

**FULL APPLICATION
SUBMITTED IN RESPONSE TO THE
2011 NEW YORK STATE EDUCATION DEPARTMENT
REQUEST FOR PROPOSALS
TO ESTABLISH CHARTER SCHOOLS
AUTHORIZED BY THE BOARD OF REGENTS**

FOR

NEW YORK FLEX CHARTER SCHOOL

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**Proposed School Location: New York City
Community School District (CSD) 2**

**Grade Levels to be Served by the End of Five Years: Grades 9-12
Grade Levels to be Served When School is Fully Developed: Grades 9-12**

**Total Projected Maximum Enrollment by the End of Five Years: 550
Total Projected Maximum Enrollment When School is Fully Developed: 550**

March 31, 2011

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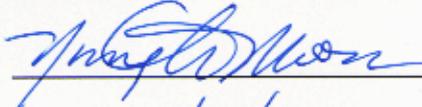
2011 NYSED Charter School Application Statement of Assurances

We intend to apply for a Charter School Planning and Implementation Grant (CSP). We understand that if the New York Flex Charter School application is approved by the NYS Board of Regents and issued a charter, the school is qualified to receive a federal CSP grant, pending available funding and final approval of budget materials by the NYSED Charter School Office and the New York State Comptroller. We agree to complete all required budget information and assurances (Exhibit A) according to forthcoming instructions and a revised timeframe to be issued by NYSED.

In accordance with New York Education Law Section 2851(2)(t), in the case of the closure or dissolution of the New York Flex Charter School, we agree to abide by and implement the forthcoming Closing Procedures for New York State Charter Schools Authorized by the Board of Regents to be issued by NYSED.

We understand that if we intend to request waivers from a federal, state, or local regulation or rule that is generally applicable to public schools that we believe are necessary for the successful operation of the charter school, we propose be waived, or otherwise not apply to the charter school, we will include such requests along with justification where appropriate in the application narrative.

I attest that all information included in this New York State Education Department 2011 Charter School Application for the proposed New York Flex Charter School is accurate and correct.

 Signature of Lead Applicant
3/28/2011 Date

Phase III: Full Application

I. EDUCATION PLAN

The Education Plan should define what students will achieve; how they will achieve it; and how the school will evaluate student performance. It should provide a clear picture of the educational climate, structure, assessment, and outcomes.

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 classroom educators and engaging, individualized learning which includes the use of state-of-the-art digital learning tools, resources and curriculum; 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.

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 broad 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 2012-13 and growing to a full complement of Grades 9-12 in 2015-16. 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 the ability to utilize ready-made digital lessons, activities and resources. Each student will have access to her/his own computer at school to access digital curriculum and resources. NY Flex's longer school day than the "typical" public school will provide Flex students with ample time to complete their assignments while at school. Recognizing that there may be a "digital divide" in some homes, students will not need access to a computer or the Internet at home. We expect students to be able to complete all of their work at school. If they need to do homework, test prep, etc. after the normal school day, the school will suggest to students that there are several ways for students to accomplish that:

- Students may download and/or print assignments, materials, etc. while at school and take these home with them to study;
- There are two hours of after school study time scheduled four days/week to give students the opportunity to use their school computer and Internet for homework and other assignments;
- Students may use free computer and Internet connection in community-based facilities (e.g., libraries) to access the Online School
- If none of these solutions work, NY Flex will work with individual students to serve their individual needs.

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 will have the ability to move more rapidly, have additional assignments and projects, take more advanced classes, while receiving direct instruction from teachers.

To achieve its mission, New York Flex has set the following goals with associated standards:

Standard 1: High Academic Attainment and Improvement

Students' academic performance will meet or exceed local, state, and national standards.

High School and Post-Secondary Success Goals

- Each year, the school will earn a score sufficient to place it in the 75th percentile of all schools on the citywide Progress Report.
 - Each year, the school will earn a score sufficient to place it in the 75th percentile of all high schools in credit accumulation as measured by the citywide Progress Report.
 - Each year, 75% of students enrolled in grades 9-12 will accumulate 10 or more credits towards graduation.
 - By the end of year 4 of the charter, 75 percent of the first cohort* will have scored at least 65 on the New York State Regents examinations in ELA.
 - By the end of year 4 in the charter, 75 percent of the first cohort* will have scored at least 65 on a New York State Regents examination in Math.
 - Each year, the average performance of students in the 10th grade will exceed the state average on the PSAT tests in Critical Reading and Mathematics. It is expected that the participation rate for this test will be 75% or greater.
 - Each year, the average performance of students in the 12th grade will exceed the state average on the SAT or ACT tests in reading and mathematics. It is expected that the participation rate for this test will be 75% or greater.
 - Each year, the school will demonstrate the preparation of its students for post-secondary success through at least one measure of its own design. Such measures might be based on: Performance on AP, IB, or SAT II exams; 100% of students enrolled in an AP course will take the AP test and 50% of those students will attain a score of 3 or higher; Attainment of Honors Regents Diploma; 25% of students who graduate within 5 years will graduate with an Advanced Regents Diploma
- *Note: cohort is defined as the group of students entering grade 9 on or before BEDS day in the same year at any school, regardless of when the student enters the charter school.***

Comparative Performance

- Each year, the school will earn a score sufficient to place it in the 75th percentile of all schools on the citywide Progress Report.
- Each year, the percent of students in the high school accountability cohort passing an English Regents exam with a score of 65 or above by the end of their fourth year will exceed that of the students in the high school accountability cohort* from a group of similar schools.

- Each year, the percent of students in the high school accountability cohort passing a Math Regents exam with a score of 65 or above by the end of their fourth year will exceed that of the students in the high school accountability cohort* from a group of similar schools.

Graduation Rates

- Each year, at least 75% of each student cohort* (as defined by the New York State Education Department) graduates within five years.
- Each year, the school will earn a score sufficient to place it in the 75th percentile of all schools on the citywide Progress Report.

AYP Status

- Each year, the school will be deemed “In Good Standing.”

Alternative/Internal Assessment Indicators

- Each year AYP will be met in the aggregate (and in all subgroups for) in all tested areas.
- Each year the school will develop a system of evaluation to drive its performance on the standards beyond, City, State and national requirements

School Specific Indicators

- Each year, the School will develop a system of evaluation to drive its performance on the standards beyond, City, State and national requirements

Standard 2: Responsive Educational Program and Environment

A quality educational program enables all students to achieve academically and socially.

Student Engagement

- Each year, the school will have an average daily student attendance rate of at least 95 percent.
- Each year, 95 percent of all students enrolled during the course of the year return the following September.

Adherence to Contract Terms

- Each year, the school will comply with all applicable laws, rules, regulations and contract terms including, but not limited to, the New York Charter Schools Act, the New York Freedom of Information Law, the New York State Open Meetings Law, the federal Individuals with Disabilities Education Act, and federal Family Educational Rights and Privacy Act.
- Each year, The School’s rigorous academics, and 21st Century instructional resources will prepare students for success in the global workforce.

Standard 3: Responsible School Leadership, Governance, and Management

Expectation: Leadership furthers the School’s mission, program, and goals and is strategic to ensure adequacy, alignment, and coherence of actions.

- The School’s leadership will exhibit exceptional educational and management expertise. The leadership will provide the opportunity for continuous progress in strengthening a professional environment for quality teaching and learning. Board membership will contribute a broad skill set. The School will employ processes for continuous improvement leading to positive enhancements in the School’s education program over time.
- The Board will complete a yearly evaluation of the Principal and the Principal will complete evaluations of the members of the Leadership Team that will include an evaluation of how each of them has acted to further the school’s mission, program and goals during the year.

- Each year, at least 75 per cent of teachers will have completed at least 90 per cent of the activities in the school organized professional development program

Standard 4: Financial Sustainability and Internal Controls

Expectation: The School is a well-run organization and capable of achieving long-term success.

Enrollment Stability

Each year, student enrollment will be within 15% of full enrollment as defined in the school's contract. This will be measured each year by an analysis of student enrollment figures in ATS.

Financial Compliance

Upon completion of the school's first year of operation and every year thereafter, the school will undergo an independent financial audit that will result in an unqualified opinion and no major findings.

Financial Viability

Each year, the school will operate on a balanced budget and maintain a stable cash flow.

Standard 5: Strong Culture and Supportive Relationships

Expectation: There is a high level of social trust and support among community members that supports a culture of excellence.

Parent Satisfaction

Each year, parents will express satisfaction with the school's program, based on the NYCDOE Learning Environment Survey in which the school will receive scores of 7.5 or higher in each of the four survey domains: Academic Expectations, Communication, Engagement, and Safety and Respect. The school will only have met this goal if 50% or more parents participate in the survey.

Staff Satisfaction

Each year, teachers will express satisfaction with school leadership and professional development opportunities as determined by the teacher section of the NYCDOE Learning Environment Survey in which the school will receive scores of 7.5 or higher in each of the four survey domains: Academic Expectations, Communication, Engagement, and Safety and Respect. The school will only have met this goal if 50% or more teachers participate in the survey.

Student Satisfaction

Each year, students will express satisfaction with the school as determined by the teacher section of the NYCDOE Learning Environment Survey in which the school will receive scores of 7.5 or higher in each of the four survey domains: Academic Expectations, Communication, Engagement, and Safety and Respect. The school will only have met this goal if 50% or more of students enrolled participate in the survey.

A. Curriculum and Instruction

Applicant Instructions: Provide a description of the curriculum to be used by the school, including sample promotion or exit standards for English language arts and mathematics in two, non-consecutive grade levels to be offered by the school. Describe the process that will be used to ensure that the curriculum – specifically English language arts, mathematics, science and social studies – aligns with the New York State Learning Standards, inclusive of the Common Core State Standards

and the New York State Testing Program. Discuss the specific instructional strategies and practices that will be relevant or necessary to successful implementation of the curriculum. Discuss how curriculum and instruction needs are reflected in plans for professional development.

New York Flex will offer grades 9 through 12 courses which are aligned to the New York State Learning Standards, Key Ideas, and Performance Indicators as well as the New York State P-12 Common Core Learning Standards for English Language Arts and Literacy and the New York State P-12 Common Core Learning Standards for Mathematics to ensure that New York Flex students will meet or exceed New York State's performance standards. 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 Inc. has developed over 210 digital courses with over 21,000 lessons used by over 85,000 full-time public school students in twenty-seven states, the District of Columbia, and more than 30 countries in the 2010-2011 school year. The K¹² curriculum includes digital lessons, videos, assessments, learning games, labs, physical experiences, and published textbooks and workbooks. 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.

K¹² has developed courses that incorporate standards, parameters, and characteristics outlined by a host of leading sources including: the National Academy of Science; American Council on the Teaching of Foreign Languages; Chinese Language Teachers' Association; National Art Education Association; International Association for K–12 Online Learning; National Association for Sport and Physical Education; National Council on Economic Education; National Council for History Education; National Council of Teachers of English; National Council of Teachers of Mathematics; National Institute of Child Health and Human Development; and Partnership for 21st Century Skills. The quality of the K¹² courses and learning management system along with a track record of academic success has been documented.

The K¹² curriculum has been aligned to the New York State Learning Standards, Key Ideas, and Performance Indicators and will be aligned to the recently adopted New York State P-12 Common Core Learning Standards across all grade levels and subject areas. The K¹² Product Development group has a direct historical connection to the work of the Core Knowledge Foundation. This longstanding connection has disposed K¹² curriculum to be very favorably aligned to the Common Core standards. The alignment process is overseen by their curriculum support and alignment department. External Subject Area Specialists document alignment of the curriculum to the state standard at the performance indicator level. The alignments identify for the teacher all of the units and lessons where each standard is addressed in the curriculum. All of the alignments are thoroughly reviewed to prepare teachers for student instruction. To ensure full coverage of the New York State standards, teachers will use supplementary curriculum resources as needed including: educationally appropriate web resources, hands-on classroom activities, project-based activities, additional images and artifacts and exploratory activities for demonstration of understanding and application of knowledge. Alignment documents are available upon request.

New York Flex and K¹² are aware that New York will begin implementation of the New York State Common Core Learning Standards in the 2011-2012 school year with classroom instruction required to be fully aligned to these new standards in 2012-2013, our first year of operations. We will be prepared to meet the requirements of that implementation.

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.

K¹²'s Product Development team produces some of the industry's most engaging and effective content for students in grades 9–12. These courses require minimal maintenance and reflect student and instructor feedback that renders them even more compelling and effective over time. Their focus is to enable students using K¹² curriculum to master well-defined knowledge and skill objectives within a framework of instructional principles that have served them well from the beginning:

- Content is mainstream, with respect for diversity and individual beliefs. K¹² enables students (with help as needed from teachers) to master—at a high level over time—mainstream skills and knowledge compatible with all appropriate standards. The content is written to respect the diversity of talents, backgrounds, and opinions that characterize a tolerant and diverse society. They expect and encourage students and teachers to discuss their values and beliefs as they proceed through their materials.
- Learning objectives are based on rich content and “big ideas.” They create a sequence of objectives that builds toward mastery of a rich set of knowledge and skills, and toward the “big ideas” that provide the foundation for each discipline's mainstream professional practice. “Tried and true” lesson activities enhanced with technology give students the practice they need to master the objectives. Sample exit standards for K¹²'s Algebra I, Algebra II, Literary Analysis and Composition, and American Literature courses which will be offered at New York Flex can be found in **Attachment 18**.
- To ensure mastery, every objective is assessed. Assessments, administered when each objective is expected to be mastered, provide direction for further instruction and pacing, reinforce learning, and improve longer-term mastery. Reviews and additional assessments are used at wider intervals to reinforce and ensure learning retention. Mere completion of an instructional activity is not, in itself, an assessment – they provide carefully constructed tools to check mastery.
- The appropriate level, pace, and hours spent on each objective varies by student. Adequate progress for most students is an academic year's curriculum within a calendar year. Achieving this will take some children more instructional hours than others, and teachers must make judgments about which activities to do, redo, or skip.
- More effort is devoted to important, difficult objectives. More instructional effort is focused on the most important, most difficult, concepts and skills. They use existing research, feedback from users, and experienced teacher judgments to determine these priorities and to modify their program.

K¹² develops courses and related service offerings through a highly collaborative process that blends cognitive research with an innovative development approach by utilizing best practices from the education industry and other industries. K¹² employs a wide range of experts in order to create products that implement these principles. This involves a blend of the best production process methods with key insights from cognitive science, the best education practices, and amazing work from talented illustrators, animators, editors, photo researchers, and writers. Their development team includes professionals from the following disciplines, most of whom are already on staff:

- Cognitive Scientists and Evaluation and Research Specialists conduct and review cognitive research to determine how students master the key ideas in a subject area; common misconceptions presenting obstacles to mastery; and available techniques that effectively address common misconceptions. They also ensure that applicable standards are met.
- Curriculum and Teaching Specialists bring deep subject-matter knowledge and experience with a variety of pedagogical approaches to the course design process.
- Writers and Editors script out the text of the lessons, ensuring that the information is accurate, meaningful and suitable for the age group they are trying to reach.

- Instructional Designers weave together all elements of a lesson and determine the extent to which online, multi-media components, and other activities can be integrated to achieve the desired learning outcomes.
- Graphic Artists, Media Specialists, and Flash Designers ensure overall visual integrity of each lesson and build creative and interactive content.
- Print Designers design and publish all learning materials.
- User Experience Specialists work closely with our design teams to ensure that lessons are easy for students to navigate and understand.
- Training Specialists develop training materials and programs to support the effective delivery of the curriculum by teachers concurrent with the development of the courses.
- Project Managers coordinate all of the activities, including the work of the above-listed professionals to develop the product as designed, on time, and on budget. Many members of K¹²'s project management staff are certified Project Management Professionals (PMP) through the Project Management Institute (PMI).

The New York Flex Board fully appreciates the benefits of and supports the need for ongoing professional development for all teachers and other staff, particularly in the areas of curriculum and instruction. K¹² has the capability to provide the professional development our teachers will need. Professional development opportunities will be a combination of K¹²'s best practices and training along with required annual professional development for all teachers and other staff. Professional development will be a year-long pursuit focused on providing teachers with the skills and competencies to meet the needs of students and their families. Each teacher will have an Individual Development Plan (IDP) that is a combination of required professional development as deemed appropriate by their tenure or as identified by an administrator as an area where development is needed, and other optional offerings particular to their areas of interest. Teachers and staff will receive professional development on these and other topics, at various points throughout the year.

