

NEW YORK FLEX CHARTER SCHOOL PROSPECTUS

I. EXECUTIVE SUMMARY

Mission Statement

The mission of the New York Flex Charter School (New York Flex) is to offer a high quality charter school accountable for developing each student's full potential with highly collaborative educators and engaging, individualized learning; producing exemplary levels of student achievement, equipping every student with the foundation they need to graduate, and preparing them for any postsecondary opportunity they wish to pursue.

Key Design Elements of the Educational Program and Unique Characteristics

It is our goal that New York Flex will be a leading 21st century high school in New York City, as evidenced by graduation rates, individualized instruction for all students, and the demonstration of 21st century skills such as critical thinking, problem solving, and self direction.

New York Flex will be a full-time, five-days-a-week public charter high school combining the best of online education with traditional, onsite schooling to meet the needs of a spectrum of students who can benefit most from self-paced, differentiated, individualized instruction, whether they need more challenge or are behind in credits. The school will enroll students beginning with Grade 9 in 2011-12 and growing to a full complement of Grades 9-12 in 2014-15. We expect our charter school student population to represent the rich diversity of the New York City student population: numerous ethnicities, varying academic skills, and a range of economic backgrounds. We will demonstrate good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities, English Language Learners, and students who are eligible applicants for the free and reduced price lunch program when compared to Community School District 2 (CSD 2) (our preferred school facility location which is in lower Manhattan) or the district in which the school will be located if not CSD 2. We will give admission preference to students residing in CSD 2 (or the district in which the school will be located if not CSD 2), while recruiting diverse students citywide.

Instruction will be delivered by certified and highly qualified teachers aided by state-of-the-art interactive technology as needed—interactive whiteboards in classrooms providing teachers with ready-made digital lessons, activities and resources. Each student will have access to their own computer at school. Instruction will be a combination of whole class, small group and one-on-one—depending on the individual needs of the students. Students will also have time to work independently online and offline with teacher supervision and support as needed. Extracurricular activities and supplemental instruction will be available daily after school dismissal. The program is New York Learning Standards-, research-, and performance-based.

Benchmarks for measuring academic growth will be determined at the beginning of the school year. An Individualized Learning Plan (ILP) will be developed for each student, designed to organize and properly sequence the student's course work while helping articulate the student's academic strengths and weaknesses. Students' attainment of the standards will be assessed throughout the year. Teachers will extensively use assessment data for interventions and support. Students who are struggling will receive the attention they need from teachers. More advanced students can go faster, have additional assignments and projects, take more advanced classes, also receiving direct instruction from teachers.

In looking to secure an appropriate facility to house the charter school, New York Flex has analyzed property rental and utility rates across New York City, in particular in CSD 2, and has begun working with a reputable real estate advisor to ensure that lease and build-out costs do not exceed the budgeted amount. Several potential private facility sites have been identified which would be available for occupancy with appropriate renovations by the summer of 2011, prior to school opening in September 2011.

Proposed School Founding Group's Capacity to Effectively Oversee and Govern the School

The New York Flex lead applicant, Salvatore Vasi, is joined on the founding board/Board of Trustees (“Board”) by Michael Cohen, Victor Geraci, Roger Griffith, and Roberto Gutierrez. This group has the requisite capacities to effectively oversee the school’s operations and govern the school with great competence.

- **Salvatore Vasi**, private investor, brings his background in finance, accounting, and legal contracts to the Board. Raised and educated in New York and a long term resident, he has a deep interest in the education needs of children in this community. His volunteer work has included participating in programs for students with special needs.
- **Michael Cohen**, an expert real estate advisor and business leader in Manhattan, assists a wide range of national corporations to acquire their facilities. His experience extends to organizational leadership, business process, and fundraising. His community service has included being chairman of Housing and Services Inc. which provides permanent supportive housing with on-site services to prevent homelessness in New York City.
- **Victor Geraci**, attorney, member of the community and a business leader in Manhattan, brings extensive experience in organizational leadership, business process, and fundraising to the Board as well as knowledge of the law.
- **Roger Griffith**, Associate Conservator, The Museum of Modern Art (MOMA), and resident of Manhattan, brings teaching experience working with the MOMA high school program; extensive experience in the cultures and customs of many diverse countries; and nonprofit work experience (both business and service) to the New York Flex Board.
- **Roberto Gutierrez**, accomplished communications executive, brings his skills and experience in organizational leadership, brand management, and messaging to the New York Flex Board. He has worked for universities, foundations, and an education management company. Another vital asset he brings to the Board and school is that he is fully bilingual (Spanish and English).

It is the Board’s goal that its members will represent a broad diversity of expertise and interests including teachers, parents, community members and business leaders. The current Board members have track records which demonstrate successful performance in education, business, and commitment to New York City and New York State. Their intent is to recruit other trustees who share their commitment to New York Flex and have a variety of experience and talents including: secondary urban education and at-risk students; start up organizations; finance, especially school finance; law; facilities planning; community outreach; fundraising and partnerships; and communications, marketing, and public relations.

New York Flex Charter School plans to collaborate with K¹² Classroom LLC (“K¹²”). The Board members have chosen K¹² based on discussion and research into public schools using digital teaching resources, concluding that K¹² is the premier provider of curriculum, systems, and services. K¹² is a technology-based education company that provides curriculum and educational services for digital delivery to teachers and their students in grades K–12. K¹² has developed over 210 digital courses with over 21,000 lessons used by over 70,000 full-time public school students in twenty-six states and more than 30 countries in the 2009-2010 school year. K¹² will provide curriculum and instructional materials aligned to the New York Learning Standards, digital resource functionality, testing and assessment tools aligned to the New York State Testing Program, and teacher training. In addition, K¹² will provide other support and services if requested by the Board and the staff of the school. Such services may include assistance in budget planning, technology management assistance, human resources advisory support, and other tasks as specifically designated by the Board and staff of the school.

New York Flex Charter School will be governed by the Board of Trustees. In all cases, the Board of Trustees will be the final authority for all decision-making, including the hiring and firing of employees. The Board of the charter school shall employ and contract with necessary teachers, managing administrators and other school personnel. Administrative staff will manage and operate the school, handling all day-to-day academic, operational, and management issues.

II. STUDENT POPULATION

A. Student Enrollment

Anticipated Enrollment Table

	Year 1	Year 2	Year 3	Year 4	Year 5
Kindergarten					
1st					
2nd					
3rd					
4th					
5th					
6th					
7th					
8th					
9th	125	124	138	138	137
10th	0	125	137	138	138
11th	0	0	137	137	138
12th	0	0	0	137	137
Ungraded					

B. Target Populations

New York Flex Student Population

New York Flex will provide an engaging individualized education to students in grades nine through twelve from throughout New York City. As illustrated previously in the enrollment table, we plan to phase in our enrollment—starting with about 125 grade nine students in Year 1, 249 grades nine and ten students in year 2, 412 grades nine to eleven students in year 3, and growing to 550 grades nine to twelve students in year 4 and afterward. Our preferred school facility location is in lower Manhattan (Community School District 2 (CSD)). We will follow the requirements of the New York State Charter Schools Act and give admissions preference to students residing in CSD 2 (or the district in which the school will be located if not CSD 2). However, with a safe location in lower Manhattan and excellent subway and bus access, we believe that we will easily recruit diverse students from throughout the city. For the first time in many years, the economy has made certain areas, including lower Manhattan, affordable for schools.

