distraction.

Included in Report			
Indicator 2: Family Engagement & Communication	Midterm Report (Aug. 2022)	Renewal Visit Report (Mar. 2023)	Context
Unity Scoop (family newsletter) is distributed weekly	Yes	Yes	All information for this indicator in both reports is positive; even more detailed information is included in the March 2023 report.
Parents take part in IEPs meetings via Zoom	No	Yes	·
Teachers call home to discuss academic progress	No	Yes	
4. 96% of survey respondents said the school uses many methods to communicate with families	Yes	Yes	
5. Stakeholders are aware of the translation hotline	No	Yes	
6. Advisors call home upon an absence	No	Yes	
7. 94% of parents said they receive timely feedback on their child's progress	Yes	Yes	
8. 98% of parents on the 2021 CSO survey reported that the school seeks parent feedback	Yes	Yes	
9. Parents noted open-door policy if the school and individual attention given to students as reason for choosing the school	No	Yes	
10. Parents were very appreciative of the way	No	Yes	

Unity implemented remote instruction		
11. 23% of parents don't attend board meetings or know when they are – 77% do.	No	Yes
12. Unity has a 4-step complaint process; approx. 90% of parents found it easy to find and understand	Yes	Yes

	Included in Report		
Indicator 3: Social-Emotional Supports	Midterm Report (Aug. 2022)	Renewal Visit Report (Mar. 2023)	Context
 100% of teachers and 90% of parents agree that Unity has social, emotional, and mental health programs and supports for all students 	Yes	No	
2. Unity's behavioral framework is built on the PBIS framework, and is designed to provide SEL support to students	No	Yes	
 Both buildings have an advisory time 	Yes	Yes	
4. Middle school teachers said mindfulness activities are no longer a focus	No	Yes	In the return to in person learning after disruptions from the COVID-19 pandemic, advisory has shifted focus from mindfulness to discussions based on feedback from teachers to students.
5. Teachers stated there have been many community meetings and cancellations of advisory	No	Yes	In the return to in person learning after disruptions from the COVID-19 pandemic, advisory has sometimes been canceled due to community meetings or other school-wide priorities.

6.	Teachers expressed support for SEL during advisory if there is accountability	No	Yes	
7.	HS advisory meets once a week	Yes	Yes	
8.	Overall attendance rate is 87%	No	Yes	This exceeds the DOE high school attendance rate for 2021-22.
9.	College Board's advisory curriculum guides high school advisory	No	Yes	
10.	Students view advisory as "time to chill," be with friends and doing assignments they don't care about	No	Yes	While this is valuable information for reflection, it is one data point within the student focus group of approximately 10 high school students. We currently serve 540 students and families.
11.	Some classrooms display advisory topics on the wall	No	Yes	
12.	Director of academic counseling runs the advisory program	No	Yes	
13.	SEL data collection and tracking reside with social work team	No	Yes	
14.	Weekly IDT meetings track concerns identified and develop plans for support	No	Yes	IDT meetings are attended by deans, social workers, and the Co-Principal of Culture & Operations. Leadership and the social work team are able to track data and develop supports on a regular basis.
15.	Academic counselors meet with students quarterly	No	Yes	Most schools do not have the staffing to provide this level of support for students, and it has a significant impact on Unity's exceptional graduation rate.
16.	Heavy reliance on social workers and counselors	No	Yes	This is an intentional staffing decision to allow for robust holistic supports for students.

for any issue outside of academics			
17. 2021 teachers survey found 72% strongly or somewhat agreed that Unity collects and uses data to track the SEL needs of students	Yes	Yes	