- Curriculum training
 1. Curricular philosophy and overview
 2. Goals and objectives
 3. Use of assessments to guide instruction
 4. Scope and sequence
 5. Effective use of asynchronous content, interactive online content in the classroom
 6. Adaptation of the curriculum to meet the unique needs of the learner
 7. Alignments to the New York State Standards
- Differentiation in the content areas
- New York State high school Learning Standards, content and strategies
- Effective lesson planning
- Interactive whiteboard use in the classroom
- Scantron Performance and Achievement series
- Classroom management/school climate strategies
- Parental involvement
- Student diversity/Community Building
- Characteristics and strategies for working with students with learning disabilities
- Characteristics and strategies for working with English Language Learners

K¹²'s Academic Services

K¹² recognized the emerging need to meet the professional development and support requirements of a rapidly growing and geographically dispersed teacher corps using digital teaching resources. As a result, there is an entire division at K¹², Academic Services, devoted to prepare all new

teachers for the demands in their role as teachers using digital teaching resources as well ensure all teachers' ongoing professional development. New York Flex teachers will receive some of their professional development from the Academic Services team. Members of this team are pioneers in the field of teaching with digital resources and were selected because of their demonstrated expertise in the delivery of high quality instruction to students using these resources. Collectively, this team has developed a suite of centralized training, professional development, and support services for teachers in the K¹² network and has provided intake training/on boarding for over 3,000 new teachers. K¹²'s Academic Services offers a number of centrally developed ongoing professional development and support opportunities for teachers including but not limited to:

- The K¹² Teacher Handbook – a 300+ page resource for teachers
- K¹² Teacher Training Videos
- Skill Specific Training Clips
- Weekly Teacher Tips (email)
- Synchronous Instruction (Beginner and Advanced) Training
- The Teacher Support Website (provides access, at anytime and anyplace, to training resources, K¹² documentation, and collegial exchange)
- The Teacher Support Hotline and Help Desk (provides “just in time” and LIVE training and support provided by K¹² Master Teachers)

Intake Training/On boarding

K¹²'s Academic Services has created a completely online training experience for its teachers. To date, over 3,000 teachers have participated in this training that seeks to prepare new teachers for their role as well as help reinforce key teaching skills for returning teachers. Intake training/on boarding for teachers is designed with one goal in mind: that on day 1, teachers are “ready to teach.” Each school year, new New York Flex teachers will undergo intake training provided by New York Flex and K¹² Academic Services that is based on an effective model of professional development. The professional development emphasizes the philosophy and instructional techniques which are the foundations of New York Flex and the K¹² curriculum.

Ongoing Professional Development

Academic Services also conducts multiple online and in-person professional development and training sessions for teachers. Professional development begins with new teacher on boarding and continues with a yearlong new teacher induction program. In addition, both veteran and new teachers and administrators participate in ongoing professional development offerings that focus on the improvement of learning effectiveness, and the utilization of student data to make individualized instructional decisions for students. In addition to the nationally provided professional development, veteran K¹² school leaders have been able to add “local flavor” and host monthly specific opportunities for teacher development.

Teacher Mentorship

K¹² believes their tried and true practices ensure that only teachers of the highest quality equipped with the best of digital instructional practices work with our students. These services begin when they pair all new teachers with a well established mentor that serves as a resource and a means during year one for new teachers to further perfect their craft by working under the guidance and coaching of a skilled consulting colleague rather than through trial and error. They believe this early intervention and assistance is integral to new teacher development. After year one, all teachers work in teams and are coached by a lead teacher from New York Flex. School leaders also evaluate all teachers ranging from once monthly to three times yearly using a standard set of performance based metrics. The data for these metrics are gathered, analyzed and disseminated to school leaders by the K¹²'s Academic Services. School leaders use the metrics to drive teacher performance evaluations, determine the feedback delivered to staff on performance, as well as decide if interventions are necessary.

All teachers are expected to participate in monthly National Professional Development opportunities. Topics for these sessions are selected based on a survey of the needs of existing personnel. The National Professional Development sessions are meant to complement, not supplant the ongoing,

school specific professional development offerings that are described later.

All school specific professional development opportunities are closely linked to the school's Student Achievement Improvement Plan (SAIP). The responsibility for planning and providing this additional, school specific ongoing professional development belongs to the Principal with the assistance of the Academic Administrator. Teachers enjoy the benefit of offerings which provide the opportunity for sharing best practices and team building as well as presentations of curriculum experts. Topics covered will include assessment, technology, instructional strategies, and content.

Special education teachers will be included in all aspects of the professional development. In order for teachers to develop effective IEPs with appropriate content, instructional modifications, and measurable goals, teachers of students with special needs must be very knowledgeable about the content the special needs students are studying. In some cases, assessments will also need to be modified to meet the terms of a student's IEP. Cases like these demand that special education, and regular education teachers are familiar with the scope and sequence of the curriculum, the goals for each child, and the ways they can best achieve success through content or instructional modification.

If the school intends to develop core curricula following approval, a response that meets the standard will:

- *present a viable plan for development of the curricula for core academic areas and for ensuring alignment with New York State Learning Standards and the New York State Testing Program;*
- *describe the framework for development of the curricula for core subjects; and*
- *identify a sound research, experience, or theoretical base and foundational materials that will guide curriculum development; and*
- *present a coherent framework for professional development and support for teachers that is likely to support effective development and implementation of the education program.*

This question is not applicable to New York Flex Charter School because it intends to use curricula that have already been developed. Please refer to the response to the previous question.

B. School Calendar and Daily Schedule

Applicant Instructions: Present the proposed school calendar showing the number of days the school will be in session and sample daily class schedules showing daily hours of operation and allocation of time for core instruction, supplemental instruction, extra-curricular and after-school activities, as applicable.

New York Flex will meet or exceed the annual minimum instruction time required of traditional New York public schools by Education Law 2851(2)(n) and Education Law Section 3204(4) (minimum of 180 days X five and one half hours per day for grades 9-12, excluding lunch=27.5 hours/week). New York Flex is proposing to provide 180 days of instruction each year with nearly 29 hours/week (i.e., 28.92) for our Grades 9-12 students.

Sample Daily Schedule

The school day will be longer than most public high schools in New York City to accommodate a wider scope of courses than traditionally offered, and to meet the enrichment and/or remediation needs of students. School will start at 7:55 a.m. and be dismissed at 3:20 p.m. from Monday through Thursday. After school on each of those days, students will have the option to participate in a one hour session devoted to teacher conferences, extracurricular activities and/or schools clubs followed by another optional one hour session for academic support including tutoring, peer coaching, group projects, and small group instruction. On Friday, school will start at 8:00 a.m. and be dismissed at 1:00 p.m. Each

Friday after student dismissal, teachers will meet as a group for about three hours to use the data from daily, unit, benchmark, and semester assessments to plan their classes, collaboratively figuring out which students and standards to focus on, and planning the following week of class groupings and content. Please see **Attachment 3 Sample Daily Schedule** for a Grade 9 high school student which shows daily class periods and after school options with the allocation of time for core instruction, supplemental instruction, extra-curricular, and after-school activities. High school is the only division at which the school intends to operate.

Annual Calendar

The school's annual calendar will follow the New York City Department of Education calendar as closely as possible and will meet or exceed the annual minimum of in session instruction days required of New York public schools (minimum of 180 days). The Board is interested in developing summer school programs as well. Please refer to **Attachment 4 Proposed Annual Calendar** for 2012-2013 when New York Flex Charter School is proposed to be in session for 180 days.

The school calendar and daily schedule proposed for New York Flex will provide more instructional time for students and teachers than is the minimum required by New York State education law. This additional time will allow each student to complete her/his Individualized Learning Plan —while enrolling in courses which meet the New York State and New York Flex graduation requirements. The curriculum will provide core courses in multiple levels—Core, Comprehensive, Honors, and Advanced Placement— plus remediation and credit recovery courses to meet the needs of diverse learners—including “at risk” students. Students can also take up to four years of a world language (depending on the language), and choose from a variety of electives.

The New York Flex school schedule also provides a weekly opportunity for teachers to collaboratively evaluate student progress during the course of the semester. The school's digital resources will provide teachers with powerful data from embedded daily, unit, benchmark and semester assessments that is valid and reliable, with 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.

C. Target Population

Applicant Instructions: Drawing on the Target Population information presented in the Prospectus, explain how the proposed mission, curriculum, teaching methods and services align with the educational needs of that population.

New York Flex will provide an engaging individualized education to students in grades nine through twelve from throughout New York City. Any student qualified under the laws of the state for admission to a public school is qualified for admission to New York Flex. As illustrated in the enrollment table below, we plan to phase in our enrollment—starting with about 125 grade nine students in Year 1 and growing to 550 grades nine to twelve students in year 4 and afterward. Due to enrollment limits effectively set by New York labor laws, we have proposed that our first and second year cohorts for grades nine and ten be 125 students each. In Year 3 of the school, these laws do not limit enrollment and, therefore, we have increased our projected enrollment to fill in where we have sufficient capacity for Grade 9 classes of 138 each in Years 3 and 4 and 137 in Year 5. 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.

New York Flex Charter School Anticipated Enrollment Table

	Year 1	Year 2	Year 3	Year 4	Year 5
Kindergarten					
1st					
2nd					
3rd					
4th					
5th					
6th					
7th					
8th					
9th	125	125	138	138	137
10th	0	125	137	138	138
11th	0	0	137	137	138
12th	0	0	0	137	137
TOTAL	125	250	412	550	550

We expect our charter school student population to represent the rich diversity of the New York City student population including numerous ethnicities, those with disabilities, English Language Learners, and students who are eligible applicants for the Free and Reduced Price Lunch Program.

- 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.
- We have estimated that about 35% of our student body will be “at-risk” students requiring an Intervention model to be included as a part of the student’s Individual Learning Plan.

Our mission, curriculum, teaching methods, and services align with the educational needs of these students. 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. 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. 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. Each student will have access to her/his own computer at school to access digital curriculum 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.

New York Flex students, teachers and paraprofessionals will use the Learning Management System (“LMS”) developed by K12 Inc. 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. For “at-risk” students, we will use an intervention model to be included as part of a student's Individual Learning Plan consisting of targeted interventions which seek to identify and remediate gaps in skills and content (including study skills, habits, levels of engagement and motivation, etc.). Our intervention model of “Student Onboarding” will be an ongoing process throughout the school year. We will begin by identifying our at-risk students using tools such as diagnostic testing and academic records and then organize small group sessions to work with them. We will introduce them to the curriculum and expectations of the school. Basic study skills, time management, and seeking assistance when needed will be emphasized. The interventions will include both online and offline approaches to ensuring that struggling “at-risk” students are provided with structured efforts to address each student's gaps in knowledge or skills. The interventions include small group sessions with counselors and at risk students walking through the process for maximizing their success in school; one-on-one tutoring during the school day and after school; targeted synchronous tutoring sessions via a tool like *Illuminate*; detailed use of Scantron's Achievement and Performance Series; and instruction in study skills. The curriculum will provide core courses in multiple levels—Core, Comprehensive, Honors, and Advanced Placement— plus remediation and credit recovery courses to meet the needs of diverse learners—including “at risk” students.

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.

D. Assessment

Applicant Instructions: Describe the school's approach to assessment. Explain how the school will evaluate progress of individual students, cohorts over time, and the school as a whole toward meeting the requirements under New York State's accountability system. Describe the school's policies and criteria for promoting students to the next level and for graduation from the school. Discuss how the school will use assessment information to modify the educational program and improve instruction, student learning, and staff development.

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.

Graduation Requirements

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). The summative requirements for each diploma are:

NEW YORK FLEX CHARTER SCHOOL GRADUATION REQUIREMENTS		
	REGENTS DIPLOMA	ADVANCED REGENTS DIPLOMA
CREDIT REQUIREMENTS	UNITS OF CREDITS	UNITS OF CREDITS
English	8	8
Social Studies	8	8
Global History	(4)	(4)
American History	(2)	(2)
Economics	(1)	(1)
Participation in Govt.	(1)	(1)
Science (including lab)	6	6
Life Science	(2)	(2)
Physical Science	(2)	(2)
Life Science or Physical Science	(2)	(2)
Math	6	6
Visual Art, Music, Dance and/or Theater	2	2
Second Language	2	6
Health and Physical Education	5	5
Physical Education	(4)	(4)
Health Education	(1)	(1)
Electives	7	3
Total	44	44
	REGENTS DIPLOMA	ADVANCED REGENTS DIPLOMA
REGENTS EXAM REQUIREMENTS	SCORE	SCORE***
	65 or above	65 or above
Mathematics	1 Exam	2 Exams or 3 Exams
Integrated Algebra I	65 or above or	65 or above*** or
Math A	65 or above or	65 or above*** and 65 or above*** and
Math B	65 or above or	65 or above*** or
Geometry	65 or above or	65 or above*** and
Algebra II/Trigonometry	65 or above or	65 or above***
Global History and Geography	65 or above	65 or above
U.S. History and Government	65 or above	65 or above
Science	65 or above (any science)	65 or above (1 life science)
Science		65 or above (1 physical science)
Language other than English		65 or above*

***Advanced Regents Diploma:

2 Exams: Math A and either Math B or Alg 2/Trig

3 Exams: Either Int. Alg or Math A and Geometry and Alg 2/Trig

As indicated in NYS Commissioner's Regulation 100.9, a student with a disability may become eligible to receive a High School Individualized (IEP) Diploma after meeting one of the following criteria:

- (1) Student is at the end of the year in which he/she attains the age of twenty-one and has achieved the educational goals based on the appropriate level of the learning standards established by the commissioner, as specified in the student's current IEP. OR

- (2) Upon application of the student or student's parent, at any time after the student has attended school or has received a substantially equivalent education somewhere for at least twelve years, excluding Kindergarten, and has achieved the educational goals based on the appropriate level of the learning standards established by the commissioner as specified in the student's current IEP.

The IEP Diploma will have a clear annotation, on the front, indicating that the diploma is awarded on the basis of the student's successful achievement of the educational goals based on the appropriate level of the learning standards, established by the commissioner, as specified in the student's current IEP. The IEP Diploma will be accompanied by a written statement of assurance that the student shall continue to be eligible to attend public school until the student has earned a high school diploma or until the end of the school year of such student's twenty-first birthday, whichever is earlier.

New York Flex students will be promoted based on the number of credits earned. Credit will not be awarded for courses in which a student earns an F or fails to log 90% of the required attendance. Students may repeat a course in which they have earned an F. Grade level classification is based on the number of credits earned and is reviewed at the end of each semester.

One of the many features afforded by the school's Learning Management System will be a current report of a student's academic progress and attendance information. A parent may log on to the system at any time and view this information. Parents without Internet access at home can find free Internet access in community facilities such as library. As a contingency strategy, for parents without access to a library or home Internet, the school will make school computers available for parents to monitor their students' progress. New York Flex can also print student progress reports for parents upon request. During the course of a semester, student progress is monitored by the administration and teachers. If a student exhibits signs of academic risk over the course of a semester, we will meet with the family to devise strategies to assist the student. If the student's academic progress does not improve throughout the semester and the student continues to fall far below progress marks (meaning the student is not making adequate progress in the curriculum), the academic team will place the student on academic probation status. The academic probation program provides additional support and mentoring to students to improve their academic progress throughout the following semester.

Students who do not make satisfactory progress after a semester in the Academic Progress and Probation program can be retained in the program for the next year or referred to the Response to Intervention Team for further review and assistance. In either case, a meeting will be requested to determine the next steps taken for student success.

Conferences with families are conducted on a periodic basis. At that time student progress and attendance are discussed. A detailed progress report for each K-12 student will be provided mid-semester. Formal report cards will be issued to students twice a school year. Report cards will be issued once after the end of the first semester and again shortly after the end of the school year. Students who withdraw during the school year will be issued withdrawal reports that can be used for enrolling in a future school.

Data Driven Decision-Making

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 as individuals, in cohorts, and on the school as a whole. 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.

E. School Climate and Discipline

Applicant Instructions: Describe the strategies the school will employ to develop and sustain a safe and orderly school climate that supports fulfillment of the educational goals. Explain the school's approach to student behavior management and discipline for both the general student population and for students with special needs. Explain how the school will encourage parent/family involvement and communication to support student learning, and how it will gauge satisfaction with school climate.

Student discipline for a safe and orderly learning environment

In order to promote a safe and orderly learning environment for both the general student population and for students with special needs, New York Flex will articulate a well-defined student discipline approach in its Code of Conduct/ Student Discipline Policy, draft attached as **Attachment 20**.

Engagement of parents and guardians in the governance, life and culture of the school

Communication is vital to a partnership with parents and families. New York Flex will encourage the use of many modes of communication designed to not only inform parents and families, but to encourage their active participation. These modes of communication will include:

- Email for those families with email
- Phone, with TTY accommodations
- Parent meetings
- Weekly teacher newsletters
- Monthly school newsletters from the administration
- Auto dialer for general school reminders and announcements
- Curriculum nights throughout the year
- Availability of administration at opening and dismissal times
- Administration holds an open door policy for parents, families, staff and students
- Robust volunteer opportunities within the school day and in the evening

New York Flex will provide an extensive support system to both parents and students. Parents serve a critical role in the New York Flex education process, and are partners to the teachers in promoting accountability for their students and the entire New York Flex community. New York Flex will combine flexibility and individualized instruction with high accountability. At the simplest level, students, teachers, and parents interact face to face at outings and other events such as Back-to-School events, Coffee or Ice Cream Socials, Educational Expos, Open Houses, Science and Art Fairs, and school Showcases. In addition to face-to-face interaction, the school allows access to a monitored, private, virtual social community, thebigthinK¹², which enables students, parents and teachers to communicate and connect online. Parents benefit from exchanging ideas and information with others using the K¹² program and gain a sense of connectedness within the boundaries of a contained but global community. Each K¹² serviced school has its own sub-community within the larger virtual social community to generate school pride as well as provide its own content and clubs, a school calendar, announcements, and information on upcoming activities and outings.