We expect our charter school student population to represent the rich diversity of the New York City student population including numerous ethnicities. New York Flex welcomes the opportunity to serve all students – including those with disabilities, English Language Learners, and students who are eligible applicants for the Free and Reduced Price Lunch Program. We will demonstrate good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities, English Language Learners, and students who are eligible applicants for the free and reduced price lunch program when compared to Community School District 2 (CSD 2) (our preferred school facility location) or the district in which the school will be located if not CSD 2. Public messaging specific to New York Flex will include the school’s support for these students. Information about our services and supports will be distributed throughout the target communities in public meeting areas such as YMCAs and libraries.

Any student qualified under the laws of the state for admission to a public school is qualified for admission to New York Flex.

- We have projected a special needs population of 11% matching the proportion of special needs students enrolled in all New York City charter schools in the 2008-2009 school year.

- We estimate that 12% of our students will be English Language Learners equaling the proportion of ELL students in CSD 2 in 2008-2009. We expect the home language of the majority of our ELL students will be Spanish, mirroring both CSD 2 and New York City. To further conform to the requirements of Section 19 of Act 11310, we will make our application and enrollment forms and materials available in the languages predominantly spoken in New York City including Spanish and English.
- We have projected the New York Flex low income population at 63% equaling the proportion of CSD 2 students eligible for free and reduced price lunch in 2008-2009.

Schools in New York City have made progress over the last several years due to the school reform program, “Children First” which focuses on improving student achievement, but there is still a substantial challenge remaining—to serve “at-risk” students—especially at risk high school students. As cited in the 2008-2009 New York City Department of Education *Children First* report, almost 4 in 10 students still don’t earn a Regents Diploma in four years. Citywide, more than 3 in 10 students don’t meet or exceed the Math and English Language Arts New York State Learning Standards. African-American, Latino, and low income students continue to score, on average, several grade levels below their peers.

Based on the results of the 2008 Math and English Regents Exam, less than half of the students in 18 schools out of 59 in CSD 2, passed the Math Regents exam. Five of the state’s lowest performing schools in 2009-2010 were in CSD 2 and all are high schools. Each school made the lowest performing list because of low graduation rates. More than 70% of the students attending these schools qualified for free or reduced price lunches.

Citywide charter school trend data collected and reported by the Office of Charter Schools, NYCDOE (*New Public Schools in New York City: Creating New Schools for 2010 and 2011*) is a strong indication of the opportunity for New York Flex to serve at risk students:

- Roughly 70% of charter school students are eligible for Free or Reduced Price Lunch
- African-American and Latino students account for over 90% of charter school students

Plan for Attracting, Serving, and Retaining Students

In following sections of the Prospectus, we have described our plans for attracting, serving and retaining ELL students, Students with Disabilities, and students who are eligible applicants for the Free and Reduced Price Lunch Program. Including some of those students, we have estimated that about 35% of our student body, our “at risk” students, will require an intervention model to be included as part of a student’s Individual Learning Plan consisting primarily of teacher-directed and targeted web-based interventions which seek to identify and remediate gaps in skills and content (including study skills, habits, levels of engagement and motivation, etc.).

Identification and Web-Based Interventions for At-Risk Students

All New York Flex students will take the Scantron Performance Series test in the fall of each school year. The scaled score will identify those students at risk for not passing the New York Regents exams in English and mathematics and define the student’s current ability level. The Scantron Performance Series is given again in the Spring in order to ensure all students are making one year’s growth in one school year based on scaled score gain comparisons as well as being an individual growth measure. The Performance Series is a key aspect of the school’s goal to measure annual value-added gains.

Following up on the Performance Series, all students will take Scantron Achievement Series tests in math, reading, and science in order to assess each student’s mastery of New York grade appropriate standards. Those students who do not demonstrate mastery on the achievement test will attend intervention sessions specific to instruction and remediation of the deficient standard. The interventions will be targeted, synchronous, and teacher-led.

During intervention sessions with students the teacher reviews the “standard of the week” with the student, and then the student takes an online achievement test that checks mastery of the standard. As soon as the student has finished the 10 question assessment, the teacher receives the results on the teacher’s computer. Students who have not mastered the standard (less than 80% correct) will return for an intervention session the next day. Following the second intervention session, the student takes version two of the assessment that checks for mastery of the standard. If, again, the student achieves less than 80% mastery, additional instruction in another intervention session is provided. This process is repeated until the student demonstrates mastery of the standard.

To augment these lessons, Study Island will be integrated by the teacher and used for independent practice. Study Island is an online program aligned with the New York standards and is an effective test mastery program. Questions in Study Island are organized by subject and strands. Students answer a targeted number of questions which are scored electronically. Students are assigned a proficiency level to correlate with mastery of the standards and provide a prediction to success on the New York Regents exams. Study Island content is available in English, mathematics, science, global studies, and U.S. History.

For students who are struggling to master the standards in interventions, there will be other opportunities provided if necessary. Students may receive additional tutoring and interventions at school.

Meeting State and Federal Requirements for ELL Students

Equal Access

New York Flex Charter School welcomes the opportunity to serve all students – including English Language Learner students. We will demonstrate good faith efforts to attract and retain a comparable or greater enrollment of English Language Learner (ELL) students when compared to Community School District 2 (CSD 2) (our preferred school facility location) or the district in which the school will be located if not CSD 2. All public messaging specific to New York Flex will include the school’s defined support to English Language Learners. Information about these services and supports will be distributed throughout the target communities in public meeting areas such as YMCAs, libraries, and organizations that serve English Language Learners.

At no time will students suspected of being English Language Learners be discriminated against nor denied admission to NYFCS. Any student qualified to attend a New York City public school in the appropriate grade is eligible to attend New York Flex. We estimate that 12% of our students will be English Language Learners (majority of home language being Spanish) equaling the proportion of ELL students in CSD 2 in 2008-2009.

Admission/Support

When students initially enroll in New York Flex, their families will complete a Home Language Identification Survey (HLIS) in a language or format the parent or guardian best understands. This instrument helps to identify students that may be ELL and therefore require additional screening. Any student whose home language or first language is not English is then interviewed by New York Flex staff in English, or if necessary in their native language, to make an assessment of the student’s oral proficiency in English. Once this initial screening process is completed, New York Flex will conduct a formal assessment of any student who will require additional intervention by administering the Language Assessment Battery-Revised (LAB-R). Students performing below the designated cut-off on the LAB-R will be classified as ELL students. The parents of any student identified as ELL will receive information about the services and support to their student through a parent orientation.

