



Charter Schools Institute
The State University of New York

Summary of Findings and Recommendations

***Proposal to Establish
Atmosphere Academy Public Charter Schools***

May 27, 2014

Executive Summary

The proposal to establish Atmosphere Academy Public Charter Schools (“Atmosphere Academy”) was submitted to the SUNY Charter Schools Institute (the “Institute”) on March 12, 2014 in response to the Institute’s Request for Proposals (“RFP”) that was released on behalf of the Board of Trustees of the State University of New York (the “SUNY Trustees”) on January 6, 2014.

Atmosphere Academy intends to operate one school, Atmosphere Academy Public Charter School (the “Atmosphere School”) to be located in a private facility in Community School District (“CSD”) 10 in the Bronx. The new school would open in August 2015 with 120 students in 6th grade and would grow one grade each year to 342 students in 6th – 8th grades, at which grade span it would remain until the end of the charter term. The Atmosphere School would ultimately seek to enroll students in Kindergarten through 12th grade in the subsequent charter term, if approved. The Atmosphere School would admit new students in 6th grade, but would open enrollment in later grades if attrition ever exceeded five percent.

Consistent with the New York Charter Schools Act of 1998 (as amended, the “Act”), the Institute finds:

- 1) the proposal for Atmosphere Academy rigorously demonstrates the criteria detailed in the Institute’s RFP including the mandatory criteria set forth in Education Law §2852(9)(b)(i) (that the proposed charter school would meet the enrollment and retention targets for students with disabilities, English language learners (“ELLs”) and students who qualify for the federal Free and Reduced Price Lunch (“FRPL”) program);
- 2) the proposed school has conducted a thorough and meaningful public review process to solicit community input regarding the proposal in accordance with the requirements in the RFP, which conform with Education Law §2852(9)(b)(ii);
- 3) the proposal is one that best satisfies the objectives contained within the RFP based on the content of the proposal and its supporting documentation, and is therefore qualified within the meaning of Education Law §2852(9-a)(d); and
- 4) the Institute has scored the proposal pursuant to Education Law §2852(9-a)(c), and there are enough charters to be issued by the SUNY Trustees pursuant to the January 2014 RFP to accommodate the proposal and all other RFP applicants the Institute is recommending for approval.

Based on the foregoing:

The Institute recommends that the SUNY Trustees approve the proposal to establish the Atmosphere Academy Public Charter Schools.

Background and Description

While SUNY may still award a small number of charters without using a RFP, amendments to the Act in 2010 made additional charters to create new charter schools available only through a RFP process. The Institute received 14 total proposals to create new charter schools in response to the January 6, 2014 RFP. The current review cycle could legally result in a maximum of 89 new charters approved by the SUNY Trustees, 18 of which could be located in New York City, per Education Law §2852(9).

The Institute conducted a rigorous evaluation of the proposal under consideration including academic, fiscal and legal soundness reviews. In addition, the Institute engaged independent consultants to evaluate the academic, fiscal and organizational soundness of the school based on the criteria set forth in the RFP. Pursuant to its protocols, the Institute has met with the applicant, the proposed board of trustees, which would oversee the school, other members of the founding team and key Atmosphere School leadership. In addition, SUNY Trustees' Charter Schools Committee Chairman Joseph Belluck had an opportunity to interview the founding team and proposed board.

The mission of Atmosphere Academy would be, "Through the creation of a highly engaging school setting, Atmosphere not only prepares students to be ready for college, career, and life, but to succeed once they get there. By actively contributing to the school's shared learning community, Atmosphere students will acquire the character, skills, and knowledge they need to think, collaborate, and lead."

Key design elements of Atmosphere School include:

- **Shared Culture and Values:** The school would create an atmosphere that is supportive, innovative, collaborative, inspired, inspiring and rigorous. All of Atmosphere Academy's stakeholder groups are expected to follow a set of shared core values that help the proposed school realize its mission and vision.
- **Rigorous Standards-Aligned Curriculum:** In order to have all students meet or exceed the Common Core Learning Standards and other guidelines adopted by New York State, Atmosphere School would help students ameliorate deficits in prior learning, develop grade appropriate skills and knowledge, and build a foundation for future success. Students would complete a Common Core-aligned curriculum that includes 400 minutes of math instruction per week and 500 minutes of English instruction per week. Moreover, the proposed school would offer full-service programs for ELLs and special education students to ensure that every student has the academic support needed to access the curriculum and achieve. All of this would be made possible by an extended school day and year, which would provide additional time on task.
- **Student-Centered and Differentiated Instruction:** Atmosphere School's instructional philosophy would align most closely with the Gradual Release of Responsibility ("GRR") approach. GRR reflects the importance Atmosphere School would place on student-led exploration and discovery throughout the proposed school. Atmosphere School would use the Sheltered Instruction and Observation Protocol (SIOP) model as its primary instructional tool. The decision to use SIOP was made because it incorporates GRR principles, directly addresses the needs of ELLs, and would provide a broad and sound base of pedagogical practice. Within the SIOP model, GRR is often referred to as the "gradual increase in student responsibility."
- **21st Century Learning:** Atmosphere School students would be further prepared for success in college and career through the development of 21st century skills. To this end, all classes would incorporate practices, assignments, routines, and other structures that ask students to develop the following 21st century skills: creative and critical thinking; innovation and entrepreneurship; collaboration and leadership; digital literacy; college, career, and life.
- **Support for At-Risk Students:** Atmosphere School's Rapid Response to Intervention (RRTI) system would be driven and accelerated by data to help faculty, staff, and school leaders provide targeted and timely academic and behavioral support. The school would offer

opportunity to a range of students with disabilities through general education classes, integrated co-teaching (ICT) classes, and self-contained special education classes. ELLs would receive additional support through instruction from ELL specialists.

- **Distributed Leadership:** To increase organizational capacity, Atmosphere has based its instructional leadership structure on a distributed leadership model. Key components of Atmosphere’s distributed leadership approach include: innovative school leadership structure; lead teachers; professional learning community; shared decision making; accessibility and proximity; merit, responsibility, and accountability.

The proposed school would offer 190 days of instruction with the first day of the 2015-16 school year on or around August 28, 2015 and the last day on or around June 30, 2016; subsequent years would follow a similar calendar. The school day would run from 8:00 a.m. – 5:00 p.m.

The Atmosphere School would offer 250 minutes of critical reading and 250 of critical writing per week for a total of 500 weekly minutes of instruction in English language arts (“ELA”) using Scholastic’s Expert 21, Read 180 and System 44 for literacy instruction, which will be supplemented by, among other resources, the Sadlier Grammar for Writing and Vocabulary for Success programs, as well as teacher-selected literary and informational texts. The school would offer 400 weekly minutes of math instruction based on the National Training Network math curriculum. Students would partake in 250 weekly minutes of science instruction using Houghton Mifflin Harcourt’s Science Fusion text to drive the curriculum, 250 minutes of social studies instruction using text and resources from Houghton Mifflin Harcourt and The History Channel. Students would also take foreign language, physical education, health, technology and art classes, and participate in a skills advisory class designed to strengthen life, study and 21st Century skills through activities such as community outreach and team building. The Atmosphere School would use Restorative Justice in its approach to creating a strong culture.

The Atmosphere School would offer a robust special education program including integrated co-teaching (ICT) classes, Special Education Teacher Support Services (SETSS), and self-contained classes for students with disabilities. Each grade would have an English as a Second Language Specialist to address the needs of ELLs and to support literacy development. The school would have a well developed Response to Intervention procedure that would support struggling students.

A principal would lead the proposed school and be responsible for all day-to-day aspects of running the school. The Atmosphere School would adopt a unique approach to distributed instructional leadership with Directors of STEM, Literacy, Student Learning and Language also serving as part-time teachers. The purpose of this model is to ensure that instructional leaders are highly involved with both supporting teachers and with ensuring strong academic programs. The school would employ a full-time Director of School Life, responsible for school culture and non-academic, student-centered services, and a Director of Operations and Finance who would address all business and operations responsibilities. School services would be augmented by teaching, social work, and physiology interns from Fordham University.

The proposed by-laws of Atmosphere Academy indicate that the education corporation board would consist of no fewer than five and no more than nine voting members. The proposed initial members of the board of trustees are set forth below.