Upon student enrollment, New York Flex conducts parent orientation sessions. Every parent and student has the opportunity to meet administrative and teaching staff as well as receive information about navigating the curriculum, lesson delivery, effective communication, and school policies. Parents will receive a school handbook that provides guidance on school policies, including tips and advice about getting organized and getting to know the curriculum. Knowledge of the school's program and systems allows parents to access web-based lessons and data to see directly how their child is doing. The most fundamental role parents will play is to support their child's learning and to help continuously evaluate New York Flex operation, governance, and instructional program. Parents will be encouraged to support school wide initiatives, participate in school activities, and be committed to support the school's goal for every student to reach his/her full academic potential. The school will offer support through regular monthly parent training, speakers, and modeling. Sessions will focus on: reading and helping students improve reading comprehension; essential skills for grammar and writing; motivating struggling learners; focus on reluctant writers; essential note taking skills; numbers and math concepts in the real world; and supporting students as they complete homework. While teachers will be leading these activities at school each day, we believe parents who wish to be engaged with their child's learning after school hours need to be trained in the school's practices. We will maintain a balance between onsite training for those who can come to the school and will ensure that all sessions have a corollary online webinar which can be accessed live (synchronously) or can be views as a recording (asynchronously). K¹² is the nation's leader in developing web-based trainings for teachers and parents who are able to access the Internet.

Where possible, the school encourages parents to volunteer their time and effort on behalf of the school—and to suggest, help organize, and participate in field trips, other educational outings, and social events. In addition:

- Parents can be encouraged to hold a direct leadership position and influence the management of the school by serving on the New York Flex Charter School Board. Believing parental involvement in school leadership is critical, the founding board has created an ex-officio parent board seat in the proposed bylaws. The Board sets policy and provides governance and oversight on New York Flex academic, extracurricular, finance, personnel, daily business, and legal matters.
- Parents who are not members of the Board are actively encouraged to attend Board and other New York Flex meetings and to participate on ad-hoc committees appointed to address specific issues.
- New York Flex will organize a Parent Advisory Council. The Parent Advisory Council is parent-driven and is recognized as the official voice of New York Flex parents. The group serves as a direct communication link between the families and the school and is a resource for parents, both as a source of conveying school information to families as well as relaying parental suggestions to the school administration.
- Teachers will initiate regular conferences and conversations with parents about their child's progress and also about parents' needs and concerns about the operation of the school. Parents are free to contact teachers, specialists, and other parents to solve problems, give feedback, or pass on ideas and insights to the school community.
- Parents will help to continuously evaluate the operation and governance of the school both online and offline. New York Flex will survey parents using both paper and online surveys to determine their satisfaction with their overall experience. Criteria of the survey will include the curriculum, instruction, digital school resources, administration, support, quality of materials, student progress, student attitude towards learning, communication, and interaction with other New York Flex students and parents. Parents may supply critiques and/or endorsements regarding their experience at New York Flex.
- Throughout the school year, the principal, other administrators, and teachers will account for contributions that parents and community members have made to the business and governance of the school and communicate this to the Board and the school community through the school website, in print reports and in face-to-face meetings. New opportunities for parents and community members to contribute will always be considered.

Safe environment for learning

Several potential private facility sites have been identified that would provide a safe location in lower Manhattan, see **Attachment 21**. These sites enjoy safe and ample subway and bus access with controlled pedestrian crossings and safe walking access. Each potential site has building security, facility maintenance, and will have restricted access to school premises allowing for a safe environment conducive to learning.. All applicable health and safety code and regulations will be adhered to. Additionally, appropriate staff safety and health training and procedures will be instituted. These considerations, combined with effective implementation of the Code of Conduct/ Student Discipline Policy (**Attachment 20**), will ensure a safe environment conducive to learning.

II. ORGANIZATIONAL PLAN

A. Governing Body

Applicant Instructions: Describe the proposed structure of the school's Board of Trustees and how the Board of Trustees will fulfill its governance responsibilities. Articulate the roles and responsibilities of a charter school board of trustees, and provide a job description for members of the board of trustees. Submit a copy of the proposed by-laws and code of ethics.

New York Flex Charter School will be governed by a Board of Trustees according to the terms of the Bylaws which will be adopted by the Board. The Board will be a tax-exempt education corporation. In all cases, the Board will be the final authority for all decision-making, including hiring and firing of employees. The Board may delegate other related responsibilities, such as teacher recruitment. The essential function of the Board shall be policymaking, the assurance of sound management, and active participation in the provision of necessary funds.

Board Structure and Operations

As mentioned previously, the New York Flex Charter School will be governed by a Board of at least five Trustees according to the terms of the bylaws which will be adopted by the Board and will be consistent with the charter application. The Board has ultimate responsibility to determine general, academic, financial, personnel and related policies deemed necessary for the administration and development of New York Flex in accordance with its stated purposes and goals. Within one year of incorporation, the charter school will obtain federal tax-exempt status. The Board is subject to the requirements of the New York State Open Public Meetings Act. Adequate notice of all meetings subject to the Act shall be given according to that statute. A job description for members of the board of trustees has been drafted:

New York Flex Charter School Board of Trustees Member Job Description

The Board of Trustees governs the school, maintains overall control of the school, and is responsible for the operation of the school. The school administrators and all other employees and contractors serve under the Board, and are subject to the rulings of the Board. The governance responsibility of each Board member is focused on several key areas:

- General
 - Determine the school's vision, mission, values and purpose
 - Ensure effective organizational planning
- Policy
 - Assure compliance with the laws of the state and the regulations of the state education authority
 - Ensure legal and ethical integrity and maintain accountability
 - Establish strategic goals that align with the school's mission
 - Develop and adopt policies needed to obtain the school's educational goals
- Meetings
 - Conduct regular meetings of the Board that comply with applicable New York state statutes and regulations and utilize Robert's Rules of Order
- Budget/Finance
 - Exercise fiduciary responsibility and oversight through the adoption of sound fiscal policies and procedures, engaging in strategic financial planning, overseeing operating budgets, and conducting annual budgetary reviews
- Instructional Program
 - Oversee administrators of the school and assess their performance
 - Determine, monitor, and strengthen the school's programs and services for the development and improvement of educational opportunities for all children in the school

Proposed Board Bylaws are included in this application (see **Attachment 5**) which meet the requirements of the Education Law and all applicable laws and regulations governing education corporations in the State of New York including, but not limited to, provisions for publicizing and conducting board meetings, conflict of interest and financial disclosure provisions for board members, and a code of ethics. A Code of Ethics and Policy on Conflicts of Interest have also been drafted and are included in **Attachment 6** of the application.

B. Founding Group Composition

Applicant Instructions: List the members of the proposed founding group (including the lead applicant). Include their names, current employment, and relevant experience or qualifications. If founding group members intend to serve on the school's board, clearly indicate those intentions and further describe their relationship to the community in which the school will be located. Describe the procedures for conducting and publicizing monthly board meetings and the processes to be followed to promote parental and staff involvement in school governance.

The New York Flex lead applicant, Yung Moon, is joined on the founding board/Board of Trustees ("Board") by Michael Cohen, Victor Geraci, Roger Griffith, Roberto Gutierrez, and Herbert Toler, Jr. This group has the requisite capacities to effectively oversee school operations and govern the school with great competence with their extensive experience in education, finance, business, real estate, law, nonprofit organizations, and communications.

- **Yung Moon**, Associate Publisher of SELF Magazine, CSD 2 resident and parent of children attending NYC public schools, will apply her creativity and numerous skills she uses in the publishing industry to the governance of New York Flex. She brings considerable abilities and experience in digital, print, and media marketing; strategic partnership building; personnel management; revenue building and budgeting; and public speaking. Her community service has included serving as a Board member of the Korean American Family Service Center.
- **Michael Cohen**, President of Colliers International Tri-State Region, CSD 2 parent, an expert real estate and finance 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, CSD 2 resident 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. Mr. Geraci provided both general business management and legal counsel for an innovative education company providing parents with suggestions for age-appropriate learning activities with which to engage their children, and information on early childhood development issues. The content was developed in association with researchers at Project Zero at the Harvard Graduate School of Education.
- **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**, Senior Vice President for the Alzheimer's Foundation of America, an 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).

- **Herbert Toler, Jr.**, educator and history instructor at City University of New York, City College, has been teaching in New York for more than 15 years at the elementary/middle school and college levels in history, social studies, and religion. His consultancies and fellowships have involved him in such varied projects as traveling the US to chronicle what black churches are doing to revitalize their urban communities; preparing material for a proposed exhibit to help inaugurate a new District of Columbia museum; and leading seminars in African-American Studies at Columbia University.

According to the draft by laws (see **Attachment 5**), regular meetings of the Board (monthly) will be held at times set by Board resolution. In the absence of fixed dates, times and places, notice will be given to each Board member by personal delivery, fax, or electronic or regular mail at least 72 hours before the day of the meeting. Public notice of meetings shall be given in accordance with the Open Meetings Law. Notice shall be “conspicuously posted in at least one or more designated public locations, in the school in a manner available to the public during official school hours, and on the official public school website.” An annual meeting shall be held in July at a date, time and place set by the Board. Special meetings may be called by the Chairperson, Vice Chairperson, Secretary, or written request of at least 15% of the Trustees. Notice of special meetings must be noticed by personal delivery, fax, electronic or regular mail at least twenty-four hours before the day of the meeting.

Each prospective Board member’s resume is contained in **Attachment 7**; their Statement of Assurances in **Attachment 8**; and their Request for Information from Prospective Charter School Board Members in **Attachment 9**. It is our understanding that, during the month of April the lead applicant, Yung Moon, will be contacted by the NYSED Charter School Office staff to arrange for an appointment for fingerprinting.

As mentioned previously in this application, parents serve a critical role in the New York Flex education process, including in school governance. Parents will be encouraged to serve on the New York Flex Charter School Board; the draft By Laws provide for a minimum of one ex officio parent member. Parents who are not members of the Board are actively encouraged to attend Board and other New York Flex meetings and to participate on ad-hoc committees appointed to address specific issues. Parents can also participate on the Parent Advisory Council, a direct communication link between the families and the school and is a resource for parents, both as a source of conveying school information to families as well as relaying parental suggestions to the school administration. Teachers will initiate regular conferences and conversations with parents about their child’s progress and also about parents’ needs and concerns about the operation of the school. New York Flex will survey parents online annually to determine their satisfaction with their overall experience.

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.

An example of staff involvement in school governance is the Student Achievement Improvement Plan (SAIP) process. SAIP is a 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 New York Flex Charter School Board may elect any person to be a member who, at its discretion, it believes will serve the interests of the school faithfully and effectively. 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 prospective 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 the New York Flex Charter School and have a variety of experience and talents including:

- Secondary urban education, including at-risk students
- Start up organizations
- Finance, especially school finance
- Law
- Facilities planning
- Community outreach
- Fundraising and partnerships
- Communications, marketing, and public relations

C. Management and Operation

Applicant Instructions: Describe the organizational structure of the school and its day-to-day operation. Explain the management roles and responsibilities of key administrators with respect to instructional leadership, curriculum development and implementation, personnel decisions, budgeting, financial management, legal compliance, and any special staffing needs.

New York Flex Charter School will be governed by a Board of Trustees according to the terms of the Bylaws which will be adopted by the Board. The Board will be a tax-exempt education corporation. 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 may delegate other related responsibilities, such as teacher recruitment. The essential function of the Board shall be policy-making, the assurance of sound management, and active participation in the provision of necessary funds.

The Board will employ the Administration, Instructional Staff, and Support Staff. Administrative staff will manage the school, handling all day-to-day academic, operational, and management issues. They will have leadership experience as school principals or school leaders. Staff will be expected to demonstrate expertise in curriculum, instruction, assessment, finance, facilities, business management, governance and administration. The administrative staff will assist in the development of policies concerning educational and operational issues of New York Flex for Board consideration and adoption, but the Board itself will retain ultimate responsibility for the adoption of academy policies and for overseeing the administrative staff's implementation of procedures consistent with those policies. The New York Flex administrative staff will be structured based on the school's education program and projected enrollment.

This organization chart in **Attachment 10** presents the New York Flex Charter School organizational structure for the term of the charter based on the projected enrollment and an adequate budget.

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.

School administrators, while ultimately charged with the evaluation of staff, must also serve as role model and coach for staff in all roles at the school. School administrators will coach teachers on instructional matters and provide feedback that best supports their growth in this area; accordingly, teachers will value and respect the experience and demonstrated expertise of the administrator.

Administrators will be selected and hired for their instructional competence, leadership ability and demonstration and modeling of the school's child centered philosophy. All employees will have an opportunity to serve on committees and provide input and voice on matters of school improvement.

Prior to opening in the fall of 2012, the process to advertise for, select and employ administrative staff for New York Flex will take place in the in the early spring of 2012. Administrators will be recruited with advertisements in well-known educational trade publications such as *Education Week*, via online job recruitment sites such as Monster.com, and in local media throughout New York. Resumes will be reviewed and sorted.

Reference checks and background checks will be completed on each candidate including educational, DMV, criminal history record, official clearance statement regarding child injury or abuse, personal references, and certifications. Candidates must comply with all state laws requiring fingerprinting and other documentation. School administrators will be hired by the Board. Compensation levels (salary and benefits) for administrative staff will be competitive with starting local charter school salary and benefits. Employment agreements will be signed. Benefits will be secured. As administrative vacancies occur during the school year, the same recruitment, selection, and employment techniques will be used.

Highly qualified administrators will 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.

Please refer to **Attachment 11 Key Position Descriptions** for job descriptions, qualifications for hiring, and responsibilities of the proposed New York Flex administrative staff: Principal, Assistant Principal, Special Education Coordinator, Business Manager, IT Manager, and Administrative Assistant.

C.1. Charter Management Organizations

Applicant Instructions:

Select the statement that is applicable and proceed as directed:

We intend to contract with a not-for-profit charter management organization. *Continue with completion of this section.*

We do not intend to contract with a not-for-profit charter management organization. *Skip to the next section.*

D. Staffing and Human Resources

Applicant Instructions: Discuss the staffing plan for the term of the charter including anticipated staffing needs and recruitment strategies. Discuss how the school has budgeted and staffed to meet the needs of the ELL and special education student population. Discuss how the plan supports sound operation and successful implementation of the school's educational program.

New York Flex will comply with all EEOC (Equal Employment Opportunity Commission) regulations concerning the hiring of employees and will seek the most qualified applicants for all positions. New York Flex is committed to recruiting and hiring a diverse, qualified staff that will be able to meet the needs of all students enrolled in the school.

Teacher Qualifications

New York Flex will employ New York certified teachers who are experienced educators, and are highly qualified under the No Child Left Behind Act of 2001 (NCLB). Teachers will have a Bachelor's degree or higher, state certification, and demonstrate competency in a secondary subject area depending on the subject they will teach. Each teacher should also demonstrate technological competency via a technology skills test prior to employment, as well as show a desire to effectively integrate technology into instruction. Based on the needs of the students enrolled, teachers and other staff with bilingual skills will be recruited and hired. The faculty will include regular and special education teachers also depending on the needs of enrolled students. The number and types of teachers recruited will depend on student needs from year to year. Ongoing enrollment will necessitate hiring throughout the year as necessary.

Teacher Recruitment, Selection and Retention

Each school year teacher recruitment efforts will begin in the early spring and continue into the summer. Instructional and other staff will be also be recruited with advertisements in well-known educational trade publications such as *Education Week*, via online job recruitment sites such as Monster.com, and in local media. New York Flex administrators will also attend job fairs and set up recruiting sites to inform teachers about the school and interview them. The number and types of teachers recruited will depend on student needs from year to year.

Teacher candidates are interviewed via a phone interview and in-person group. To ensure certification compliance, reference checks and background checks are completed on each candidate. Candidates must comply with all state laws requiring fingerprinting and other documentation. Teachers are hired by the school, which is responsible for salary and all benefits.

Reference checks and background checks will be completed on each candidate including educational, DMV, criminal history record, official clearance statement regarding child injury or abuse, personal references, and certifications. Candidates must comply with all state laws requiring

fingerprinting and other documentation. Teachers will be hired by the Board. Compensation levels (salary and benefits) for teachers will be competitive with starting local charter school salary and benefits. Employment agreements will be signed. Benefits will be secured. As teacher vacancies occur during the school year, the same recruitment, selection, and employment techniques will be used.

Retaining the highest quality teachers begins with providing teachers training as early in their new positions as possible. As such, first year teachers participate in an on boarding and mentoring program offered by K¹² that ensures they receive the coaching, feedback, and wisdom of an experienced consulting colleague rather than learn through trial error. Additionally, this mentor program provides a career ladder for exceptional teachers to aspire to that will not require them to leave the classroom in order to pursue other interests.

E. Student Recruitment, Enrollment, and Evidence of Demand

Applicant Instructions: Describe the plan for the recruitment of students. Explain how the school will be publicized and marketed throughout the community to a broad cross-section of families and prospective students. What strategies will you use to reach families that are traditionally less informed about educational options?

Student Recruitment

While we will recruit students to enroll only in Grade 9 in the 2012-2013 school year, we will inform potential students and their families of our plans to phase in the other high school grades over four years so that, by the 2015-2016 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, youth centers, and libraries. The following section of the application 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.

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 nationally 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. The same format is followed during the online sessions.

- New York Flex may participate in organized grade-appropriate awareness activities with flyers, posters, and sponsored events.
- 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.
- 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.

Student 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 2012, 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, with admission preference to students residing in CSD 2 (or the district in which the school will be located if not CSD 2), in Grade 9 in the 2012-13 school year; Grades 9-10 in 2013-14; Grades 9-11 in 2014-2015 and Grades 9-12 in 2015-16 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 New York State charter law (Act 11310), as of January 1, 2011, applications to a charter school in the State of New York shall be submitted on a uniform application

created by the New York State Education Department (NYSED). We will use the new required common application.