New York Flex believes that language knowledge develops student efficiency and that student diversity is an invaluable asset to the community. We also believe that English Language Learners will benefit most by becoming an integral part of the School.

Full Access

New York Flex believes that the school community is only complete if all students and the student families have equal access to all curricular and extra - curricular activities. New York Flex's ESOL instructor will meet with the administration a minimum of quarterly and more often as necessary to review the extra curriculum and curricular offerings to ensure full access for all ELL students and families. All appropriate and necessary modifications to the curriculum and extra-curricular activities will be made to ensure equal access for all.

Assessment

Annually, ELL students will be assessed using the New York State English as a Second Language Achievement Test (NYSESLAT) as well as the NYS ELA Assessment to evaluate their English proficiency. The NYSESLAT will provide indicators of proficiency and determine when a student will exit from ELL services and supports.

Staff and Professional Development

New York Flex will employ a highly qualified teacher to work with and provide services/support to the ELL students as necessary. In addition to the certificated employee, all employees will receive professional development in meeting the needs of the ELL population. Professional development is more than a one-time lecture on best practices. New York Flex will focus on the on-going professional development that has application to the classroom and to the students in need. Professional development activities will center on language acquisition, cultural heritage, instructional methodology, techniques/support, effective communication with families, research in second language learning, bilingual educational theory and ESL methods for teaching in the content areas. The following will be invaluable to the NYFCS staff: *Regents Strategy for Raising Standards for Students with Limited English Proficiency*; *Twelve Action Steps to Assist LEP Students To Meet the English Language Arts Standards*; *Seven Essential Elements for Effective Programs for LEP Students*; and *The Teaching of Language Arts to Limited English Proficient/ English Language Learners: Learning Standards for English as a Second Language*.

Meeting State and Federal Requirements for Students with Disabilities

Students with disabilities will be served in accordance with federal and state regulations including Section 504 of the Rehabilitation Act of 1973 (and amendments thereto, at 29 USC Section 794 et seq. and its implementing regulations at 34 CFR Section 104), and the Individuals with Disabilities Educational Act ("IDEA" at 10 USC Section 14010 et seq. and its implementing regulations at 34 CFR section 300). A free and appropriate education will be provided to such students in accordance with their Individualized Education Programs (IEPs), as required by the IDEA and 504 plans as required by Section 504 of the Rehabilitation Act and the most recent Americans with Disabilities Amendment Act (ADAA).

As required, New York Flex will work to accommodate students with all disabilities, and will offer necessary accommodations by procuring the agreed-upon services to aid these students in navigating through their courses. All K¹² materials meet the requirements of the National Instructional Materials Accessibility Standards (NIMAS).

Equal Access for Students with Disabilities

New York Flex welcomes the opportunity to serve all students – including those with disabilities. We will demonstrate good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities when compared to Community School District 2 (CSD 2) (our preferred school facility location) or the district in which the school will be located if not CSD 2. All public messaging specific to New York Flex will include the school's support to students with disabilities, including related services. Information about these services and supports will be distributed throughout the target communities in public meeting areas such as YMCAs and libraries.

At no time will students with disabilities or those suspected of having a disability be discriminated against nor denied admission to New York Flex. Any student qualified to attend a New York City public school in the appropriate grade is eligible to attend New York Flex. We have projected a special needs population of 11% matching the proportion of special needs students enrolled in all New York City charter schools in the 2008-2009 school year.

Special Education Overview

New York Flex will educate students with disabilities in the least restrictive environment, with their non-disabled peers, to the extent appropriate and allowed by each student's Individualized Education Program (IEP) prepared by the Committee on Special Education (CSE) of the student's school district of residence and in compliance all applicable federal laws, including the Individuals with Disabilities Education Act (IDEA). All special education programs and services at the school shall be provided in accordance with Education Law § 2853(4) (a) and applicable federal laws and regulations and in accordance with the IEP recommended by the CSE of the student's school district of residence. New York Flex will use the NYCDOE Special Education Operating Procedures Manual as its guideline for compliance.

New York Flex will:

1. Educate our special education students in the least restrictive environment mandated as per the IEP
2. Provide a Special Education Teacher(s) qualified to support high school aged students with disabilities in New York City
3. Emphasize the use of student data in differentiating instruction so teachers may create multiple paths for students of different abilities and different needs while ensuring the accommodations and modifications in their IEPs are consistently used across classrooms and settings
4. Provide special education teacher(s) who will plan for additional interventions during the school day
5. Monitor effectiveness of various interventions on a weekly basis with a minimum of quarterly progress reports
6. Provide professional development for all teachers serving students with disabilities in order to guide their instruction to best serve this population
7. Create protocols that safeguard the privacy of students by protecting their IEPs as per § 408 law; and provide professional development for teachers to promote awareness and compliance with these protocols

Staffing

As required by the population of students we enroll, we will hire a highly qualified special education teacher(s) as well as a part time coordinator. The Principal will serve as the part time coordinator until the special education enrollment warrants filling that position with another staff member. The coordinator will coordinate and supervise the New York Flex special education program, ensuring compliance with all IEP requirements and regulations, managing the review and referral process, and ensuring provision of services as mandated on student IEPs.

All employees, including the part time coordinator, special education teacher(s) and general education subject specific teachers will provide data and information to the CSE for the students' IEPs as well attend all IEP meetings, if applicable. If the school is unable to directly provide services to the extent necessary, the school will contract with appropriately certified or licensed individuals to provide services under its direction.

Designated area/s will be allotted in the design of the school to allow for pull out services for needed therapies. The services may include, but are not limited to: speech language pathology, audiologist services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, early rehabilitation counseling, orientation and mobility services, diagnostic and/or

evaluative medical services and student and/or parent counseling. The school will always defer to the Committee on Special Education (CSE) to provide students with support services that are not available at the school or to place students where the best supports can be accessed. Special classes, separate schooling, or other removal of students with disabilities from the regular educational environment will occur only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily, in accordance with the IEP prepared by the CSE of the student's district of residence.

Equal Access

Students with disabilities will receive all notices concerning school-sponsored programs, activities and services when such notices are distributed to other students. Also, the school will ensure that the special education programs and services as indicated on each student's IEP will be provided directly to the student during normal school hours.

Communication

New York Flex strongly believes that open lines of communication lead to a successful academic career for all students. This is most important for students with disabilities and all team members must be committed to maintaining the necessary communication to ensure success. Communication is a circle that surrounds the student and includes, but isn't limited to: general education (subject specific) teachers, special education teachers, related service providers, case manager, CSE team and the parent/s. All members of the aforementioned team will receive a copy of the student's IEP developed by the CSE. Receipt of this documentation goes beyond a simple passing of paperwork. It is vital that all team members understand the detail defined in the document as well as to how that relates to their interaction with the student. The special education coordinator must ensure that all defined needs in the IEP are being met at the school and, using data to track success and if revisions are necessitated, work with the CSE to amend/revise the IEP. Open lines of communication begin at the IEP meeting held by the CSE but continue to daily communication between all team members as necessary. The general education teacher(s) and special education teacher(s) will attend all IEP meetings at the CSE. Substitute coverage at the school will be arranged. The special education coordinator will attend meetings at the request of the CSE or other team members. New York Flex believes that parents are an integral part of the circle of support surrounding the student. Progress toward IEP goals will be provided a minimum of quarterly but communication surrounding specific needs will be provided more frequently through phone calls and emails and are dependent on each student's individual needs. The special education coordinator will schedule time with each resident district's representative prior to the start of the school year to establish a communication plan that meets the needs of all parties.