1. **Mervin Burton, CFA** – Senior Investment Manager, IBM Retirement Funds; CFA Charterholder, member of the CFA Institute; B.S. from the Wharton School at the University of Pennsylvania.
2. **Grant Grastor** – Academic Operations Administrator, Fordham University; President of the Fordham Kiwanis Club and President of the Fordham University Association; M.S. in Educational Leadership from Fordham University and a Bachelor of Science in Food and Business from SUNY Oneonta.
3. **Jesse J. Greene, Jr. Esq.** – Senior Fellow at the Richard Paul Richman Center for Business Law, and Public Policy (a joint venture between Columbia Law School and Columbia Business School); member of the Board of Directors of Caterpillar and previously on the board of directors of Strong Medical Center; previously, VP Financial Management and Chief Financial Risk Officer at IBM; J.D. Columbia Law School, M.B.A. Columbia Business School, M.S. Mechanical Engineering from New York University.
4. **Dr. Michael Lagas, Ed.D** – Retired Director of Finance and Operations, New Canaan Public Schools; formerly Client Solution Executive with IBM; currently works as an education consultant and adjunct professor at Fordham University; Ed.D in Educational Leadership from Fordham University with a Professional Diploma in School Business Administration from Fordham University.
5. **Rev. Thomas Lynch** – Pastor, Our Lady of Angels Roman Catholic Church in the Kingsbridge Heights section of the Bronx; member of the Northwest Bronx Clergy and Community Coalition (NWBCCC) and sits on NWBCCC’s Clergy Caucus; M.A. in Divinity and M.A. in Church History, Catholic University.
6. **Dr. Migdalia Madonado-Torres, Ed.D** – Adjunct professor of education at Fordham University; retired Local Instructional Superintendent, Senior Achievement Facilitator and Project Director of the Leadership Development Initiative, New York City Department of Education (“NYCDOE”); served for thirty-three years with the NYCDOE’s Project Director of the Leadership Development Initiative and participated in extensive leadership development training citywide.
7. **Dr. Evan H. Powerdly, Ed.D** – Principal, HC Crittenden Middle School, Byram Hills Central School District; served as President of the Westchester/Putnam Middle School Principals Association; holds an Ed.D. in Educational Leadership from Fordham University.

Atmosphere Academy is seeking to locate in a private facility in CSD 10. Currently, the primary facility option is a former Catholic Church, Our Lady of Mercy School, 2512 Marion Avenue, Bronx, New York. The Institute reserves the right to review all proposed facilities in accordance with the charter agreement.

The fiscal impact of Atmosphere Academy on the district of residence, the New York City School District (the “District”), is summarized below.

Expected Number of Students (A)	Basic Charter School Per Pupil Aid (B)	Projected Charter Per Pupil Revenue (C = A x B)	New York City School District Budget* (D)	Projected Impact to District (E = C / D)
120 (2015-16 school year – Year 1)	\$13,527	\$1,623,240	\$19,800,000,000	0.008%
342 (2019-20 school year – Year 5)	\$13,527	\$4,626,234	\$19,800,000,000	0.023%

*The NYCDOE budget was derived from and can be found on the NYCDOE’s website: <http://schools.nyc.gov/AboutUs/funding/overview/default.htm>

The calculations above assume the current basic per pupil aid will not increase during the term of the charter. While it is likely that the District’s budget will grow over time, the Institute is being conservative by leaving it unchanged in five years. Based on these assumptions, and projections that the charter school would have full enrollment, Atmosphere Academy would have minimal fiscal impact on public schools in the District: 0.008% in the 2015-16 school year and 0.023% in the 2019-20 school year.

The estimates used by the Institute to conduct its analysis are subject to unpredictable changes in the District’s budget in any given year, changes in the charter school per-pupil funding, and the actual enrollment in the charter school. For example, in the event that the budget of the District increases 5% in five years (assumes a 1% increase each year) to \$20.8 billion and the basic per pupil aid to charter schools remains unchanged, the impact to the District would remain minimal: 0.022% in the 2019-20 school year. While the education corporation has included in its proposal estimated calculations accounting for special education revenue, federal Title I funds, other federal grants and/or funds provided by the District and to be received by the charter school, the Institute’s calculations and analysis do not account for these sources of potential revenue.