New York Flex will enroll each eligible student who submits a timely application by the specified deadline 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 preference 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 established by the New York Commissioner of Education which 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.

While there are 1.1 million public school students in New York City, as of fall 2010 there are only one hundred twenty-five charter schools in New York City listed on the NYCDOE website serving more than 32,000 or 3% of the public school population, and only one of those charter schools is located in CSD 2. The existing CSD 2 charter school serves a very specific population--students who have become disenfranchised with, and have dropped out of, traditional high schools. Only, an additional middle school and high school (serving homeless, foster and very low-performing students) are authorized for 2011. In 2008, 39,000 families applied for only 8,500 available openings in charter schools across the city.

New York Flex Charter School is designed to serve a spectrum of high school students—those 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 2012-13 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.

F. Community Involvement

Applicant Instructions: Discuss your plans for parent and community involvement in the governance and operation of the school. Describe the nature of potential partnerships including examples of how community partners will play an integral part in the life of the school and identify specific organizations with which the school is already working, or likely to partner.

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 Community Education Council District 2 meetings and will be attending future meetings of the Council to develop an ongoing relationship with the district, inform the community about the school, and respond to community issues.

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 hope to obtain a letter of support for the school from the New York City Department of Education. As any letter is received, we will forward it to NYSED. 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 many letters of support 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 letter writers represent a wide variety of organizations including examples such as:

- YMCA of Greater New York
- The Museum of Modern Art
- Church of St. Francis Xavier
- Shostakovich Cultural Program
- Coburn Greenburg Partners
- NYC Elite

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. As Due to application length limitations recognized by NYSED, we have not included these letters as attachments to this application. We know that letters of support can be posted on the NYSED website in support of our application.

Parents and community members will be encouraged to hold a direct leadership position and influence the management of the school by serving on the New York Flex Charter School Board. Parent and community involvement in the governance and operation of the school is also specifically discussed in Section E of Part I School Climate and Discipline and Section B of Part II. Organizational Plan Founding Group Composition. The Board sets policy and provides governance and oversight on New York Flex academic, extracurricular, finance, personnel, daily business, and legal matters. Community members who are not members of the Board are actively encouraged to attend Board and other New York Flex meetings and to participate on ad-hoc committees appointed to address specific issues.

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.

F.1. Joint Application

The following section should be completed if the school proposes to be affiliated with a college, university, museum, educational institution, other not-for-profit organization, or other partner that is not an educational service provider. Applicants that do not plan to have such an affiliation should proceed directly to Part III, Financial Plan.

New York Flex does not propose to be affiliated with a college, university, museum, educational institution, other not-for-profit organization, or other partner that is not an educational service provider. Therefore, this section of the application is not applicable.

III. FINANCIAL PLAN

A1. Charter School Budget and Cash Flow Template

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

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

As discussed in the cover letter on page 5, applicants are eligible, upon Regents approval of a charter and based upon the availability of funds, to receive a Charter School Program (CSP) Planning and Implementation Grant. Applicants may include a grant amount of up to \$600,000 over a three year period in the overall charter school budget and cash flow template. A grant specific budget narrative and a three-year budget explaining in detail how these funds of up to \$600,000 will be used is discussed in Section A2 that follows.

Discuss the school's contingency plans for cash flow challenges, a budget shortfall, lower than expected student enrollment or other financial challenges that you may foresee in the early years of operation.

The New York Flex Budget and Cash Flow Template is included in **Attachment 17** of this application. It includes the school's estimated revenues and expenditures for the five years of the charter as well as a cash flow analysis for the start-up year. New York Flex Charter School will operate the charter school in a fiscally responsible manner with the standard per pupil revenue for public charter schools in New York City and IDEA special education entitlement funding. The school's major costs are direct student instruction, facilities and technology. The school will properly size the program's budget consistent with its enrollments thereby minimizing budget expenditures until enrollments materialize.

The School has used conservative assumptions in revenue and expense projections. To supplement per pupil allocations, the school will apply for federal, state, and foundation grants as appropriate, including the Public Charter School Grant Program (PCSP). Although we plan to apply for a PCSP grant upon charter approval, we have not included those grant funds in our budget.

Together, Board and staff will work to increase their knowledge and understanding of state, federal and other funding opportunities to help build and maintain a sound financial basis for the school, including grants. While the school anticipates a significant Free and Reduced Lunch eligible population, we recognize that grants are dependent on the actual rather than anticipated demographics of students enrolled in the school and, therefore, we are not relying on receiving any discretionary or competitive grant funds to achieve financial goals—other than per pupil revenue, IDEA special education, and NYCDOE-DYCD Start Up entitlement funding.

Board and staff development will include training about school finance and funding sources. Attendance by board members and staff at national and state conferences will provide opportunities to learn from federal, state and private funding source presenters as well as other charter schools about current and upcoming opportunities.

The total start-up budget for New York Flex is \$237,000. This reflects the staffing plan (Principal hired in April 2012 and an IT Manager beginning in June 2012) and the build out for those items not covered in the lease at \$10 per square foot. The budget for New York Flex assumes the majority of build-out costs to be covered in the lease, as well as a 3 month rent abatement during the pre-opening period. To accommodate projected growth in enrollment over time, the five year lease will be broken into two stages: Stage 1 accounts for 50% build out and usage (13,793 sq ft) of the total space in Years 1 and 2 and Stage 2 usage in the remaining half of the space in Year 3. Accordingly there is a corresponding build-out in Year 3.

The school will attempt to secure financing for capital expenditures from the providers of capital items as well as from additional sources. Although we have every expectation that the providers of capital items or other parties will provide necessary funding, our curriculum provider, K12 Inc., will agree to cover any remaining capital shortfalls occurring during school opening in Years 1 and 2, with advances to be repaid by Year 3 or as available.

Total advances, vendor financing, and short-term borrowing facilities during the five-year budget period will amount to \$341,000. All of this amount will be borrowed to finance the start-up period and capital outlays in Year 1. Capital expenditures in the amount of \$138,000 for the pre-op period, \$129,000 for Year 1, \$97,000 for Year 2, \$275,000 for Year 3, and \$101,000 for Year 4 have been budgeted. All loans during the pre-op period and Year 1 are to be paid off by the end of Year 2. An interest rate of Prime plus 2% has been projected for the purposes of this initial budget. The projections show surpluses in Years 3 through 5. All K¹² credits issued in years where there is an operating deficit will be remitted to K¹² as operating surplus allows. The projections assume K¹² credits totaling \$355,000 issued in Year 1, and \$150,000 in Year 2 will be paid in Year 4. Payment of this credit is shown as part of the operating budget for those years in which they are paid.

New York Flex intends to establish a Dissolution Plan in accordance with New York Education Law Section 2851(2)(t) that includes an Escrow Account to be funded in the unlikely event of dissolution. The Dissolution Plan will comply with the forthcoming Closing Procedures for New York State Charter Schools Authorized by the Board of Regents to be issued by NYSED (see Assurance 2 on page 3 of this application). The Escrow Account will be funded over 5 years so that it will be fully established prior to the end date of the original charter.

New York Flex has carefully analyzed anticipated student enrollment demand, projected revenues, expenses and cash flows and conservatively developed its budget to preclude any shortfalls and build a contingency surplus. However, to the extent necessary, New York Flex will make immediate budget adjustments to ensure the delivery of the school's high-quality educational program. To implement budget adjustments when necessary, the principal will work with the Board of Trustees to develop an alternative budget to be proposed and ratified by the Board of Trustees for the remainder of the affected school year. By the end of September each year, enrollment will be stabilized enough to evaluate whether cost levels are appropriate. If enrollment does not meet expectations, school leadership will create recommendations and action plans to rationalize both staffing and non-personnel costs to better match the enrollment. The school will have a detailed plan for generating and maintaining enrollment including phone bank services, event planning, signage, mailing services and internet communications. Our

student recruitment plan is described in Section E of Part II. Organizational Plan in this application. This is a year round effort and if enrollment numbers are not achieved, the school will engage its enrollment team to recruit more students.

A2. Budget Information for Applicants Applying for a Charter School Program (CSP) Grant

Applicant Instructions: Please review the information in Exhibit A for instructions and guidance, and complete the required forms.

As stated in the March 16, 2011, memo from Cliff Chuang, Director, NYSED Charter School Office, effective with that memo, CSP Grant Applications are not to be submitted with the Full Application by March 31, 2011.

B. Financial Management

Applicant Instructions: Describe the systems and procedures for managing the school's finances and identify the staff position(s) that will be responsible for financial oversight and management. Describe how the school's finances will be managed and who will be responsible for the protection of student and financial records.

To ensure adequate financial oversight, the school will prepare periodic financial reports for the board's review and approval. The financial reports will include:

- Monthly budget status reports showing budgeted and actual amounts and any variances.
- Monthly cash reports and bank reconciliations.
- Quarterly statements of activities (revenue and expenses).
- Annual financial reports.
- Financial statements.

New York Flex will have its financial statements audited annually by an independent licensed Certified Public Accountant (CPA). The audits shall be conducted in accordance with generally accepted auditing standards and Government Auditing Standards issued by the Comptroller General of the United States.

The financial statements shall include a statement of financial position, statement of activities, statement of cash flows, and a schedule of functional expenses along with the required notes and management letter. If the school spends \$500,000 or more in federal awards during the fiscal year, independent audit as prescribed in the federal Office of Management and Budget Circular A-133 will be completed and filed with the federal government and the NYSED.

In the first year after it is incorporated, the school will submit to the NYSED an unaudited statement of revenues and expenses within 45 days of the end of each quarter. For each subsequent year, the school will submit to the NYSED an annual report of academic and fiscal performance by August 1, audited financial statements within 120 days of the end of the fiscal year and, where required, a Single Audit report within 60 days of receipt of nine months after the end of the audit period. An updated and current annual budget and monthly cash flow statement will be provided no later than May 15 of the immediately preceding fiscal year.

The Board of Trustees of the school will identify an independent public school accountant to audit the school books and controls annually. The accountant will be a Certified Public Accountant of New York who shall hold a current and valid license as a public school accountant for New York. A minimum of three firms will be considered based upon their experience in charter school audits and their reputation for quality and integrity. The sole decision will rest with the Board of Trustees.

The School will establish a uniform system of double-entry bookkeeping in accordance with Generally Accepted Accounting Principles (GAAP). The Board of Trustees of the school will establish a Finance Committee made up of knowledgeable financial advisors who will work closely with the school Chief School Administrator/Principal and Board Treasurer to ensure that the financial needs of the school are met and that the school is in full compliance with all local, state and federal laws and regulations that apply to charter schools.

The Treasurer, Finance Committee and Administrator will work together to prepare and implement internal controls and processes to protect the assets of the school and minimize the possibility of fraud or misuse of funds. The internal controls and procedures manual will address the following, at a minimum. This is not intended to be an exhaustive list:

- **Cash receipts and disbursements**
 - Authorized signatories
 - Approval authority levels
 - Segregation of duties
 - Monthly bank reconciliations
- **Procurement Process**
 - Purchase requisitions
 - Purchase Orders
 - Approved vendors
 - Approved authorizers re: purchase orders & requisitions
 - Noted assurance that product and services invoiced have been received
- **Human Resource Policies and Processes**
 - To address the approval of all hires and salaries
 - To ensure there are no conflicts of interest among hired NJVACS staff
 - Ensure the confidentiality of all personal and personnel information
 - Ensure benefits are competitive and provided
 - Ensure compliance with all local, state and federal laws and regulations
 - Implement an employee performance evaluation system
 - Provide staff with professional development opportunities
- **Fixed Asset Policy**
 - Dollar amount for capitalization
 - Depreciation periods
 - Asset tagging
 - Annual inventories

The treasurer of the charter school shall deposit the funds belonging to the charter school in a depository approved by the Board and shall at the end of each month make a report to the charter Board of the amount of funds received and disbursed by him or her during the month. All deposits of charter school funds by the charter treasurer shall be made in the name of the charter school. The Board of Trustees of the School shall invest charter school funds consistent with sound business practice. The school treasurer shall settle his or her accounts annually with the Board of Trustees for each school year and these accounts of the school treasurer shall be audited annually.

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 (NYSED). We will use the new required common application when it is available. New York Flex will comply with the regulations to be established by the New York Commissioner of Education which will require: the random selection admission process to be performed in a transparent and equitable manner (i.e., blind to disabilities, testing, grades, etc.); 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.

After students are admitted to New York Flex, the school Administrative Assistant will support the school administrators with the enrollment process including assisting families as needed to provide intake information such as Title 1 or Free and Reduced Price Lunch eligibility; signed district releases; and documentation of proof of age. The Administrative Assistant will also request and track receipt of records for newly enrolled students; maintain student cumulative files and other student records; and establish secure access to student records.

Initial evaluations and re-evaluations of students with disabilities or those suspected of having a disability are the responsibility of the local education agency (LEA)—the district of a student’s residence. New York Flex staff will provide data and information for the students’ IEPs to the Committee on Special Education (CSE) of the student’s school district of residence. New York Flex will implement the IEP developed by the CSE. The New York Flex special education coordinator, a separate administrative position, will 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.

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 English Language Learners (ELL) and therefore require additional screening to determine if they require ELL services and support. Annually ELL students will be assessed using the New York State English as a Second Language Achievement Test (NYSESLAT) to determine their English proficiency and when a student will exit from ELL services and supports.

New York Flex Charter School will comply with all regulations pertaining to the keeping and monitoring of student academic, attendance, discipline, testing, and health records including: Education Law §2854(1)(e) which addresses the Freedom of Information Act and Open Meetings Law; the Family Educational Rights and Privacy Act (FERPA) (see XIII (1)(e) Federal Requirements); and Procedural Safeguards and Confidentiality of Information under IDEA. One of the primary responsibilities of the school’s Administrative Assistant will be to maintain up-to-date and accurate student records and monitor access to these records in accordance with applicable law. These records will include emergency contact information, promotional status, checklist reports, legal documents pertaining to custody issues and visitation rights. New York Flex will use a system such as the ATS (Automate the Schools) system to standardize and automate the collection and reporting of data pertaining to: attendance, biographical data, enrollment status, grade promotion, and pupil transportation. The Administrative Assistant will be responsible for managing the student data system under the supervision of the Principal or the Principal’s designee.

The Administrative Assistant shall be appointed by the New York Flex Board to be the New York Flex “Records Management Officer” (RMO). Under the supervision of the Principal or the Principal’s designee, the RMO shall coordinate the development of a program for the organized and efficient management of records, including the legal disposition or destruction of obsolete records. The RMO will maintain a locked file with access granted only to those persons with a legitimate "need to know" requirement. The access log shall be maintained by the RMO. The RMO will also be given the authority and responsibility to develop and maintain New York Flex’s records management program. A “Records Advisory Board” will be created to assist in establishing and supporting the records management program. New York Flex’s legal counsel, the Board Treasurer and the Principal (or the Principal’s designee) will comprise the Advisory Board. The Advisory Board will recommend appropriate policies, regulations and procedures to the Board of Directors. The RMO will retain records for such a period and dispose of them in the manner described in Records Retention and Disposition Schedule ED-1, established pursuant to Part 185, Title VIII of the Official Compilation of Codes, Rules and Regulations of the State of New York and Article 57-A of the Arts and Cultural Affairs Law. New York Flex will not transfer student records to another school, organization, governmental entity or individual without the explicit prior consent of the student’s parent and/or guardian.

The New York Flex Principal will designate a staff member who will be responsible for collecting written excuses for student absences; determining legal and illegal absences of students according to New York Flex’s attendance policy; and filing excuses for absences in a student’s folder. All

teachers, support staff, and administrative staff will participate in professional development regarding the importance of student records and the laws and regulations governing student records prior to the start of the school year. Attendance collection and reporting procedures will follow A-210 of the New York City DOE Chancellor's Regulations. These regulations comply with all required NYS laws and NYSED regulations.

The parent/guardian of a New York Flex student will be responsible for notifying New York Flex of the absence of the student on each day he/she is not in attendance. The designated person will make daily contact with the student's parents/guardians regarding the student's absence (excused/unexcused) if it has not been reported by the prescribed time. Attendance will be entered into the system and a report of all absent and late students will be given to the Principal. The Principal or Principal's designee will follow-up on all absences in the event that a parent/guardian has not contacted the school. All documentation of outreach efforts will be kept in the main school office.

The entire process will be monitored by the Principal. Daily attendance will be monitored and if attendance drops off in any monthly period, the Board of Trustees will be notified and attendance strategies will be discussed and implemented.

Evidence of New York Flex Charter School's ability and preparation to obtain liability insurance to indemnify the school, its board, staff, and teachers against tort claims has been provided by Arthur J. Gallagher & Company (see **Attachment 19**).

C. Facility

Applicant Instructions: Discuss the school's facility needs based on the educational program and anticipated enrollment. If the applicants have identified a facility, indicate the location (street address, city, and zip code) and provide a description including, at a minimum, the number and size of the classrooms, common areas, administrative areas, recreational space, any community facilities, and any residential facilities necessary to implement the program as described. Explain how the facility will meet the needs of students and provide an assurance that it will be accessible to students with physical disabilities.