Referral and Evaluations

Initial evaluations, re-evaluations, and revisions of IEPs, and the procedures relating thereto, are the responsibility of the local educational agency (LEA) – the district of a student's residence (*see* 34 CFR §§300.22, 300.312 and 300.340 *et al*). New York Flex will implement the IEP developed by the CSE of the student's district of residence for each student with a disability, and will cooperate with the student's district of residence to ensure that all services as recommended in that IEP are provided to the student.

If a student is thought to have a previously unidentified disability, this will become the focus of the student's case conference. The case conference team—consisting of an administrator, teachers, social worker, special education teacher and or coordinator—will convene to devise an appropriate plan of action based on established protocols. The case conference team will review the student's behavior and academic performance, interview teachers and consult with the student's parents and make recommendations. If there is no improvement in the student's academic or non-academic areas of concern, an official meeting will be called with the family and a referral may be developed. The referral is made in writing to the Chairperson of the CSE of the student's district of residence for an individual

evaluation and determination of eligibility for special education programs and services. Any professional staff member of the school can request a referral but it must go through the Principal, as per the NYCDOE's SOMP 2009. A copy of such referral along with the procedural safeguards notice described in 34 CFR §300.504 will be sent to the student's parents.

Confidentiality

All staff members will receive professional development throughout the school year on various topics specific to serving students with disabilities. One such topic will focus on the maintenance and confidentiality of the records of students with disabilities. All students with disabilities' files (including IEPs, evaluations, confidential psychological reports, etc.) will be maintained in a separate, locked filing cabinet at the school's main office. Only those with a "need to know" will be allowed access to these files. A sign in/sign out sheet will be maintained for each file. (See 34 CFR 300.610-627; 34 CFR Part 99)

Professional Development for Staff

New York Flex believes that professional development for all staff (including administrators and part time employees) is on-going and builds upon itself. A one-time presentation on a specific topic with no review, application to real life or continued growth is not, in itself, professional development. New York Flex will develop a professional development plan that ensures the on-going introduction of new material, review of learned materials, application of learned materials to "real life" situations, and data review of the effectiveness of learned materials. This professional development plan will consistently address the issues surrounding the effective service to students with disabilities. Topics to be addressed include, but are not limited to: the referral process, development of an IEP, implementation of an IEP, evaluation of progress toward IEP goals and objectives, reporting to parents and CSEs, confidentiality of student records and discipline of students with disabilities.

Outreach, Recruitment, and Admission/Enrollment Plan

Outreach

While we will recruit students to enroll only in Grade 9 in the 2011-2012 school year, we will inform potential students and their families of our plans to phase the other high school grades over four years so that, by the 2014-2015 school year we will be enrolling students in Grades 9 -12. All public messaging specific to New York Flex will include the school's support to students with disabilities, English Language Learners, and a range of economic backgrounds including related services. Information about these services and supports will be distributed throughout the target communities in public meeting areas such as YMCAs and libraries. The following section of the Prospectus describes in detail the great variety of ways we will make our new school known to students, parents, and the community in general.

Our founding board is made up of individuals with years of experience in the New York City community and many past and present associations with community organizations with which the school can network. Board members serve not only as a link between the school's staff and its constituents, but also as the school's ambassadors, advocates, and community representatives. The Board therefore oversees an effective public relations program to project an accurate and positive public image for the school. The Board works closely with the Principal to develop an effective public relations strategy to heighten awareness about the school's offerings, achievements, and contributions to the community. The strategy includes annual reports, timely and informative press releases, targeted communications initiatives with community and government leaders, and speeches by appropriate Board members to civic and community groups throughout the city.

Recruitment

New York Flex will use several means of recruitment for potential students and their families. It is a recruitment model which has been used successfully by charter schools in other states to attract diverse student bodies by using a variety of marketing techniques--matching the charter school program and applicants' educational and personal needs.

- New York Flex representatives will meet with community leaders, including those in minority and low income areas to recruit students as well as contacting community leaders electronically via a community leaders' list serve.
- Information sessions open to interested families and the general public will be held in communities throughout New York City and online. Information sessions will be advertised in various print and electronic media. During these sessions, prospective patrons have the opportunity to interact with the New York Flex curriculum, including lessons and materials, and have questions answered. Enrollment forms will be available online. The same format is followed during the online sessions.
- New York Flex may participate in organized grade-appropriate awareness activities such as flyers, posters, and sponsored events.
- New York Flex and its designated representatives may inform students and families about enrollment opportunities and other program information through a variety of media such as radio, TV, Internet, and out of home advertising (e.g., billboards).
- The school will establish a website and will use this as the primary mechanism to communicate with interested, prospective families.
- The school will establish a call center to provide information to prospective applicants.
- New York Flex staff may participate in television, radio and newspaper interviews as necessary.
- Enrollment applications for New York Flex will be available online as well as at the school facility.
- After initial enrollment is finalized, parents of students enrolled in New York Flex will be invited to one of several parent orientation sessions that will be conducted throughout the city or online. At the orientation session, parents will meet the administrative staff, teachers, and curriculum representatives. Sessions will be designed to inform parents about navigating the program, technical support, lesson delivery, effective communication, and school policies.
- New York Flex will distribute recruiting materials about the school's mission, curriculum, leadership, and the application process to public places such as libraries, YMCAs, youth centers, and community agencies.

Admission/Enrollment

The admissions process will ensure that all enrolling students and their families understand the mission and unique nature of New York Flex. Following charter approval, in the early spring of 2011 a series of open information sessions will be held throughout the City including CSD 2 or the district in which the school will be located if not CSD 2 and New York Flex will begin accepting applications for enrollment. The information sessions will be free, open to the public, and advertised in various print and electronic media. They will give interested families the chance to view the curriculum in action, closely inspect the books and materials, meet teachers and staff, and address any questions or concerns. New York Flex will maintain a school website and toll-free call center to answer families' questions.