The Institute finds that the fiscal impact of the proposed school on the District, public charter, public District and nonpublic schools in the same geographic area would be minimal. In the event that the school opens with a slightly larger enrollment, the Institute has determined that the fiscal impact of the proposed school on the District, public charter, public District and nonpublic schools in the same geographic area would also be minimal.

The Institute reviewed the education corporation’s proposed start-up and fiscal plans and supporting evidence for each year of the proposed charter term. The Institute finds the budgets and fiscal plans are sound and that sufficient start-up funds will be available to the new charter school.

The Institute notified the school district as well as public and private schools in the same geographic area of the proposed school about receipt of the proposal and it was posted on the Institute’s website for public review. The NYCDOE held a public hearing pertaining to the proposal on April 8, 2014. The Institute compiled public comments made at the hearing and received separately by the Institute in a Summary of Public Comments (Appendix 1). All public comments were carefully

reviewed and considered. As of May 24, 2014, the SUNY Board of Trustees did not receive any District comments on the proposal.

The RFP also contained the minimum eligibility requirements and preference criteria to reflect the requirements of the Education Law §2852(9-a). The proposal met the eligibility requirements, as evidenced by the following:

- The proposal was sufficiently complete, i.e., it included a Transmittal Sheet, Proposal Summary and responses to all RFP requests as prescribed by the Institute;
- The proposal included a viable plan to meet the enrollment and retention targets established by the SUNY Trustees for students with disabilities, ELLs, and students who are eligible to participate in the FRPL program (as detailed in Request No. 15); and,
- The proposal provided evidence of public outreach that conforms to the Act and the process prescribed by the SUNY Trustees for the purpose of soliciting and incorporating community input regarding the proposed charter school and its academic program (as detailed in Request No. 3).

As the Atmosphere Academy proposal met the eligibility criteria, the Institute's evaluation continued with a full review of the proposal, an interview of the founding team and proposed board of trustees, and requests for clarification and/or amendments to the proposal. The review process then continued with an evaluation of the proposal in relation to the 11 Preference Criteria contained in the RFP for which proposals can earn credit as described in the RFP's Scoring Rubric. The purpose of the Scoring Rubric is to prioritize proposals in the event that the number of proposals meeting the SUNY Trustees' requirements exceeds the maximum number of charters to be issued in 2014. In the event of a tie for the last charter, both proposals will be rejected unless one applicant agrees to withdraw his or her proposal for consideration in a subsequent RFP. The preference criteria, which in addition to eligibility criteria and the overall high standards established by the SUNY Trustees, includes the demonstration of the following in compliance with Education Law §§2852(9-a)(c)(i)-(viii):

- increasing student achievement and decreasing student achievement gaps in reading/language arts and mathematics;
- increasing high school graduation rates and focusing on serving specific high school student populations including, but not limited to, students at risk of not obtaining a high school diploma, re-enrolled high school drop-outs, and students with academic skills below grade level;
- focusing on the academic achievement of middle school students and preparing them for a successful transition to high school;
- utilizing high-quality assessments designed to measure a student's knowledge, understanding of, and ability to apply critical concepts through the use of a variety of item types and formats;
- increasing the acquisition, adoption, and use of local instructional improvement systems that provide teachers, principals, and administrators with the information and resources

they need to inform and improve their instructional practices, decision-making, and overall effectiveness;

- partnering with low performing public schools in the area to share best educational practices and innovations;
- demonstrating the management and leadership techniques necessary to overcome initial start-up problems to establish a thriving, financially viable charter school; and
- demonstrating the support of the school district in which the proposed charter school will be located and the intent to establish an ongoing relationship with such school district.

While the Institute received a total of 14 proposals in response to its January 2014 RFP, only seven have been recommended for approval. All of the seven proposals recommended for approval met the eligibility criteria and were therefore assigned a score using the rubric contained in the RFP. The proposal for Atmosphere Academy earned a score of 45.5 preference points out of a possible total of 64. Based on this score and the other information and findings set forth herein, the Institute is recommending that the SUNY Trustees approve the proposal to establish Atmosphere Academy Public Charter Schools, which would not exceed the statutory limit in Education Law §2852(9-a)(a).

Findings

Based on the comprehensive review of the proposal and interviews of the applicant and the education corporation's board of trustees, the Institute makes the following findings.