New York Flex proposes to locate its school in a private commercial location. 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 that meet educational code requirements; provide a safe location and excellent subway and bus access; and would be available for occupancy with appropriate renovations by the summer of 2012, prior to school opening in September 2012 (see **Attachment 21**). 200 Hudson and 175 Varick Street are both zoned as M1-6 (manufacturing zone) which allows community facility use group 4. 123 William Street is zoned C6-4 (commercial zone) which allows community facility use group 3 & 4. 17 Battery Park North is zoned C5-5 (commercial zone) which allows community facility use group 3 & 4. According to the New York City Planning definition, a community facility use provides educational, recreational, religious, health or other essential services for the community it serves.

In order to carefully plan for the school's facility needs based on the educational program and anticipated enrollment, an analysis has been conducted to project required square footage, classroom space and other education spaces. A summary of those requirements appears below.

Purpose for Room	Square Footage Required	Number of Rooms Required First Year	Full Enrollment in First Charter Period
Classrooms	700	5	22
Science Lab	500	1	4
Multi Purpose Room	1125-2250	1	1
Student Support	200	2	6
Administrative Space	125-150	9	17
Cafeteria	1500-1650	1	1
Reception	200	1	1

Our Financial Narrative and Budget and Cash Flow depict the anticipated costs and cash flows related to the facility requirements. These are based on expert real estate advice and current-market landlord representations (see **Attachment 21**). We anticipate that build out costs will be adequately covered by landlord tenant allowances which range from \$40-45 per square foot. However, in order to conservatively estimate any unique requirements at these potential locations, we have budgeted an additional contingency amount of \$10 per square foot. Please see the Pre-Opening Plan in Section III Financial Plan Sub-Section G which follows for the planned timeline and process for selecting, acquiring, build out and taking occupancy of the school facility. All facility improvements will be completed in compliance with applicable law and regulations utilizing appropriately licensed architects and contractors. Also, working with our licensed architects and contractors, we will ensure that our facility will provide accessibility to all students with physical disabilities.

D. Transportation

Applicant Instructions: State whether the school intends to provide transportation for students who do not otherwise qualify for transportation under Education Law Section 3635. If so, describe the transportation plan and explain budget revenue and expenditure assumptions. In preparing your response, please carefully consider the transportation plan for non-public school students in the district that you propose to locate.

Students will receive transportation services for which they are eligible under Education Law § 2853(4) (b) and § 3635. Transportation for special education students will be provided in accordance with all applicable State and Federal laws. The school district of residence is responsible to provide special transportation to a student with a disability attending New York Flex whenever special transportation is included on the student’s IEP and the charter school requests that the school district provide such special transportation.

If a student is not eligible for transportation, transportation becomes the responsibility of the child’s parents or guardian. Metro Cards will be provided to students in accordance with NYCDOE regulations and coordinated with the Office of Pupil Transportation. New York Flex students are eligible for free Metro Cards if they live at least a mile and a half from the school.

E. Food Service

Applicant Instructions: Describe the food services that the charter school will provide to students, including whether the school will provide breakfast and/or snack in addition to lunch. Indicate whether the charter school will participate in the Federal school lunch or school breakfast programs. Further indicate whether the charter school will participate in the local school district’s food service

programs and whether food will be prepared on or off site. Ensure that the proposed budget reflects revenues and costs associated with the school's food service program.

We anticipate that about 63% of our student body will be eligible for free or reduced price lunch--the proportion of CSD 2 students eligible for free or reduced price lunch in 2008-2009. The proposed school budget reflects the revenues and costs associated with the school's food service program based on our projected enrollments and the proportion of our students who are eligible for free or reduced-price lunch.

We will provide breakfast and lunch onsite but families may choose to send packed lunches with their children. We will contract, as do many charter schools, with the New York City Office of School Food and Nutrition Services (SchoolFood). We will follow all protocols and procedures required by the SchoolFood Program. If our school has a mechanism for heating food, we will provide hot meals. In the absence of a food heating mechanism, we will receive cold meals from SchoolFood.

F. Insurance

Applicant Instructions: Provide evidence of ability and preparation to obtain liability insurance coverage (minimum A- BEST rating)

Evidence of New York Flex Charter School's ability and preparation to obtain liability insurance coverage (minimum A- BEST rating) has been provided by Arthur J. Gallagher & Company (see **Attachment 19**). The coverages to be secured include:

- Directors' and Officers' Liability
- Commercial General Comprehensive Liability
- Educators' Legal Liability
- Employment Practices Liability
- Sexual Abuse Liability
- Automobile Liability
- Excess Liability or Umbrella (i.e., bundled commercial general liability, directors' and officers' liability, legal liability, employment practices liability, automobile liability, and sexual abuse liability)
- Workers Compensation Liability
- Property/Lease and Boiler Machinery Coverage
- Student Accident Coverage
- Surety bond for the school's chief financial officer in an amount to be determined based on the cash flow of the school.

The estimated premiums for this insurance for have been included in the proposed budget (see **Attachment 17**).

G. Pre-Opening Plan

Applicant Instructions: Provide a Pre-Opening Plan that documents key tasks to be completed between approval of the application and opening of the school. Include a schedule for initiation, development and completion of those tasks, identify primary responsibility by individual or position, and document anticipated resource needs.

On the following pages please refer to the proposed New York Flex Pre-Opening Plan of key tasks consistent with the school's education, organizational, and financial plans. These tasks will be completed

between approval of the charter application and the opening of school. New York Flex will also follow guidance regarding pre-opening procedures and requirements to be released by NYSED.

NEW YORK FLEX PRE-OPENING PLAN	
DATE	SCHEDULE
September 12-13, 2011	<ul style="list-style-type: none"> • Board of Regents approves New York Flex Charter School (New York Flex)
September 2011 –January 2012	<p>New York Flex Board of Trustees organizes, determines meeting schedule, and posts according to New York Open Public Meetings Law.</p> <ul style="list-style-type: none"> • New York Flex Board obtains appropriate insurance coverage including a surety bond for the school CFO. • New York Flex Board meets to outline strategic plan to school start up. • Develop school logo and recruitment materials including print and online website and complete enrollment portal. • Refine marketing, recruitment and community plan for students. • Refine and put into action recruitment plan for employees including but not limited to: Principal, Administrative Assistant, and all instructional staff including general education teachers, special education teachers, ELL teachers, and a counselor—based on projected enrollment forecasts. • Identify school facility site and finalize lease agreement.
February - May 2012	<ul style="list-style-type: none"> • Renovate/build out school facility site as needed. • New York Flex Board approves compensation plan for New York Flex employees. • Board approves candidate to fill Principal position • Recruitment of Administrative Assistant, general education teachers, special education teacher, ELL teacher, and counselor. • Hold Open House and information sessions for prospective families interested in learning more about the school. • Begin making calls to students interested in enrolling at New York Flex. • Begin interviewing for teaching and counseling staff based on enrollment projections. • Place IT orders for school including phone systems, servers, wireless connections, hardware, software, etc. • Place orders for school furnishings.

June 2012	<ul style="list-style-type: none"> • Board approves candidates to fill Business Manager, IT Manager, and Administrative Assistant positions • Building owner receives certificate of occupancy for space. • Move into school facility. • Conduct Administrative training in preparation for on boarding of teaching staff and students. • Prepare HR packets for all staff. • Begin transfer of all student records. • Set up student records. • School Board approves school policies and procedures. • School Board approves parent and employee handbooks.
July 2012	<ul style="list-style-type: none"> • Complete hiring teachers and counselors for August start dates. • Finalize operations manual to ensure the execution of smooth processes and procedures. • Finalize financial policies to be approved by the Board of Trustees. • Enrollment continues.
August 2012	<ul style="list-style-type: none"> • Student Admissions lottery conducted if necessary. • Conduct face to face and online staff development. • Finalize class lists and schedules. • Conduct parent orientation sessions face to face at multiple city wide locations and online. • Provide data and information to the Committee on Special Education (CSE) for students' IEPs; attend all IEP meetings, if applicable. If New York Flex is unable to directly provide services to the extent necessary, contract with appropriately certified or licensed individuals to provide services under its direction.
September 5, 2012	<ul style="list-style-type: none"> • School opens with OPENING DAY CELEBRATION OF THE LAUNCH OF NEW YORK FLEX CHARTER SCHOOL!

IV. TABLE OF ATTACHMENTS

Attachment Number	Title
Attachment 1	Roster of Key Contacts
Attachment 2	Certification Statement
Attachment 3	Sample Daily Schedule
Attachment 4	Proposed Annual Calendar
Attachment 5	Proposed Corporate By-laws
Attachment 6	Proposed Code of Ethics
Attachment 7	Resumes/CVs of Prospective Founding Group Members
Attachment 8	Statement of Assurances
Attachment 9	Requests for Information from Prospective Charter School Board Members
Attachment 10	Organizational Chart
Attachment 11	Key Position Descriptions
Attachment 12	CMO Background Information
Attachment 13	Schools Managed by CMO
Attachment 14	Academic Performance Data from Schools Managed by CMO
Attachment 15	Summary of CMO's Fiscal Performance for Past Three Years
Attachment 16	Template Service Agreement with CMO
Attachment 17	Budget and Cash Flow Template
Attachment 18	Sample Exit Standards
Attachment 19	Letter of Insurability
Attachment 20	Code of Conduct
Attachment 21	Potential School Sites

Attachment 1: Roster of Key Contacts

Name	Role (Founding Group Member, Proposed Board Member, or Proposed School Employee)
<p>PLEASE NOTE: The New York Flex Charter School Key Contacts can be contacted via the school email and telephone:</p> <p>Telephone Number: [REDACTED]</p> <p>Email Address: newyorkflex@gmail.com</p>	
Yung Moon	Lead Applicant, Founding Group Member, Proposed Board Member
Michael Cohen	Founding Group Member, Proposed Board Member
Victor Geraci	Founding Group Member, Proposed Board Member
Roger Griffith	Founding Group Member, Proposed Board Member
Roberto Gutierrez	Founding Group Member, Proposed Board Member
Herbert Toler, Jr.	Founding Group Member, Proposed Board Member

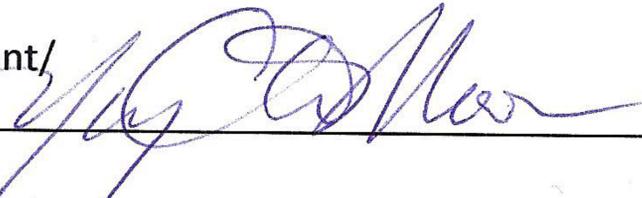
Attachment 2: Certification Statement

Proposed Charter School Name New York Flex Charter School

Proposed School Location (District) New York City CSD 2

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

I hereby certify that the information submitted in this application is true to the best of my knowledge and belief; and further I understand that, if awarded a charter, the proposed school shall be open to all students on a space available basis, and shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or a foreign language, or academic achievement. I also certify that I am an eligible to apply for a charter under the requirements of Education Law. This is a true statement, made under the penalties of perjury.

Signature of Lead Applicant/
Authorized Person  Date 3/23/2011

(Please label the copy that has original signatures)

Print/Type Name Yung Moon

Address 

Daytime Phone:  Email: 

SAMPLE DAILY SCHEDULE

NEW YORK FLEX CHARTER SCHOOL STUDENT SAMPLE SCHEDULE

Monday - Thursday

Period Time

1	7:55 – 8:55
2	9:00 – 10:00
Break	
3	10:05 – 11:05
4	11:10 – 11:25 Homeroom/ Study Hall & 11:30-12:05 Lunch
5	12:10 – 1:10
6	1:15 – 2:15
Break	
7	2:20 – 3:20
8	3:20 Student Dismissal
9	3:25 – 4:25 Teacher conference, extracurricular activities and school clubs (optional)
10	4:30-5:30 Academic support (tutoring, peer coaching, group projects, small group instruction, etc.) (optional)

Friday

Period Time

1	8:00 – 8:55
2	9:00 – 9:55
Break	
3	10:05 – 11:00
4	11:05 – 11:20 Homeroom/ Study Hall & 11:25-12:00 Lunch
5	12:05 – 1:00
6	1:00 Student Dismissal
7	1:15 – 4:30 Teacher Planning and Collaboration

**NEW YORK FLEX CHARTER SCHOOL GRADE 9 STUDENT
SAMPLE WEEKLY CLASS/AFTER SCHOOL SCHEDULE**

Period	Mon	Tue	Wed	Thu	Fri
1	Eng 1	Eng 1	Eng 1	Eng 1	Eng 1
2	Bio 1	Bio 1	Bio 1	Bio 1	Bio 1
3	W His	W His	W His	W His	W His
4	-----Homeroom & Lunch-----				
5	Alg 1	Alg 1	Alg 1	Alg 1	Alg 1
6	Health/PE	Health/PE	Health/PE	Health/PE	-----
7	World Language/ Electives	World Language/ Electives	World Language/ Electives	World Language/ Electives	-----
8	Teacher conference, extracurricular activities and school clubs (optional)				-----
9	Academic support period (tutoring, peer coaching, group projects, small group instruction, etc.) (optional)				-----

Each student’s class schedule will be based on her/his Individual Learning Plan (ILP) which incorporates the New York State and New York Flex Charter School high school graduation requirements.

ATTACHMENT 4**PROPOSED ANNUAL 2012-2013 CALENDAR**

The school's annual calendar will follow the New York City Department of Education calendar as closely as possible and will meet or exceed the annual minimum instruction time required of New York public schools (minimum of 180 days). The Board is interested in developing summer school programs as well. The New York Flex calendar for 2012-2013 would tentatively be:

2012-2013 NEW YORK FLEX SCHOOL CALENDAR		
DATE	DAY	ACTIVITY
September 3	Monday	Labor Day (schools closed)
September 4	Tuesday	Teachers and other student services staff report Professional Development (Students not in attendance)
September 5	Wednesday	School Opens for Students
September 17-18	Monday and Tuesday	Rosh Hashanah (schools closed)
October 8	Monday	Columbus Day (schools closed)
November 6	Tuesday	Election Day Professional Development (Students not in attendance)
November 12	Monday	Veterans' Day (schools closed)
November 22-23	Thursday and Friday	Thanksgiving (schools closed)
December 24- Jan 1	Friday to Tuesday	Winter Recess
January 21	Monday	Dr. Martin Luther King, Jr. Day (schools closed)
January 28	Monday	Fall term ends Professional Development (Students not in attendance)
January 29	Tuesday	Spring term begins
February 18-22	Monday-Friday	Midwinter Recess
March 25-April 1	Monday-Monday	Spring Recess
May 27	Monday	Memorial Day
June 7	Friday	Professional Development (Students not in attendance)
June 21	Friday	Regents Rating Day (To Be Confirmed) (Students not in attendance)
June 28	Friday	Last Day of School for Students, Teachers and Support Staff
July 1-2	Monday and Tuesday	Last days for other staff

PROPOSED CORPORATE BYLAWS

**BYLAWS
OF
NEW YORK FLEX CHARTER SCHOOL**

ARTICLE I ORGANIZATION

Section 1. Name. The name of the corporation is New York Flex Charter School (the “**Corporation**”).

Section 2. Legal Organization. The Corporation is a non-stock, not-for-profit corporation, incorporated as an education corporation pursuant to Section 2853 of the New York State Charter Law as now in effect or as it may be amended hereafter (the “Charter Law”).

Section 3. Members. The Corporation shall have no members.

Section 4. Principal Place of Business. The principal place of business of the Corporation shall be located at 295 Greenwich St. #127, New York, NY 10007, or at such other place as the Board of Trustees (the “Board”) may select by resolution or amendment of these Bylaws.

Section 5. Fiscal Year. The fiscal year of the Corporation shall commence on July 1 in each calendar year and end on June 30 of the succeeding year or on such other date as shall be determined by resolution of the Board.

Section 6. Books. There shall be kept at the principal place of business of the Corporation (1) correct and complete books and records of account, (2) minutes of the proceedings of the Board and the Executive Committee, (3) a current list of the trustees and officers of the Corporation and their residence addresses and other contact information, (4) a copy of these Bylaws, (5) a copy of the Corporation’s application for recognition of exemption with the Internal Revenue Service (Form 1023), and (6) copies of the past years’ information returns to the Internal Revenue Service (Form 990).

Section 7. General Purposes. The Corporation is organized and will be operated exclusively to carry out educational and charitable purposes, within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as now in effect or as may be amended hereafter (“**Section 501(c)(3)**”), including, but not limited to:

- a. operating a public charter school (the “**Charter School**”) in New York City, New York pursuant to the Corporation’s charter agreement (the “**Charter**”). To the extent there are any conflicts between the terms of the charter school’s charter and the terms of these by-laws, the terms of the charter will control;
- b. exercising all rights and powers conferred by the laws of the State of New York upon not-for-profit education corporations and consistent with the Constitution of the State of New York and the Charter, including, but not limited to, raising funds, receiving gifts, bequests and contributions in any form, using, applying, investing and reinvesting the principal and income therefrom and distributing the same for the above purposes; and

c. engaging in any other activity that is incidental to, connected with, or in advancement of the foregoing purposes and that is within the definition of charitable and educational for purposes of Section 501(c)(3).

Section 8. Mission. 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 classroom educators and engaging, individualized learning which includes the use of state-of-the-art digital learning tools, resources and curriculum; 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.

ARTICLE II BOARD OF TRUSTEES AND NON-VOTING TRUSTEES

Section 1. Number of Trustees. The Board shall consist of not less than five (5) or more than eleven (11) trustees (each a "**Trustee**" and collectively, "**Trustees**"). The number of Trustees comprising the entire Board shall be fixed, from time to time, by resolution of the Board or by amendment of these Bylaws; provided, however, that the number of Trustees shall always be an odd number.