In keeping with §2854(2)(b), any student qualified under the laws of the state for admission to a public school is qualified for admission to New York Flex. The school will enroll students from across the city in Grade 9 in the 2011-12 school year; Grades 9-10 in 2012-13; Grades 9-11 in 2013-2014 and Grades 9-12 in 2014-15 and beyond. New York Flex will be nonsectarian in its programs, admission policies, employment practices, and all other operations. The charter school will not discriminate against any student, employee or any other person on the basis of ethnicity, national origin, gender, or disability

or any other ground that would be unlawful if done by a school. Admission of students will not be limited on the basis of intellectual ability, measures of achievement or aptitude, athletic ability, disability, race, creed, gender, national origin, religion, or ancestry. New York Flex will demonstrate good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities, English Language Learners, and students who are eligible applicants for the Free and Reduced Price Lunch Program when compared to the enrollment figures for these students in Community School District 2 (CSD 2) (our preferred school facility location) or the district in which the school will be located if not CSD 2. New York Flex will accept transfer students during the school year if space is available at appropriate grade levels. The school's transfer policy will be to adhere to the transfer policy requirements established by the New York City Department of Education.

As required by Section 19 of the recently enacted New York State charter law (Act 11310) requires that, as of January 1, 2011, applications to a charter school in the State of New York shall be submitted on a uniform application to be created by the New York State Education Department (NYSED). We will use the new required common application when it is available.

New York Flex will enroll each eligible student who submits a timely application by the first day of April each year. After the enrollment period, if the number of applicants does not exceed the space available, families will be notified by New York Flex to confirm their intent to enroll their student(s) and complete the enrollment process in time to start school in the fall. They must submit all required documentation before enrollment is approved. Before school starts, families and enrolled students will be involved in a variety of introductions to the school, staff, and other families and students—by phone, web conference, and face-to-face meetings.

If the number of applications exceeds the capacity of the grade level or our facility at the end of the enrollment period, students will be accepted from among applicants by a random selection process, provided, however, that an enrollment will be provided to pupils returning to New York Flex in the second or any subsequent year of operation, students residing CSD 2 (or the district in which the school will be located if not CSD 2), and siblings of New York Flex students already enrolled in the charter school.

New York Flex will comply with the regulations to be established by the New York Commissioner of Education which will require:

- the random selection process to be performed in a transparent and equitable manner; and
- that the time and place of the random selection process be publicized in a manner consistent with the requirements of Section 104 of the Public Officers Law and be open to the public.

The random selection process will be blind to disabilities, testing, grades, etc. and will be held once each year. Only applications received at the location designated on the application form and by the application deadline will be eligible to participate in the random selection process. Completed enrollment packets for applicants selected in the random selection process must be received no later than the specified deadline. Those not responding by that deadline will be required to resubmit an application.

After the space allotted in each grade is filled in the order determined by the random selection process, the remaining applications in rank order will be placed on a waiting list. Any applications received after the application deadline will be added to the end of the waiting list after the random selection process in the order they were received. As students withdraw from or transfer out of New York Flex, that space will be given to the next eligible student on the list at that grade level.

III. SCHOOL DESIGN

Instructional Methods

While our student population will represent diverse demographics, New York Flex aims to serve students who can benefit most from individualized instruction--including students who have lost interest in school, want more challenge, want more electives, are behind in credits, want more technology access and resources, or want to be part of an innovative new school. The educational model is particularly

designed to meet the needs of this new generation of students, the “millennial generation” (born between the years of 1976-2000), who have come of age along with the Internet.

K¹² Classroom LLC, (“K¹²”) a subsidiary of K12 Inc., will be collaborating with us. K12 Inc. is an education company with a ten year history of providing outstanding curriculum and educational services to students in grades K-12. K¹² will provide most of the school’s curriculum. In the 2009-2010 school year, K¹² served almost 70,000 public school students through collaborations with public entities in twenty-five states and the District of Columbia. Since their inception in 2000, they have developed over 21,000 lessons of engaging curriculum—lessons, video, assessment, learning games, labs, textbooks, workbooks, and digital instructional resources that promote mastery of core concepts and skills for students of all ability levels. Their approach combines cognitive science with individualized learning and is well-suited for New York Flex. In addition to curriculum, the Board will specifically contract with K¹² for assessments, teacher training, and other support and services as requested by the Board and staff of the school. Consistent with law and best practice, the Board and staff will retain the final authority for all decision-making, management, and operations including curriculum and personnel issues.

New York Flex’s teachers will be leveraging a powerful set of instructional tools and resources through K¹²’s award winning curriculum, providing 21st century tools and materials to achieve 21st century learning objectives. Rather than spending precious instructional time searching for and collecting untested resources, our teachers will have a state of the art curriculum and tested instructional resources available to them at all times in their classroom. This access along with training will enable our teachers to differentiate instruction for all students, spending more time with those students who need more support.

This model of education is ideally adapted to the needs of high school students. With an incredible array of different level courses and electives, New York Flex has a specific pedagogical design to meet the needs of many types of learners and a supervisory model designed to meet both students’ developmental needs for support and, at the same time, their growing independence.

A brick and mortar school where certified teachers are onsite and the students are required to be present five days a week, New York Flex will meet or exceed the annual minimum instruction time required of New York public schools (minimum of 180 days and five and a half hours per day for grades 9-12, excluding lunch). Instruction is delivered by certified and highly qualified teachers aided by state-of-the-art interactive technology as needed—interactive whiteboards in classrooms providing teachers with ready-made digital lessons, activities and resources. Instruction will be a combination of whole class, small group and one-on-one—depending on the individual needs of the students. The program is New York Learning Standards-research-, and performance-based.

The New York Flex students, teachers and paraprofessionals will use the Learning Management System (“LMS”) developed by K¹². The LMS is an innovative and powerful learning management system which will host the digital curriculum materials and resources—currently more than 21,000 interactive, engaging, and comprehensive lessons in multimedia and text format covering the core subjects (Math, English, History, and Science) as well as Art, Music, five world language courses including Advanced Placement (“AP”) courses (French, German, Latin, Chinese and Spanish), a full array of other AP courses (e.g., AP math, AP English, AP science, AP history, etc.), psychology, economics and many technology electives (e.g., video game design, immersive technology design, etc.) for high school students.

A key part of the New York Flex education program will be the Individualized Learning Plan (ILP). An Individualized Learning Plan will be developed for each high school student, mapping out multi-year personalized learning strategies for each student. The ILP is designed to organize and properly sequence the high school student’s course work while helping articulate the student’s academic strengths and weaknesses. It includes academic objectives, specifically post-high school goals. The development of the ILP is a collaborative team process involving all parties—the high school student, parent, teachers, guidance counselor, and advisor.

Teacher resources on the LMS also include digital lesson, unit and semester assessments; planning tools for teachers and students; a teacher tool to track student progress and time-on-task; hands-

on activities; ideas for alternative learning approaches; and optional and supplemental lessons and activities.

Educational Philosophy

An educated person in the 21st century is one who not only has a solid understanding of and facility with fundamental concepts from the core academic subjects, but also has the ability to think critically about the issues we face as part of a global community in the age of information and technology. New York Flex will equip their students to be well-educated 21st century citizens.

We believe that a comprehensive and rigorous curriculum, high expectations, strong instructional support, guidance from experienced teachers, strong commitment from parents (or other caring adults), and access to technology (computer, Internet and digital interactive curriculum) will boost student achievement, serve the unique needs of students and families, and offer a powerful model for effective public education in the 21st century.