1. The charter school described in the proposal meets the requirements of Article 56 of the Education Law (as amended) and other applicable laws, rules, and regulations as reflected in (among other things):
 - the inclusion of appropriate policies and procedures for the provision of services and programs for students with disabilities and ELLs;
 - the required policies for addressing the issues related to student discipline, personnel matters and health services;
 - an admissions policy that complies with the Act, federal law and the U.S. Constitution;
 - the inclusion of the proposed by-laws for the operation of the education corporation's board of trustees; and
 - the inclusion of an analysis of the projected fiscal and programmatic impact of the school on surrounding public and private schools.
2. The applicant has demonstrated the ability to operate the school in an educationally and fiscally sound manner as reflected in (among other things):
 - the provision of an educational program that meets or exceeds the state performance standards;
 - the articulation of a culture of self-evaluation and accountability at both the administrative and board level;
 - the student achievement goals articulated by the applicant;

- an appropriate roster of educational personnel;
 - a sound mission statement;
 - a comprehensive assessment plan;
 - the provision of sound start-up, first-year, and five-year budget plans;
 - a plan to acquire comprehensive general liability insurance to include any vehicles, employees, and property;
 - evidence of adequate community support for, and interest in, the charter school sufficient to allow the school to reach its anticipated enrollment;
 - the inclusion of descriptions of programmatic and independent fiscal audits, with fiscal audits occurring at least, annually;
 - the inclusion of a school calendar and school day schedule that provide at least as much instruction time during the school year as required of other public schools; and
 - the inclusion of methods and strategies for serving students with disabilities in compliance with federal laws and regulations.
3. Granting the proposal is likely to: a) have a significant educational benefit to the students expected to attend the proposed charter school; b) improve student learning and achievement; and, c) materially further the purposes of the Act. This finding is reflected by (among other things):
- extended learning opportunities with 500 weekly minutes of ELA instruction and 400 weekly minutes of math instruction;
 - Instructional methods guided by the sheltered instruction observation protocols and gradual release of responsibilities to ensure that students receive challenging, differentiated instruction;
 - a strong commitment to serving the most at-risk students with multiple programs to address the needs of students at-risk of academic failure;
 - the inclusion of significant opportunities for professional development of the school’s instructional staff prior the start of each school year and throughout the year;
 - an organizational structure that provides ample instructional leadership; and,
 - a commitment to providing an educational program focused on outcomes, not inputs.
4. The proposed charter school would meet or exceed enrollment and retention targets, as prescribed by the SUNY Trustees, of students with disabilities, ELLs, and students who are eligible applicants for the FRPL program as required by Education Law §2852(9-a)(b)(i).
5. The applicant has conducted public outreach for the school, in conformity with a thorough and meaningful public review process prescribed by the SUNY Trustees, to solicit community input regarding the proposed charter school and to address comments received from the impacted community concerning the educational and programmatic needs of students in conformity with Education Law §2852(9-a)(b)(ii).
6. The Institute has determined that the proposal rigorously demonstrates the criteria and best satisfies the objectives contained within the RFP, and, therefore, is a “qualified application” within the meaning of Education Law §2852(9-a)(d) that should be submitted to the Board of Regents for approval.

Conclusion and Recommendations

Based on its review and findings, the Institute recommends that the SUNY Trustees approve the proposal to establish the Atmosphere Academy Public Charter Schools and approve its school Atmosphere Academy Public Charter School, in August 2015.

Atmosphere Academy Public Charter Schools

Basic Identification Information

Lead Applicant(s):	Colin Greene
Management Co.:	None
Other Partners:	None
Location (District):	New York City Community School District ("CSD") 10
Student Pop./Grades:	Opening with 120 students in 6 th grade; growing to 342 students 6 th – 8 th grades
Opening Date:	August 2015

New York City School District 10			
Enrollment:		54,285	
Percent:			
African-American:		18%	
Hispanic:		68%	
Asian, White, Other:		14%	
Students with Disabilities:		17%	
English Language Learners:		22%	
Free or Reduced Lunch:		76%	
English Language Arts (2012-13)		Mathematics (2012-13)	
Grade	Percent Proficient	Grade	Percent Proficient
3	18	3	21
4	18	4	25
5	17	5	18
6	14	6	17
7	15	7	13
8	15	8	15

Source: New York State Education Department 2012-13 Report Card.