Section 2. Powers of the Board. The Board shall have all powers of a Board of Trustees under all applicable laws including the Charter Law, including but not limited to: (a) appointing and discharging advisors and consultants who have skills considered necessary or helpful to the Corporation; (b) employing and discharging persons for the furtherance of the purposes of the Corporation; (c) electing all officers of the Corporation (each an "**Officer**" and collectively "**Officers**") and all Trustees; and (d) exercising all other powers necessary to manage the affairs and further the purposes of the Corporation in conformity with the Charter Law, the Charter and these Bylaws.

Section 3. Initial Trustees. The initial Trustees (the "**Initial Trustees**") are those persons named as Trustees in the Charter. The Initial Trustees shall serve until the earliest of (A) the first annual meeting of the Board held during 2011, (B) their resignation or (C) their removal from office pursuant to Section 6.

Section 4. Election of Trustees; Classification

(a) The terms of office of the Trustees shall coincide with the annual meetings of the Board. At each annual meeting of the Board, the successors of the class of Trustees whose term of office expires at that meeting shall be elected, in accordance with these Bylaws, to a three-year term. Trustees shall be elected by the affirmative vote of at least a majority of the Trustees then in office and may serve any number of consecutive terms. A Trustee's term of office shall not be shortened by any reduction in the number of Trustees nor shall a Trustee's term of office be lengthened by amendment to the Charter, these Bylaws or other Board action.

(b) The Board shall be divided into three classes of Trustees (which shall be as nearly equal in number as possible) for the purpose of staggering the terms of office. The terms of office of the Initial Trustees shall expire as follows: that of the first class shall expire at the 2013 annual meeting of the Board; the second class, at the 2014 annual meeting; and the third class, at the 2015 annual meeting.

(c) Ex-officio trustee. At least one seat on the Board shall be reserved for a parent of a child enrolled in the Corporation.

(d) Trustees, officers or employees of any single organization shall hold no more than 40 percent of the seats comprising the Board.

Section 5. Vacancies. A vacancy on the Board shall be deemed to exist upon (a) the death, resignation or removal of any Trustee, unless the Board elects to reduce the number of Trustees authorized under these Bylaws; (b) an increase in the authorized number of Trustees; or (c) the failure of the Board, at any annual or other meeting of Trustees at which any one or more Trustees are to be elected, to elect the authorized number of Trustees to be voted for at that meeting. Vacancies shall be filled such that the classes of Trustees are as nearly equal in number as possible. If a vacancy occurs on the Board for any reason, the position shall be filled by the Board, by the affirmative vote of at least a majority of the Trustees then in office until the next annual meeting of the Board, at which time the person filling the vacancy may be eligible for nomination as a candidate to stand for election for the remainder of the term of such position, if any.

Section 6. Removal of Trustees. The Board may, by the affirmative vote of at least a two-thirds of the Trustees then in office, remove a Trustee with or without cause or, at any regular meeting of the Board or any special meeting of the Board called for that purpose. Notwithstanding anything in these Bylaws to the contrary, at least three (3) days' notice must be given for a meeting at which Trustees are to vote on the removal of a Trustee.

Section 7. Resignation. A Trustee may resign at any time by giving written notice to the Secretary or Chairperson. The resignation shall be effective upon receipt of such notice or at any later date specified in the notice.

Section 8. Compensation. Trustees shall serve without compensation for their services as Trustees; however, the Board may approve reimbursement of a Trustee's actual and necessary expenses while conducting the Corporation's business.

Section 9. Loans to Trustees, Officers, and Employees. No loans shall be made by the Corporation to its Trustees, Officers, or employees or to any other corporation, firm, association or other entity in which one or more of its Trustees or Officers are directors or officers or hold a substantial financial interest.

Section 10. Action by the Board.

(a) Except as may be specifically provided by statute, the Charter, or these Bylaws, the vote of a majority of the Trustees present and entitled to vote at any meeting at which a quorum is present shall be the act of the Board.

(b) Consistent with Article 7 of the New York Public Officers Law (the "**Open Meetings Law**"), any one or more Trustees may participate in a meeting of the Board by means of a videoconference telephone or similar communications equipment allowing all persons participating in the meeting to hear and see each other at the same time. Participation by such means shall constitute presence in person at a meeting.

(c) All voting by Trustees shall be in person and never by proxy.

Section 11. Conflict of Interest and Code of Ethics. The Board of Trustees shall adopt Conflict of Interest and Code of Ethics policies for the school.

ARTICLE III COMMITTEES

Section 1. Committees.

(a) The Board shall have the following standing committees: (i) Executive Committee; (ii) Finance and Audit Committee; (iii) Education and Accountability Committee. The Board, by an affirmative vote of a majority of the Trustees then in office, may establish and appoint other standing committees or special committees of the Board, consisting of at least three Trustees, with such powers and duties as permitted by law and as the Board may prescribe. As used in these Bylaws, “Committee” shall refer to any committee provided for in, or created by the Board pursuant to, this Article III.

(b) To the extent permitted by law, the Committees shall have all the authority granted by the Board, except that no Committee shall have the authority to (i) fill vacancies in the Board or any Committee, (ii) remove Trustees, (iii) appoint or remove Officers, (iv) amend, repeal, or adopt Bylaws or the Charter, (v) amend or repeal any resolution of the Board which by its terms shall not be so amendable or repealable, (vi) authorize an expenditure that exceeds the approved budgetary amount for such item of expenditure by more than an amount authorized by resolution of the Board and (vii) any other matter covered under Section 712 of the New York Not-For-Profit Corporation Law.

(c) Unless a shorter term is prescribed by the Board in its resolution creating a special committee, the Committee members shall be elected for a one-year term at each annual meeting of the Board. The slate of candidates for committees shall be submitted to the Board by the chairperson of the Committee and Committee members shall be elected by an affirmative vote of a majority of the Trustees then in office. Unless otherwise provided herein, each Committee shall choose a chairperson from among its members.

Section 2. Executive Committee. The Executive Committee shall consist of the Chairperson, the Vice Chairperson, the Treasurer, and the Secretary.

Section 3. Finance and Audit Committee. The Finance and Audit Committee shall consist of the Treasurer (who shall serve as the chairperson of the Finance and Audit Committee), the Chairperson, at least two other Trustees and up to two non-trustee members. No person who is an employee of the Corporation or who has any material financial interest in any entity doing business with the Corporation may serve on the Finance and Audit Committee. To the extent permitted by law and these Bylaws, the Finance and Audit Committee shall (i) recommend to the Board an annual budget and fiscal policy (and amendments thereof from time to time), (ii) recommend to the Board an independent auditor to conduct an annual audit of the financial statements of the Corporation and oversee such independent auditor and (iii) fulfill such other duties and responsibilities as may be assigned to the Finance and Audit Committee by the Board from time to time.

Section 4. Education and Accountability Committee. The Education and Accountability Committee shall consist of at least three Trustees. To the extent permitted by law and these Bylaws, the Education and Accountability Committee shall oversee the (i) assessment and performance measures of the Corporation, (ii) maintenance of school records and public documents, and (iii) publication of the Corporation’s annual report and shall also fulfill such other duties and responsibilities as may be assigned to the Education and Accountability Committee.

ARTICLE IV MEETINGS OF THE BOARD OF TRUSTEES AND ITS COMMITTEES

Section 1. Open Meeting Law. Board meetings shall be held in compliance with Article 7 of the New York Public Officers Law (the “**Open Meetings Law**”). To the extent of any conflict between any provision of these by-laws and the Open Meetings Law, the Open Meetings Law shall prevail and control.

Section 2. Place of Meeting. The Board shall hold its meetings at the principal office of the Corporation, or at such place or places within or without the State of New York as the Board may from time to time by resolution determine.

Section 3. Annual Meetings. The annual meeting of the Board shall be held each year in the month of July at a date, time and place fixed by the Board for the purpose of electing Trustees and Officers and for the transaction of any other business as may properly come before the meeting.

Section 4. Monthly Meetings. Monthly meetings of the Board or its Committees shall be held at such times as may be fixed from time to time by resolution of the Board or Committee members, as the case may be. In the absence of such fixed dates, times and places, notice of each meeting and an agenda for same shall be given to each Trustee by personal delivery, fax, electronic or regular mail at least 72 hours before the day of the meeting.

Section 5. Special Meetings. Special meetings of the Board may be called, subject to the notice requirements of Section 6 of this Article IV, by the Chairperson (or, in the case of the absence or incapacity of Chairperson, the Vice Chairperson) of the Board, by the Secretary, or upon written request of at least fifteen percent (15%) of the Trustees. Special meetings of a Committee may be called, subject to the notice requirements of Section 6 of this Article IV, by any member of such Committee.

Section 6. Notice of Special Meetings. Except as otherwise required by law or these Bylaws, notice of each special meeting of the Board or Committee, as the case may be (which notice shall state the purpose or purposes of such special meeting and at such meeting no other business than that stated in the notice shall be transacted as official business), by personal delivery, fax, electronic or regular mail at least twenty-four hours before the day of the meeting. No notice need be given of any adjourned meeting. Notice of a meeting need not be given to any Trustee or Committee member who submits a signed waiver of notice whether before or after the meeting, or who attends the meeting without protesting, prior thereto or at its commencement, the lack of notice to him or her.

Section 7. Public Notice. Public notice of meetings shall be given in accordance with the Open Meetings Law. Notice of board meetings shall be conspicuously posted in at least one or more designated public locations, in the school in a manner available to the public during official school hours and on the official school website.

Section 8. Quorum. Unless a greater proportion is required by law or these Bylaws, a majority of the number of Trustees then in office shall constitute a quorum for the taking of action by the Board. Except as otherwise provided by law or these Bylaws, at any meeting of the Board, the affirmative vote of a majority of the Trustees present at the time of the vote shall be the act of the Board. If at any meeting of the Board, there shall be less than a quorum present, the Trustees present may adjourn the meeting until a quorum is obtained. Whether or not a quorum exists, the majority of Trustees at a meeting may vote to adjourn a meeting without notice. All voting shall be in person and never by proxy.

Section 9. Action by Written Consent; Participation By Other Means. Any action required or permitted to be taken by the Board or any Committee may be taken without a meeting if all members of the Board or such Committee consent in writing to the adoption of a resolution authorizing the action. The resolution and the written consents thereto by the members of the Board or Committee shall be filed with the minutes of the proceedings of the Board or Committee. Any one or more members of the Board or any Committee thereof may participate in a meeting of the Board or Committee by means of a conference telephone, video-conferencing or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time; provided, however, that participation by such means shall not constitute presence at the meeting for purposes of a quorum or vote except as permitted by the Open Meetings Law.

Section 10. Minutes. The minutes taken at all open meetings of the Board and its Committees shall include a record or summary of all motions, proposals, resolutions, actions taken, and any other matter formally voted upon and the results of the vote and shall be made available, for approval, to the Board at the next regular meeting of the Board or Committee, as the case may be. The minutes taken at executive sessions shall include any action taken by formal vote and provide a summary of the final determination of such action; provided, however, that such minutes need not include any matter which is not required to be made public by the Open Meetings Law. The minutes of executive sessions shall be made available to the public within one week from the date of the meeting at which such session occurred.

Section 11. Organization. At each meeting of the Board, the Chairperson or, in the absence of the Chairperson, the Vice Chairperson shall preside, or in the absence of either of such Officers, a Trustee, chosen by a majority of the Trustees present, shall preside. The Secretary shall act as Secretary of the Board. In the event the Secretary shall be absent from any meeting of the Board, the Trustees shall select a secretary to record the minutes. At each meeting of a Committee, the chairperson of the Committee or, in his or her absence, a member chosen by a majority of the Committee members present, shall preside, and a Committee member shall also be selected to record the minutes.

Section 12. Matters Exempt From The Open Meetings Law. The Board may act on the following matters in a meeting closed to the public: (A) judicial or quasi-judicial proceedings; and (B) any matter made confidential by state or federal law.

Section 13. Executive Session. Notwithstanding any other sections of these Bylaws, upon a vote of a majority of the entire Board in an open meeting, on a motion that identifies the general subject or subjects to be considered, the Board may conduct a meeting in executive session for the following reasons:

- (a) matters which would imperil public safety if disclosed;
- (b) any matter which may disclose the identity of a law enforcement agent or informer;
- (c) information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- (d) discussions regarding proposed, pending or current litigation;
- (e) collective bargaining negotiations;

(f) the medical, financial, credit or employment history of a particular person or corporation or matters pertaining to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;

(g) the preparation, grading or administration of examinations; and

(h) the proposed acquisition, sale or lease of real property or the proposed acquisition, sale or exchange of securities, but only when publicity would substantially affect the value thereof.

ARTICLE V OFFICERS

Section 1. Number and Qualifications. The Officers of the Corporation shall be the Chairperson, Vice Chairperson, Treasurer, and Secretary, and such other Officers, if any, as the Trustees may from time to time appoint. The Chairperson, the Vice Chairperson, the Secretary and the Treasurer shall be selected from among the Trustees; any other Officers may, but shall not be required to be, selected from among the Trustees. Any person may hold more than one office in the Corporation except that no one person may hold both the offices of Chairperson and Secretary.

Section 2. Election and Term of Office. At each annual meeting of the Board, the Officers of the Corporation shall be elected for a one-year term. Each Officer shall continue in office until his or her successor shall have been elected and qualified or, if sooner, until his or her death, resignation or removal; provided, that if an Officer is required to be selected from among the Trustees by Section 1 of this Article V, such Officer's term of office shall end automatically if such person ceases for any reason to be a Trustee.

Section 3. Resignation. Any Officer may resign, at any time, by giving written notice to the Secretary or Chairperson. The resignation shall be effective upon receipt of such notice or at any later date specified in the notice, but no resignation shall discharge any accrued obligation or duty of an Officer.

Section 4. Removal. Any Officer may be removed, with or without cause, by an affirmative vote of the majority of the Trustees then in office and the resulting vacancy shall be filled for the unexpired term by an affirmative vote of the majority of the Trustees then in office.

Section 5. Chairperson. The Chairperson shall preside at all meetings of the Board at which the Chairperson is present. Subject to Board control, the Chairperson has general supervision, direction and control of the affairs of the Corporation, and such other powers and duties as the Board may prescribe.

Section 6. Vice Chairperson. In the absence or incapacity of the Chairperson, or a vacancy in the office of the Chairperson, the Vice Chairperson (as determined by the Board) shall preside at all meetings of the Trustees. The Vice Chairperson shall have such powers and shall perform such other duties as may be assigned to him or her by the Board or the Chairperson.

Section 7. Treasurer. The Treasurer shall keep and maintain, or cause to be kept and maintained, the books of account and shall have charge and custody of, and be responsible for, all funds and securities of the Corporation, and deposit all such funds in the name of and to the credit of the Corporation in such banks, trust companies, or other depositories as shall be selected by the Board. The Treasurer shall also perform all other duties customarily incident to the office of Treasurer. At each annual meeting, he or she shall render a report of the Corporation's accounts showing in appropriate detail: (a) the assets and liabilities of the Corporation as of a twelve-month fiscal period terminating not

more than six months prior to the meeting; (b) the principal changes in assets and liabilities during that fiscal period; (c) the revenues or receipts of the Corporation, both unrestricted and restricted to particular purposes during said fiscal period; and (d) the expenses or disbursements of the Corporation, for both general and restricted purposes during said fiscal period. Such report shall be filed with the minutes of the annual meeting of the Board. The report to the Board may consist of audited financials, or a verified or certified copy of any report by the Corporation to the Internal Revenue Service or the Attorney General of the State of New York that includes the information specified above. The Treasurer shall, if required by the Board, obtain a bond for the faithful discharge of his or her duties, in such sum and with such sureties as the Board shall require.

Section 8. Secretary. In addition to his or her duties pursuant to Section 9 of Article IV of these Bylaws; the Secretary shall keep a current list of the Corporation's Trustees and Officers and their residence addresses; the Secretary shall be the custodian of the seal of the Corporation and shall affix the seal, or cause it to be affixed, to all agreements, documents and other papers requiring the same. The Secretary shall also have custody of all other contracts and documents which are not in the custody of the Treasurer of the Corporation, or in the custody of some other person authorized by the Board to have such custody.

Section 9. Compensation. The Chairperson, Vice Chairperson, Secretary and Treasurer shall not receive any salary or compensation for their services as Officers. An Officer shall be entitled to reimbursement for reasonable expenses incurred in carrying out his or her duties as an Officer and approved by the Board.

Section 10. Assignment and Transfer of Stocks, Bonds and Securities. The Chairperson and the Treasurer, and each of them, if the Board shall have authorized them to do so pursuant to resolution, shall have power to assign, vote, or to endorse for transfer, under the corporate seal, and to deliver, any stock, bonds, subscription rights, or other securities, or any beneficial interest therein, held or owned by the Corporation.

ARTICLE VI CONTRACTS, CHECKS, DRAFTS AND BANK ACCOUNTS

Section 1. Execution of Contracts. The Board of Trustees may grant to any officer or officers, agent or agents, in the name of and on behalf of the Corporation, the general or specific authority to enter into any contract or execute and deliver instruments. No contract calling for expenditures by the Corporation of more than \$25,000.00 shall be executed without prior approval of the Board of Trustees by the affirmative vote of a majority of the Trustees then in office. Unless so authorized by the Board, or expressly authorized by these Bylaws, no officer, agent or employee of the Corporation shall have any power or authority to bind the Corporation by any contract or engagement or to pledge its credit or to render it liable financially in any amount for any purpose.