Our approach to education assumes that students learn best when information is presented through a variety of learning styles. Thus, each teacher lesson and digital resource contains content that is presented through the following modalities; visual, auditory and kinesthetic. In addition, teachers are available to assist students with supplementary materials or recommended approaches should the student have difficulty understanding the content of a lesson. Teachers will also provide direct instruction in all subject areas indicated as needed by teacher assessments, embedded assessments or other performance assessments.

Our use of differentiated instruction and extensive use of assessment data for interventions and support is informed and guided by extensive research, including, among others: DuFour, R., Eaker, R. & Dufour, R. *On Common Ground* (2005); Goodlad, J.I., *A Place Called School* (1984); Marzano, R.J., *Classroom Instruction that Works* (2001); Ouchi, W.G., *Making Schools Work* (2003); and Sizer, T., *Horace's Compromise* (1985).

The digital resources provide teachers with powerful data that is valid and reliable from embedded daily, unit, benchmark and semester assessments created by experts. Teachers meet weekly to use this data to plan their classes, collaboratively figuring out which students and standards to focus on, and planning the following week of class groupings and content.

And, these resources enable students who are struggling the most to get the most time with teachers while more advanced students can go faster, have additional assignments and projects, or take more advanced classes.

Accomplishing the Eligibility Requirements Found in Education Law Section 2852(9)(a)

a. Increase student achievement and decrease student achievement gaps in reading/language arts and mathematics;

K¹² provides a curriculum which is based on more than fifty years of cognitive science research in the following areas:

- how students learn
- the structure of expert knowledge in school subject areas
- general instructional design principles, including research-based e-learning methods
- and methods for teaching specific topics and addressing possible misconceptions on those topics

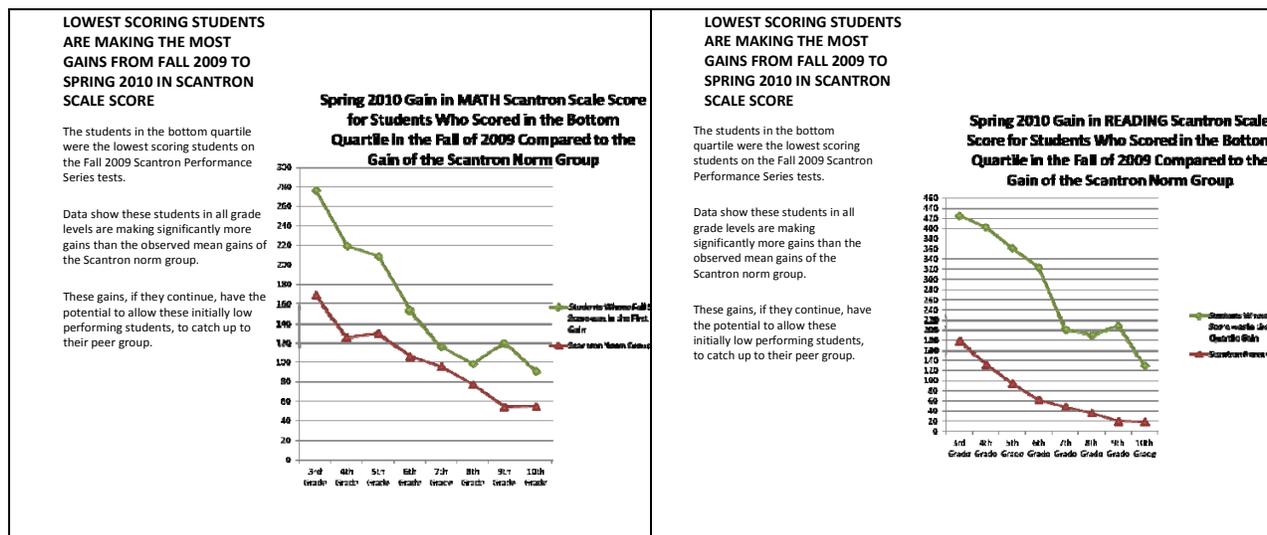
Much of this research has not yet been implemented effectively in education despite the fact that key findings were summarized by Jerome Bruner (1960) almost 60 years ago and updated summaries have been published by John Bruer (1993) and many others over the last few decades. To insure that they draw on methods shown by scientific research to be effective in improving learning, K¹² has dedicated an Evaluation and Research team to reviewing and synthesizing cognitive science research and working with course development teams to implement it. The Evaluation and Research team, which is guided by Ph.

D.-level cognitive science researchers and statisticians, also conducts original research on new teaching methods and tools in addition to studies of the effectiveness of their curricula.

Design of the reading program is consistent with key findings of the National Reading Panel (2000). K¹²'s math program builds on extensive research on the effectiveness of standards-based curriculum and instruction, and particularly research on teaching low-achieving students to high standards. In this respect, the design of their math curriculum is consistent with recommendations of TIMSS researchers (e.g., Schmidt, 2004), the National Math Panel (2008) and findings presented in Improving Student Achievement in Mathematics: Part 1: Research Findings (EDO-SE-00-10, 2002).

In addition to the K¹² curriculum and instruction research, and as described previously in Section II of the Prospectus, we will be identifying and providing interventions for our “at risk” students utilizing the Scantron Performance and Achievement Series tests and Study Island.

As an indication of the value-added benefits of the K¹² curriculum and their instructional model that we anticipate to experience, these graphs present 2009-2010 data showing that the lowest-scoring students studying with K¹² curriculum and receiving the interventions which we propose to implement at New York Flex (see Section II of the Prospectus) are making significantly higher gains in reading and math than a national norm group who are not studying with K¹² curriculum and not receiving those interventions.



By collaborating with K¹², New York Flex also expects to increase student achievement and decrease student achievement gaps in reading/language arts and mathematics by applying components of hybrid instructional models they developed for schools such as the Chicago Virtual Charter School, where students attend school onsite part of the week and complete their instruction with their teachers online from home or another location for the remainder of the week. This blended school was founded in 2006, with strong support from the then-head of Chicago Public Schools, Arne Duncan (now the U.S. Secretary of Education). A recent review of Chicago’s varied public charter schools, conducted by *Chicago Magazine*, called CVCS a “standout” for its strong programs and success. Chicago Virtual Charter School has outperformed the Chicago Public School System in reading, math, and science by up to 16 percentage points. CVCS has successfully met the Annual Yearly Progress goals of No Child Left Behind legislation every year since 2007. The school was one of 147 state public schools to receive an Illinois Honor Award for achieving significant gains in academic performance in 2009.

- b. Increase high school graduation rates and focus on serving at-risk high school student populations (including re-enrolled drop-outs and those below grade level);**

New York Flex will offer grades 9 through 12 courses which meet the New York and New York Flex graduation requirements in each of the eleven subject areas: English Language Arts; Social Studies; Science; Mathematics; The Arts (Visual Art, Music, Dance and/or Theater); Languages Other Than English (LOTE); Technology Education; Health; Physical Education; Family and Consumer Sciences; and Career Development and Occupational Studies (CDOS). These courses are aligned to the New York State Learning Standards, Key Ideas, and Performance Indicators to ensure that New York Flex students will meet or exceed New York State’s performance standards.