Section 2. Loans. No loans or other indebtedness shall be contracted on behalf of the Corporation unless specifically authorized by the Board of Trustees.

Section 3. Checks, Drafts, etc. All checks, drafts and other orders for the payment of money out of the funds of the Corporation, and all notes or other evidences of indebtedness of the Corporation, shall be signed on behalf of the Corporation in such manner as shall from time to time be determined by resolution of the Board.

Section 4. Deposits. All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board may select.

ARTICLE VII INDEMNIFICATION AND INSURANCE

Section 1. Non-Liability. Except as otherwise required by law, the Trustees shall not be personally liable for the Corporation's debts, liabilities or other obligations.

Section 2. Indemnification. The Corporation shall, to the fullest extent now or hereafter permitted by law, indemnify against judgments, fines, amounts paid in settlement and reasonable expenses, including attorneys' fees, any person who is made or threatened to be made a party to any action or proceeding by reason of the fact that such person, his or her testator or intestate is or was a Trustee or Officer of the Corporation. To the full extent so permitted, the foregoing shall apply to actions by or in the right of the Corporation and require the Corporation to pay expenses in advance of final disposition. The adoption of the foregoing provisions shall not adversely affect any right to indemnification which any person may have under these Bylaws as now, hereafter or formerly in effect; and other rights to indemnification or advancement of expenses may be provided by (a) a resolution of Trustees or (b) an agreement providing for such indemnification. If the Board so determines, the Corporation may provide indemnity, on such terms and to such extent as may be fixed by the Board, to employees and other persons to whom the foregoing provisions do not relate. Neither the amendment nor repeal of this Section 2, nor the adoption of any provisions of these Bylaws or the Charter or any other statute inconsistent with this Section 2, shall eliminate or reduce the effect of this Section 2 in respect of any acts or omissions occurring prior to such amendment, repeal or adoption of an inconsistent provision.

Section 3. Insurance. The Corporation shall have the power to purchase and maintain insurance to indemnify the Corporation for any obligation incurred as a result of its indemnification of Trustees, Officers, employees, and agents pursuant to Section 2 of this Article VII, or to indemnify such persons in instances in which they may be indemnified pursuant to Section 2 of this Article VII.

ARTICLE VIII AMENDMENTS

Section 1. Amendments. These Bylaws may be amended, repealed, or restated by a vote of two-thirds of the Trustees then in office. Such action is authorized only at a duly called and held meeting of the Board for which written notice of such meeting, setting forth the proposed alteration, is given in advance, in accordance with the notice provisions for set forth in Article IV of these Bylaws.

As adopted on this ____ day of _____, 2010

ATTEST:

Secretary

DRAFT
NEW YORK FLEX CHARTER SCHOOL
CODE OF ETHICS
FOR SCHOOL TRUSTEES, OFFICERS AND EMPLOYEES

The Board of Trustees recognizes that sound, ethical standards of conduct serve to increase the effectiveness of school board trustees and their staff as educational leaders in their community. Actions based on an ethical code of conduct promote public confidence and the attainment of school goals. The Board also recognizes its obligation under the General Municipal Law to adopt a code of ethics consistent with the provisions of the General Municipal Law, setting forth the standards of conduct required of all school trustees, officers and employees.

Therefore, every officer and employee of the school, whether paid or unpaid, including Board Trustees, shall adhere to the following code of conduct:

1. *Gifts:* An officer or employee shall not directly or indirectly solicit any gifts; nor shall an officer or employee accept or receive any single gift having a value of \$75 or more, or gifts from the same source having a cumulative value of \$75 or more over a twelve-month period, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, if it could reasonably be inferred that the gift was intended to influence him or her in the performance of his or her official duties or was intended as a reward for any official action on his or her part.

However, the Board welcomes and encourages the writing of letters or notes expressing gratitude or appreciation to staff members. Gifts from children that are principally sentimental in nature and of insignificant financial value may be accepted in the spirit in which they are given.

2. *Confidential information:* An officer or employee shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her own personal interest. In addition, he/she shall not disclose information regarding any matters discussed in an executive session of the Board, whether such information is deemed confidential or not.
3. *Representation before the Board:* An officer or employee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the school board.
4. *Representation before the Board for a contingent fee:* An officer or employee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the school board, whereby the compensation is to be dependent or contingent upon any action by the school with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.
5. *Disclosure of interest in matters before the Board:* A member of the Board of Trustees and any officer or employee of the school, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board on any matter before the Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he

or she has in such matter. The term “interest” means a pecuniary or material benefit accruing to an officer or employee.

6. *Investments in conflict with official duties:* An officer or employee shall not invest or hold any investment directly in any financial, business, commercial or other private transaction that creates a conflict with his or her official duties.
7. *Private employment:* An officer or employee shall not engage in, solicit, negotiate for or promise to accept private employment when that employment or service creates a conflict with or impairs the proper discharge of his or her official duties.
8. *Future employment:* An officer or employee shall not, after the termination of service or employment with the Board, appear before the Board or any panel or committee of the Board, in relation to any case, proceeding, or application in which he or she personally participated during the period of his or her service or employment or that was under his or her active consideration. This shall not bar or prevent the timely filing by a present or former officer or employee of any claim, account, demand or suit against the district on his or her own behalf or on behalf of any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Distribution of Code of Ethics

The Principal shall cause a copy of this Code of Ethics to be distributed annually to every officer and employee of the school. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her office or employment.

Penalties

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of the Board’s code of ethics may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

NEW YORK FLEX CHARTER SCHOOL POLICY ON CONFLICTS OF INTEREST

The General Municipal Law defines prohibited conflicts of interest for school trustees, officers and employees.

Under the General Municipal Law, no school officer or employee may have an interest, direct or indirect, in any contract with the School, when such trustee, officer or employee, individually or as a member of the Board, has the power or duty to (a) negotiate, prepare, authorize or approve the contract, or authorize or approve payment under the contract; (b) audit bills or claims under the contract; or (c) appoint an officer or employee who has any of the powers or duties set forth above. No Treasurer may have an interest, direct or indirect, in a bank or trust company designated as a depository or paying agent or for investment of funds of his/her school. This, however, does not preclude payment of lawful compensation and necessary expenses of a school employee in one or more public offices or positions of employment, the holding of which is not prohibited by law.

Exceptions to Law

The General Municipal Law enumerates a number of exceptions to its general rule prohibiting conflicts. Specifically, the statute provides that its prohibitions on conflict of interest do NOT apply to:

- a) The designation of a bank or trust company as a depository, paying agent, registration agent or for investment of funds of a municipality except when the chief fiscal officer, treasurer, or his/her deputy or employee, has an interest in such bank or trust company; provided, however, that where designation of a bank or trust company outside the municipality would be required because of the foregoing restriction, a bank or trust company within the municipality may nevertheless be so designated;
- b) A contract with a person, firm, corporation or association in which a municipal officer or employee has an interest which is prohibited solely by reason of employment as an officer or employee thereof, if the remuneration of such employment will not be directly affected as a result of such contract and the duties of such employment do not directly involve the procurement, preparation or performance of any part of such contract;
- c) The designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice, resolution, ordinance or other proceeding where such publication is required or authorized by law;
- d) The purchase by a municipality of real property or an interest therein, provided the purchase and the consideration therefore is approved by order of the supreme court upon petition of the governing board;

- e) The acquisition of real property or an interest therein, through condemnation proceedings according to law;
- f) A contract with a membership corporation or other voluntary non-profit corporation or association;
- g) The sale of lands and notes pursuant to Section 60.10 of the local finance law;
- h) A contract in which an officer or employee has an interest if such contract was entered into prior to the time he/she was elected or appointed as such officer or employee, but this does not authorize a renewal of any such contract;
- i) Employment of a licensed physician as school physician for a school upon authorization by a two-thirds vote of the board of trustees;
- j) A contract with a corporation in which an officer or employee has an interest by reason of stockholdings when less than five percent of the outstanding stock of the corporation is owned or controlled directly or indirectly by such officer or employee;
- k) A contract for the furnishing of public utility services when the rates or charges therefore are fixed or regulated by the public service commission;
- l) A contract for the payment of a reasonable rental of a room or rooms owned or leased by an officer or employee when the same are used in the performance of his/her official duties and are so designated as an office;
- m) A contract for the payment of a portion of the compensation of a private employee of an officer when such employee performs part-time service in the official duties of the office;
- n) A contract in which a school officer or employee has an interest if the total consideration payable thereunder, when added to the aggregate amount of all consideration payable under contracts in which such person had an interest during the fiscal year, does not exceed the sum of seven hundred and fifty dollars;
- o) A contract with a member of private industry council established in accordance with the federal job training partnership act or any firm, corporation or association in which such member holds an interest, provided the member discloses such interest to the council and the member does not vote on the contract.

Express Prohibitions

In addition, the law clearly states that a trustee, officer or employee may not:

- a) Directly or indirectly, solicit any gift, or accept or receive any gift having a value of \$75 or more, whether in the form of money, service, loan, travel, entertainment, hospitality, thing, or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to or could reasonably be expected to influence him/her in the performance of his/her official duties, or was intended as a reward for any official action on his/her part;

- b) Disclose confidential information acquired in the course of his/her official duties or use such information to further his/her personal interests;
- c) Receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the Board; or
- d) Receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the Board whereby the compensation is to be dependent or contingent upon any action by the agency. This does not prohibit the fixing of fees based upon the reasonable value of services rendered.

Penalties

Any contract willfully entered into by or with a school in which there is a prohibited interest is void and unenforceable. In addition, any trustee, officer or employee who willfully and knowingly violates the foregoing provisions shall be guilty of a misdemeanor.

It should be noted that competitive bidding does not cure the prohibition against having any interest in a contract when the trustee, officer or the employee has the power to approve the contract.

The law further authorizes, in addition to any other penalty imposed, that any person who knowingly and intentionally violates the above may be fined, suspended, or removed from office or employment in the manner provided by law.

Disclosure of Interests

The Legislature has also enacted various disclosure requirements, in an effort to protect the public and to publicize conflicts of interest, so that both the public and the governing body might take appropriate account of any personal interests in assessing the public benefit of a personal transaction.

Any trustee, officer or employee who has, will have, or later acquires an interest in any actual or proposed contract with the Board must publicly disclose the nature and extent of such interest in writing to the Board as soon as he/she has knowledge of it.

Although certain interests may not be expressly prohibited by law, they are still subject to disclosure requirements. Legal counsel should be sought concerning any question regarding disclosure of specific items.

The law requires that written disclosure be made part of and set forth in the minutes of the Board. Once made, no further disclosures with respect to additional contracts with the same party during the remainder of the fiscal year need be made.

YUNG MOON

EXPERIENCE

Associate Publisher • SELF Magazine • NY • Sept 2007—Present

Manage creative services department, including 16 full time and part time staff. Serve as brand manager for SELF. Develop brand extension programs and opportunities that extend into digital and consumer products, along with strategic partnerships to yield new revenue streams. Develop and execute trade campaigns and strategic positioning for the SELF brand. Manage multi-million dollar annual budgets. Attend and present at quarterly meetings to executive board on state of the business. Oversee all advertising, marketing and promotional programs and tools for SELF sales team.

Executive Director of Creative Services • SELF Magazine • NY • March 2006—Sept 2007

Creative Services Director • SELF Magazine • NY • November 2004—February 2006

Manage five-person merchandising department and six-person art department. Strategize with sales staff and advertisers to create programs that extend the advertiser brand, while utilizing the power of the SELF brand, via special advertising sections, television partnerships and more. Manage entire promotion budget. Oversee all in-book promotional pages, including advertiser-sponsored programs, as well as other special outsert issues. Work with Marketing department in developing the annual sales presentations. Create high-impact marketing programs and tools for sales team to utilize during their sales calls. Develop and create licensing opportunities for SELF that extend the brand beyond the pages of the magazine, such as the Fitness DVD licensing agreements and SELF-branded fitness apparel.

Creative Development Director • SELF Magazine • NY • February 2003—November 2004

Built strategic alliances with retailers such as Rite Aid, Walgreen and Albertsons to create signature marketing programs that provided added-value to advertisers. Managed program budgets, as well as execution of added-value overlays. Hired and managed freelance writers. Wrote and produced issue and target mailings, special outsert issue, sales presentations, publisher's memos, CD-ROMs and mini-websites. Copyedited all promotional materials produced by the department. Created SELF's tagline, mission statement and media kit materials.

Copy Director • SELF Magazine • NY • Promoted in April 2000—February 2003

Copy Manager • SELF Magazine • NY • April 1999—April 2000

Strategized with sales staff and advertisers to create special advertising sections from concept to production within magazine. Managed budgets, as well as execution of added-value overlays. Hired and managed freelance writers. Wrote and produced issue and target mailings, special outsert issue, sales presentations, publisher's memos, CD-ROMs and mini-websites. Copyedited all promotional materials produced by the department. Created SELF's tagline, mission statement and media kit materials.

Promotion Manager/Designer • Better Homes & Gardens Special Interest Publications • NY • October 1997—April 1999

Worked with Marketing Director to create 250-screen interactive computer presentation and collateral materials. Wrote copy for, designed and produced sales promotion materials, such as: media kit, rate card, image pieces for BH&G SIP groups, sell sheets for individual titles and custom slide presentations. Maintained promotion production budget and managed on-going vendor relationships. Supervised marketing associate in planning sales meetings.

Freelance Promotion Manager • Condé Nast Traveler • NY • September 1996—October 1997

Promotion Coordinator/Copywriter • New Woman Magazine • NY • March 1992—August 1994

Broadcast Journalist • KBC Television • NY • October 1991–October 1992

EDUCATION

The School of the Art Institute of Chicago, Chicago, IL

Master of Fine Arts in Printmaking, 1996. Trustee Scholarship Recipient

Williams College, Williamstown, MA

Bachelor of Arts with Honors in Fine Art and Women's Studies, Cum Laude, 1991

AWARDS

Integrated Marketer of the Year, Magazine Industry Newsletter Awards, 2007

SELF Magazine Marketer of the Year, Conde Nast Publications, 2005

PERSONAL

Board of Directors • Korean American Family Service Center • NY • May 2000–2001

Attachment 9: Request for Information from Prospective Charter School Board Members

Each Prospective Charter School Board Member must provide the Information requested in the next three pages.

Name: Ms. Yung Moon
(Include preferred honorific.)

Daytime Telephone: [REDACTED]

Home Mailing Address: _____

Personal E-Mail/Fax: _____

Business Address: _____

Business E-Mail/Fax: newyorkflex@gmail.com

Charter School Name: New York Flex Charter School

Charter School Address: [REDACTED]

To which charter school board position and/or office are you asking to be appointed? (e.g., parent representative, vice-president, Finance subcommittee, etc.):

Initial Board Chair (Board to elect leadership upon incorporation)

As you may know, serving on a public charter school board of trustees (“board”) is a position of great trust and responsibility. As a member of a public charter school’s board, you would be charged with overseeing the education of all students enrolled in the school, as well as the expenditure of public monies directed to the charter school.

The Department’s consent is required **before** any new member may serve on the board. Accordingly, and in order to properly evaluate potential new board members, we ask that you please provide full and complete answers to each of the items below and provide the required assurance indicated. Note that providing false, misleading, and/or incomplete information may lead to a withdrawal of the Department’s approval, nullifying your appointment to the board.

Background

1. Please provide your educational and employment history. You may do so by attaching a résumé. Resume Attached
2. Please affirm that you are or will be at least eighteen years old at the time of your appointment/election to the board. I affirm.
3. Please affirm that you have read Article 56 of the New York State Education Law, and understand the relationship between a charter school and the authorized chartering entity as defined in that statute. I affirm.
4. Please indicate how you became aware of the charter school and the opportunity to serve as a member of its board.

Through Salvatore Vasi, a friend from college and fellow long-time NYC resident who was instrumental in conceptualizing the school vision..

5. Please explain why you wish to serve on the board.

As a long-time NYC resident and the mother of two young children in the NYC public school system, I am extremely motivated to do all that I can to maximize the educational opportunities afforded the children in our community. I firmly believe that alternative schools such as the New York Flex Charter School play a critical role in expanding these educational opportunities across the school system as a whole. I hope to do all that I can to see that it succeeds.

6. Please indicate whether you have previously served or are currently serving on a board of a school district, a non-public school or any not-for-profit corporation (to the extent not otherwise indicated in your response to Item 1, above). In addition, please describe any other experience, knowledge or skills you feel is relevant to service on the charter school board. This does not apply to me. Yes. (Include description here):
7. Please indicate whether or not you have ever been convicted of a misdemeanor and/or felony in state or federal court in any jurisdiction.
 This does not apply to me. Yes.

If the answer to this question is yes, please provide the following details regarding your conviction(s): (1) the name of the criminal offense(s); (2) whether the criminal offense(s) was a misdemeanor or felony; (3) the facts and circumstances surrounding your conviction(s); (4) the date(s) of your conviction(s); and (5) the date(s) of disposition(s).