With appropriate staffing, New York Flex will be able to offer more than 130 K¹² high school courses designed to help students earn their high school diploma and find their own path to post-high school success—whether that’s in college or in the workforce. K¹² offers high school Math, English, Science, and History courses in multiple levels—Core, Comprehensive, Honors, and Advanced Placement— plus remediation and credit recovery courses to meet the needs of diverse learners. Students can also take up to four years of a world language (depending on the language), and choose from a variety of electives, Anthropology; Web Design and numerous other Technology and Computer Science electives; Entrepreneurship, and Green Design & Technology. Unlike other programs, where a student must be in a particular “academic path”, the K¹² program allows students to chart their own course, choosing from among the four levels of courses to match their aptitude and goals. So, if a student excels in Math and Science, they may take all Honors/AP courses in those subjects, while choosing from among the Core and Comprehensive English and History courses. These multiple course levels prevent students from being “locked in” to one level of a particular subject, and account for natural progress and growth. New York Flex will award three types of diplomas: Regents Diploma, Advanced Regents Diploma, and IEP (only for students who cannot, due the severity of the disabilities, achieve a regular diploma).

In addition to the interventions for identified “at risk” students described previously, K¹² has also developed a hybrid instructional model, high school dropout intervention program, which could inform the instruction of those New York Flex students who are at risk of dropping out before graduation. Called “K¹² Passport,” it contains all the flexibility and individualized instruction of New York Flex, while it provides the structure and social development support necessary to build and sustain academic progress with at risk students and seeds the habits and mindset of daily life in college and the workforce. K¹² Passport focuses on true college readiness rather than simple college eligibility, since today’s graduates must be ready to succeed at, not just enroll in, higher education. In June 2010, sixty students graduated from Chicago’s first and only such program. Ninety-two percent of the eligible students in this program graduated and, even more importantly, 94% of them said they needed *more* schooling to be successful – a profound testimony in favor of education from students who had previously opted to drop out of school.

c. Focus on academic achievement of middle school student populations and preparation for transition to high school (if applicable);

This requirement is not applicable to New York Flex Charter School which is a high school.

d. Utilize a variety of high-quality assessments to measure understanding and critical application of concepts;

New York State Tests

To assess our students’ mastery of the New York State Learning Standards, New York Flex Charter School students will be required to participate in all required statewide assessments for high school students as appropriate, including the Regents Examination, Advanced Regents Examination, and Regents Competency Tests. New students who speak languages other than English at home take the Language Assessment Battery (LAB-R) test within ten days of starting school to assess their English language skills. Students who receive English as a second language assistance take the New York State English as a Second Language Achievement Test (NYSESLAT) every year to determine how well they are learning English. Students who are unable to understand the math, science, and social studies State tests in English

may take versions translated into Chinese (traditional), Haitian Creole, Korean, Russian, or Spanish. When tests are not available in the student's native language, the test may be translated orally to the student. English Language Learners who have been in the United States for less than one year are not required to take the New York State ELA test in their grade, but must start taking ELA tests after their first year.

Curriculum Assessments

K¹² curriculum assessments are embedded into the curriculum. As extensive research shows, good feedback and assessment are critical to efficient and successful learning. Because K¹² is committed to student learning, assessment is an integral part of the curriculum. Assessments help the parent, teacher, and student to see that the student is achieving important learning objectives. Assessments show growth and progress, as well as any specific standards that might need remediation. The assessments also help K¹² to improve the program by providing information on the effectiveness of specific instructional activities and the curriculum overall.

The K¹² program makes use of a variety of formative and summative assessment instruments:

- K¹² Lesson Assessments are used to verify mastery of the objectives for that lesson, and to determine whether a review of some, or all, of the lesson is advisable.
- K¹² Unit Assessments show whether or not the student has retained key learning objectives for the unit, and identify specific objectives students may need to review before moving on.
- K¹² Semester Assessments verify student mastery of key learning objectives for the semester.
- Scantron *Performance Series* tests in reading and math are administered each fall and spring to measure growth within each academic year, and to identify students who may need additional instruction before taking the state assessment.
- Scantron *Achievement Series* will be utilized throughout the year to assure each student has mastered each state standard. Each test focuses on a key subset of relevant state standards. Achievement Series assessments will be used to identify gaps in learning, adjust instruction, and most importantly measure yearly academic growth.

K¹² ensures the validity of its formative assessments by employing a process that results in assessments that explicitly reflect and measure course objectives. The starting point for K¹² course development is clearly-stated behavioral learning objectives, which are designed to capture varying depths of knowledge, e. g., recall of factual information, deep understanding of concepts, strategic application of concepts and skills, and metacognitive knowledge. After course objectives are finalized, assessment items are written to capture the depth and breadth of each objective. Instructional activities are built directly from the objectives and related assessment items, ensuring coherent alignment of objectives, instruction, and assessment.

K¹² assessments employ a variety of formats, allowing students to demonstrate what they have learned in a variety of ways. Some assessment items are presented, answered and computer scored, and others are short or extended constructed responses that are evaluated by the teacher. Item types include multiple choice, matching, short answer, and constructed response items. Multiple choice, matching, and short answer items are most frequently used to assess recall of factual information and understanding of concepts, although some have been designed to address higher knowledge levels. Extended response items are generally used to assess strategic application of concepts and skills, and metacognitive knowledge.

K¹² has chosen to use the Scantron suite of tests for some of its assessments.

- *Performance Series*: In the fall these tests are used for prediction of intervention needs, as a basis for measuring growth, and as an initial formative assessment to identify areas of weakness. The tests in the spring are used to analyze growth, and to continue the identification of areas of weakness.

- This series of assessments is widely regarded as a valid and reliable measure of student performance. Scantron offers an extensive technical report that describes the analyses and procedures used to demonstrate validity and reliability. Some key points from that technical report are:
 - Reliability is expressed through the standard error of measurement, and Scantron’s goal is a standard error of measurement of less than 0.30 logits for each test taker (equivalent to a .91 Chronback’s alpha).
 - Scantron examines content validity through item and sampling validity. Scantron ensured item validity by creating objectives that represent the content in state and national standards documents, having trained writers develop items directly assessing those objectives, and employing a rigorous review process. Scantron ensured sampling validity by employing an item selection algorithm that requires test takers see items from all of the sub-content areas that make up each domain. Lastly, Scantron examined the correlation of test takers’ scores between the subcontent areas in each domain, and those correlation coefficients are generally .65 or greater.
 - *Achievement series*: These tests cover a very narrow range of content and are used for diagnostic purposes. Achievement series assessments are developed on the New York Learning Standards. Each assessment will address a set of strands within standards. Results from these assessments are used to provide additional remediation for individual students based on their area of weakness within that specific assessment.

e. Increase implementation of local instructional improvement systems to assess and inform instructional practice, decision-making, and effectiveness;

By determining a benchmark for measuring growth at the beginning of the school year; then developing an individualized learning plan for each student; continually assessing students’ attainment of the standards throughout the course of the school year; and assessing student performance at the end of the school year—schools can continually measure the “effect” of their educational program—including the effective use of technology--on students. New York Flex will measure the growth in student achievement in this way. Schools across the country using the K¹² curriculum have measured the effect of the K¹² education program in this way. Using the Scantron Performance Series in mathematics, reading and science, these schools can measure the gains in achievement of their students from fall to spring and compare those gains, as well, to the gains of the Scantron norm group, a national norm group that reflects national ethnic and income diversity.

Upon delegation by the Board, the Principal will have the instructional leadership role in New York Flex and will report directly to the Board in that role. The Principal will bear chief responsibility for implementing the school’s education program; attaining the school’s objectives for high student achievement; managing, evaluating, making recommendations regarding promoting and releasing school personnel; creating a school culture that is disciplined, orderly, and conducive to learning; and nurturing a strong relationship among the School, the parents, and the community. The Principal will lead the Student Achievement Improvement Plan (SAIP) process.

SAIP is a team planning process in which teachers and administrators work together to come up with an instructional plan to improve student achievement in the school. The SAIP process is continuous—the committee will monitor student achievement at least quarterly, or more often if new information becomes available. Teachers and administrators will both be decision-makers in the SAIP process, which should result in a highly productive and respectful relationship. The SAIP process is a multi-stage planning process which will take into consideration data collected about the success the school is having in reaching its academic and nonacademic goals as stated in measurable terms in this charter application. The impact of teachers on student performance has been well documented nationally.

In addition to the SAIP process, the school will also evaluate the performance of both teachers and administrators and their impact on student results.

Highly qualified administrators will also be critical to the success of New York Flex. The school will set high standards for hiring administrators and will set equally high standards for evaluating their performance on the job. After hiring instructional leaders who have the required experience and education, New York Flex will provide them with an online performance review to be done in cooperation with their immediate supervisor, in the case of the Principal that would be the Board. This self-evaluation will be conducted as frequently as the administrator desires, but at least annually. Administrators will do a self-evaluation of their job performance with feedback provided by their immediate supervisor. This performance review will evaluate the performance of the Principal and other school administrators in terms of how well and to what extent they meet the standards, specifically:

- The administrator has knowledge and skills to think and plan strategically, creating an organizational vision around personalized student success.
- The administrator is grounded in standards-based systems theory and design and is able to transfer knowledge to his/her job as an architect of standards-based reform in the school.
- The leader knows how to access and use appropriate data to inform decision-making at all levels of the system.
- The leader creates a culture of teaching and learning with an emphasis on learning.
- The leader manages resources for effective results.
- The leader collaborates, communicates, engages, and empowers others inside and outside of the organization to pursue excellence in learning.
- The leader operates in a fair and equitable manner with personal and professional integrity.
- The leader advocates for children and public education in the larger political, social, economic, legal, and cultural context.
- The leader supports professional growth of self and others through practice and inquiry.

f. Partner with low-performing, local public schools to share best practices;

New York Flex will develop partnerships with local public schools, including low-performing schools, to share best practices in the following ways:

- The Principal will participate in local educational organizations where sharing of resources and best practices are a major focus.
- New York Flex will hold a community open house twice each year where educators and community members can learn about the best practices developed by New York Flex.
- New York Flex will invite neighboring low-performing schools to collaborate on professional development opportunities for teachers. These opportunities could include partnerships with higher education institutions to sponsor recertification credits onsite, or guest speakers addressing timely topics such as the effective use of technology in the classroom, dropout prevention programs, etc.
- To support the student population we serve, New York Flex staff will participate as appropriate with local public school staff in professional development provided or sponsored by the New York City Department of Education.

g. Demonstrate the ability to overcome start-up challenges to open a successful school through management and leadership techniques;

The capacities of the Board (as described in the Executive Summary) combined with the competencies of highly qualified administrators whom the board will employ will overcome start-up challenges to open a successful school. K¹²'s extensive experience as the leading online curriculum provider in the U.S. with over 2 million courses delivered over the past decade as well as their

collaboration to help schools during start up in 26 states plus starting their own International Academy will be invaluable to New York Flex. As mentioned previously, K¹² will provide curriculum and instructional materials aligned to the New York Learning Standards, digital resource functionality, testing and assessment tools aligned to the New York State Testing Program, and teacher training. In addition, K¹² will provide other support and services if requested by the Board and the staff of the school. Such services may include assistance in budget planning, technology assistance, human resources advisory support, and other tasks as specifically designated by the Board and staff of the school.

h. Demonstrate the support of the school district and the intent to establish an ongoing relationship with such district;

Our preferred school facility location is in Community School District 2 (CSD 2) in New York City which is in lower Manhattan. We have attended a Community Education Council District 2 meeting and will be attending future meetings of the Council to continue to develop an ongoing relationship with the district, inform the community about the school, and respond to community issues.

As stated in the Executive Summary of the Prospectus, we will give admission to students residing in CSD 2 (or the district in which the school will be located if not CSD 2), while recruiting diverse students citywide. We have been encouraged by the New York City Department of Education to continue to develop plans for New York Flex. We look forward to a growing collaboration with the New York City Department of Education. Particularly, we anticipate many opportunities to share best practices in the effective application of hybrid school designs in New York City. We are taking steps to secure a formal expression of support for the school from New York City which would be included in our full charter application. More than 125 parents/guardians of New York City students eligible to enroll in New York Flex have signed a petition of support for New York Flex.

We have received several letters from individuals affiliated with community-based organizations and local businesses in New York City (specifically Manhattan) who are community leaders and respected professionals who endorse the establishment of New York Flex. The support in the community for our school continues to grow as we meet with more and more community groups as evidenced by letters of community support which we continue to receive.

i. Provide access to viable education alternatives to students in regions where there are a lack of alternatives.

Only students in select locations across the country have access to schools with a powerful hybrid model proposed by New York Flex—combining the best of online education with traditional, onsite schooling. New York Flex will fully integrate curriculum, assessment, and teacher professional development providing a charter school education alternative that is not currently available in New York City. The school will greatly benefit from K¹²'s years of experience as the leading online curriculum provider in the U.S. with over 2 million courses delivered over the past decade. Importantly, K¹² also has years of experience collaborating with hybrid schools in several states to meet student, teacher, and administrator needs. Versions of hybrid models—combining online education with traditional onsite schooling—are currently being piloted in New York City (e.g., iZone and School of One). New York Flex is well-aligned with New York City's approach in these pilots. In fact, K¹² participated as a curriculum provider in the iZone pilot in 2009-2010, providing the K¹² powerspeak¹² World Language, Advanced Placement, Career Planning and Computer Literacy curricula.