Your response to question six may also include any relevant written information that you wish to be considered in support of your application, including, but not limited to: certificates of conviction; any parole and/or probation documentation; any certificates, including any certificate of relief from disabilities; any proof of counseling and/or

rehabilitation; any documentation attesting to your good conduct or your good character; and any letters of support from friends, family, co-workers, employers, etc.

7. Please indicate if you currently have any criminal charge(s) pending against you in state or federal court in any jurisdiction.

This does not apply to me. Yes.

If the answer to this question is yes, please provide an explanation.

Conflict of Interest

8. Please indicate whether you, your spouse, or other family member knows any of the other prospective or current board members.
 I / we do not know any such persons. Yes.
If your answer is yes, please indicate the precise nature of your relationship here:
9. Please indicate whether you, your spouse, or other family member knows any person who is a prospective or current charter school employee.
 I / we do not know any such persons. Yes.
If yes, please indicate the precise nature of your relationship here:
10. Please indicate if you, your spouse, or other family member or any corporation, business or other entity in which you, your spouse or other family member serve as an employee, officer, or director or own a controlling interest in, contracts or does business with, or plans to contract or do business with, the charter school, including but not limited to, the lease of real or personal property to the charter school.
 No. Yes.
If yes, please describe the nature of the contract or business and, if applicable, the relationship of the person to the corporation, business or entity involved:
11. If the charter school is partnered with an educational service provider (a management company, whether for-profit or not-for-profit), please indicate whether you, your spouse, or any family member knows any employees, officers, owners, directors or agents of that provider. If your answer is in the affirmative, please describe any such relationship.
 Not applicable because the School does not/will not contract with a management company or charter management organization.
 I / we do not know any such persons. Yes.
12. If the charter school is partnered with an educational service provider, please indicate whether you, your spouse or other family member has a direct or indirect ownership, employment, contractual or management interest in the provider. For any interest indicated, please provide a detailed description.
 Not applicable because the School does not/will not contract with a management company or charter management organization.
 I / we have no such interest. Yes.
13. If the charter school is partnered with an educational services provider, please indicate if you, your spouse or other family member anticipates conducting, or is conducting, any business with the provider. If so, please indicate the precise nature of the business that is being or will be conducted.
 Not applicable because the School does not/will not contract with a management company or charter management organization.
 I / we do not anticipate conducting any such business. Yes.

14. Please indicate whether you, your spouse or other family member is a director, officer, employee, partner or member of, or is otherwise associated with, any organization which filed an application in conjunction with the charter school, i.e., is partnered with the charter school. To the extent you have provided this information in response to items 9-12, you may so indicate. This does not apply to me, my spouse or other family members. Yes.
15. Please indicate the potential ethical or legal conflicts of interests (if any) that would, or are likely to, exist should you be approved for service on the charter school's board.
 None. Yes.
16. Please explain how you would handle a situation in which you believe one or more members of the charter school's board are involved in working for their own benefit, or the benefit of their friends and family.

I would demand disclosure in accordance with our Conflict of Interest and Ethics Policies and follow the specific procedures thereof. If the situation violated the policy, I would demand board action to rectify the violation and report in accordance with applicable law.

Educational Philosophy

17. Please explain your understanding of the charter school's mission and/or philosophy.

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 classroom educators and engaging, individualized learning which includes the use of state-of-the-art digital learning tools, resources and curriculum; 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.

18. Please explain your understanding of the educational program of the charter school.

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. 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. New York Flex will utilize K¹², 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.

19. Please indicate what you believe to be the characteristics of a successful charter school. In particular, please provide the specific steps you think the board of the charter school will need to take to ensure that this charter school is and remains successful.

- Leading with a mission
- Innovating across the school program
- Promoting a community of continuous learning
- Partnering with parents and the community
- Governing for accountability

Other

20. Please explain your understanding of the appropriate role of a public charter school board member.

A board member should provide leadership in setting student learning goals and monitoring achievement, ensuring that compliance requirements are understood and managed with excellence, employing, evaluating and overseeing the school leader, and being an effective steward of public funds and assets.

21. Please affirm that you have read and understand the charter school application, the charter school board's by-laws and all proposed policies.

I affirm.

22. Please provide any other information that you feel is pertinent to the Department's review.



Michael T. Cohen

PRESIDENT - TRI-STATE REGION
New York City



CONTACT DETAILS

Colliers International
380 Madison Avenue
New York, NY 10017
www.colliers.com

SPECIALTIES

Tenant Representation
Landlord Representation
Investment Sales

AREA OF EXPERTISE

Mr. Cohen is President of the Tri-State Region. When the firm operated as GVA Williams, Mr. Cohen was the third generation of his family to head the firm, which was founded in 1926. He chaired GVA Williams' Executive Committee and was the founding partner and Chairman of GVA Worldwide Ltd., GVA Williams' strategic partnership of leading real estate firms serving 120 business capitals on five continents.

An expert real estate advisor, Mr. Cohen represents an elite clientele of the nation's top companies, including Broadridge Financial, ADP and General Motors. He specializes in representing corporations in the acquisition and disposition of office space nationwide. Mr. Cohen is also a partner in the ownership of numerous New York City office buildings, including 57 West 57th Street and 224 West 57th Street. In this capacity his responsibilities include overseeing leasing, management, and, in some cases, the restoration, redevelopment and repositioning of properties.

Mr. Cohen represents a wide range of clients regionally and nationally. He represents Broadridge Financial on a global basis. On a national scale, he manages ALM's real estate needs. Mr. Cohen handled Bank of New York's acquisition of both its primary and secondary 200,000-square-foot data centers. At 28 W 23rd Street, Mr. Cohen represented the landlord in the disposition of 270,000 square feet to Ecko. He has extensive experience representing law firms and has represented Moses & Singer in the acquisition of 90,000 square feet at 405 Lexington Avenue.

Mr. Cohen graduated from the University of Pennsylvania.

COMMUNITY INVOLVEMENT

Mr. Cohen is on the Board of Directors for several organizations, including Young Presidents Organization NY Metro Chapter, Jewish National Fund of Greater New York and Roundabout Theatre Company.

Accelerating success.

New York Flex Charter School



Attachment 8: Statement of Assurances for Each Board Member Applicant

A Statement of Assurance must be signed by and submitted for each Board Member Applicant.

I, Michael Cohen, (print name of board member applicant) state that I am the applicant for board member approval and I have read the questionnaire and any supporting documents and know the contents thereof; that the same is true to my knowledge except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true and further acknowledge that I am aware of the fact that, pursuant to the New York Penal Law, a person who knowingly offers a false instrument for filing to a public official or public servant may be subject to criminal prosecution, including for the crimes of Offering a False Instrument for Filing in the 2nd Degree, a Class A Misdemeanor, or, if there is intent to defraud, of Offering a False Instrument for Filing in the 1st Degree, a Class E felony.



Signature

3/31/11

Date

Attachment 9: Request for Information from Prospective Charter School Board Members

Each Prospective Charter School Board Member must provide the Information requested in the next three pages.

Name: Mr. Michael Cohen
(Include preferred honorific.)

Daytime Telephone: [REDACTED]

Home Mailing Address: _____

Personal E-Mail/Fax: _____

Business Address: _____

Business E-Mail/Fax: newyorkflex@gmail.com

Charter School Name: New York Flex Charter School

Charter School Address: 295 Greenwich Street, #127, New York, New York 10007

To which charter school board position and/or office are you asking to be appointed? (e.g., parent representative, vice-president, Finance subcommittee, etc.):

Board Member

As you may know, serving on a public charter school board of trustees (“board”) is a position of great trust and responsibility. As a member of a public charter school’s board, you would be charged with overseeing the education of all students enrolled in the school, as well as the expenditure of public monies directed to the charter school.

The Department’s consent is required **before** any new member may serve on the board. Accordingly, and in order to properly evaluate potential new board members, we ask that you please provide full and complete answers to each of the items below and provide the required assurance indicated. Note that providing false, misleading, and/or incomplete information may lead to a withdrawal of the Department’s approval, nullifying your appointment to the board.

Background

1. Please provide your educational and employment history. You may do so by attaching a résumé. Resume Attached
2. Please affirm that you are or will be at least eighteen years old at the time of your appointment/election to the board. I affirm.
3. Please affirm that you have read Article 56 of the New York State Education Law, and understand the relationship between a charter school and the authorized chartering entity as defined in that statute. I affirm.
4. Please indicate how you became aware of the charter school and the opportunity to serve as a member of its board.

I became aware of the New York Flex Charter School concept through my real estate colleagues in California who have collaborated with charter school initiatives there.

5. Please explain why you wish to serve on the board.

As a lifelong member of this community and a business leader in Manhattan, it is my hope to give back to the community in a way that will positively impact children and families. I see this school as an opportunity to prepare students for college and workplace options that will benefit them and our larger community.

6. Please indicate whether you have previously served or are currently serving on a board of a school district, a non-public school or any not-for-profit corporation (to the extent not otherwise indicated in your response to Item 1, above). In addition, please describe any other experience, knowledge or skills you feel is relevant to service on the charter school board. This does not apply to me. Yes. (Include description here):

- Young Presidents Organization NY Metro Chapter
- Jewish National Fund of Greater New York
- Housing and Services, Inc.

I have extensive experience in organizational leadership, business process, real estate facilities and fundraising. All these skill sets will be available to help the school achieve its mission and vision effectively.

7. Please indicate whether or not you have ever been convicted of a misdemeanor and/or felony in state or federal court in any jurisdiction.
 This does not apply to me. Yes.

If the answer to this question is yes, please provide the following details regarding your conviction(s): (1) the name of the criminal offense(s); (2) whether the criminal offense(s)

was a misdemeanor or felony; (3) the facts and circumstances surrounding your conviction(s); (4) the date(s) of your conviction(s); and (5) the date(s) of disposition(s).

Your response to question six may also include any relevant written information that you wish to be considered in support of your application, including, but not limited to: certificates of conviction; any parole and/or probation documentation; any certificates, including any certificate of relief from disabilities; any proof of counseling and/or rehabilitation; any documentation attesting to your good conduct or your good character; and any letters of support from friends, family, co-workers, employers, etc.

7. Please indicate if you currently have any criminal charge(s) pending against you in state or federal court in any jurisdiction.

This does not apply to me. Yes.

If the answer to this question is yes, please provide an explanation.

Conflict of Interest

8. Please indicate whether you, your spouse, or other family member knows any of the other prospective or current board members.

I / we do not know any such persons. Yes.

If your answer is yes, please indicate the precise nature of your relationship here:

9. Please indicate whether you, your spouse, or other family member knows any person who is a prospective or current charter school employee.

I / we do not know any such persons. Yes.

If yes, please indicate the precise nature of your relationship here:

10. Please indicate if you, your spouse, or other family member or any corporation, business or other entity in which you, your spouse or other family member serve as an employee, officer, or director or own a controlling interest in, contracts or does business with, or plans to contract or do business with, the charter school, including but not limited to, the lease of real or personal property to the charter school.

No. Yes.

If yes, please describe the nature of the contract or business and, if applicable, the relationship of the person to the corporation, business or entity involved:

As a President of Colliers, International-Tri-States Region, a large New York real estate services firm that serves a variety of clients in the area, the potential exists that the school may choose to conduct business with a party that my firm represents. In such a potential case, I will disclose such matters and recuse myself from board matters in accordance with all applicable policies. Further, the school's legal counsel will review all real estate transactions to ensure conflict of interest compliance.

11. If the charter school is partnered with an educational service provider (a management company, whether for-profit or not-for-profit), please indicate whether you, your spouse, or any family member knows any employees, officers, owners, directors or agents of that provider. If your answer is in the affirmative, please describe any such relationship.

Not applicable because the School does not/will not contract with a management company or charter management organization.

I / we do not know any such persons. Yes.

12. If the charter school is partnered with an educational service provider, please indicate whether you, your spouse or other family member has a direct or indirect ownership, employment, contractual or management interest in the provider. For any interest indicated, please provide a detailed description.

Not applicable because the School does not/will not contract with a management company or charter management organization.

I / we have no such interest. Yes.

13. If the charter school is partnered with an educational services provider, please indicate if you, your spouse or other family member anticipates conducting, or is conducting, any business with the provider. If so, please indicate the precise nature of the business that is being or will be conducted.
- Not applicable because the School does not/will not contract with a management company or charter management organization.
- I / we do not anticipate conducting any such business. Yes.
14. Please indicate whether you, your spouse or other family member is a director, officer, employee, partner or member of, or is otherwise associated with, any organization which filed an application in conjunction with the charter school, i.e., is partnered with the charter school. To the extent you have provided this information in response to items 9-12, you may so indicate. This does not apply to me, my spouse or other family members. Yes.
15. Please indicate the potential ethical or legal conflicts of interests (if any) that would, or are likely to, exist should you be approved for service on the charter school's board.
- None. Yes.
16. Please explain how you would handle a situation in which you believe one or more members of the charter school's board are involved in working for their own benefit, or the benefit of their friends and family.

Each board member must be prepared to act upon the school's conflict of interest and ethics policy. The school is a public entity so all dealings must meet all legal and ethical requirements. I would act accordingly.

Educational Philosophy

17. Please explain your understanding of the charter school's mission and/or philosophy.
- 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 classroom educators and engaging, individualized learning which includes the use of state-of-the-art digital learning tools, resources and curriculum; 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.
18. Please explain your understanding of the educational program of the charter school.
- The New York Flex Charter School (New York Flex) will provide an engaging individualized education to students in grades nine through twelve from throughout New York City. While our student population will represent diverse demographics, across that spectrum, 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. 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.

19. Please indicate what you believe to be the characteristics of a successful charter school. In particular, please provide the specific steps you think the board of the charter school will need to take to ensure that this charter school is and remains successful.

In order for our charter school to be successful the board must ensure and pay careful attention to the following strategic requirements:

- Strategic direction
- Board expertise and experience
- Board structure and stability
- School performance monitoring
- Compliance, ethics, and oversight
- Parent satisfaction
- Leadership accountability
- Leadership succession planning

Other

20. Please explain your understanding of the appropriate role of a public charter school board member.

To oversee the school’s goals, policies, finances and the selection and management of leadership .

21. Please affirm that you have read and understand the charter school application, the charter school board’s by-laws and all proposed policies.

Yes.

22. Please provide any other information that you feel is pertinent to the Department’s review.

VICTOR J. GERACI
New York, New York

BUSINESS EXPERIENCE

Parent Partners, LLC, New York, New York

Principal, Partner – 1997 – 2000

Provided both general management and legal counsel for an innovative education company. My activities included general management of employees, marketing, product design and legal counsel. The company provided parents with suggestions for age-appropriate learning activities with which to engage their children, and information on early childhood development issues. The content was developed in association with researchers at Project Zero at the Harvard Graduate School of Education. The company was sold to Kaplan, Inc. in a private sale.

LEGAL EXPERIENCE

Clifford Chance, New York, New York

Patent Lawyer – 1997 – 2000

Fitzpatrick, Cella, Harper & Scinto, New York, New York

Patent Lawyer - 1988 to 1997

Managed and performed a full spectrum of patent, trademark, trade secret and copyright litigation activities, before federal and state courts and the International Trade Commission. Counseled clients concerning all matters involving intellectual property. Performed patent, trademark and copyright prosecution. Activities included:

IP Management - Managed clients' intellectual property portfolios for patent, trademark or copyright protection, both domestically and internationally.

Litigation - Litigation in federal and state courts to enforce patent, trademark, trade dress and trade secret rights involving varied technical subject matter including biotechnology, electronics, chemical processing and the mechanical arts.

Mergers and acquisitions - Assessed the strength and value of patent and trademark portfolios in merger and acquisition engagements.

Opinions - Rendered numerous patent validity and infringement opinions for clients involving a host of varied technologies.

License agreements - Negotiated and drafted license agreements, for both in-licensing and out-licensing of technology.

General Counsel - Assisted management in understanding general legal issues and advised when to bring in outside lawyers.

ENGINEERING EXPERIENCE

UNC Resources, Naval Products Division, Uncasville, Connecticut

Design Engineer - 1984-85

Supervised and directed a team of fifteen technicians in an experimental advanced manufacturing method task group. The group's test program resulted in the adoption of a new manufacturing method for next generation nuclear submarine reactors.

EDUCATION

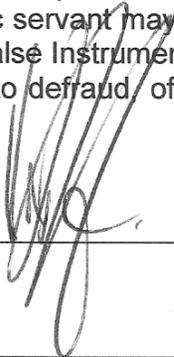
George Washington University, National Law Center
Juris Doctor, with Honors, 1988

Worcester Polytechnic Institute
Bachelor of Science, with Honors, Mechanical Engineering, 1984

Attachment 8: Statement of Assurances for Each Board Member Applicant

A Statement of Assurance must be signed by and submitted for each Board Member Applicant.

I, Victor J. Geraci, (print name of board member applicant) state that I am the applicant for board member approval and I have read the questionnaire and any supporting documents and know the contents thereof; that the same is true to my knowledge except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true and further acknowledge that I am aware of the fact that, pursuant to the New York Penal Law, a person who knowingly offers a false instrument for filing to a public official or public servant may be subject to criminal prosecution, including for the crimes of Offering a False Instrument for Filing in the 2nd Degree, a Class A Misdemeanor, or, if there is intent to defraud, of Offering a False Instrument for Filing in the 1st Degree, a Class E felony.

Signature  _____ Date 3/18/11 _____

Attachment 9: Request for Information from Prospective Charter School Board Members

Each Prospective Charter School Board Member must provide the Information requested in the next three pages.

Name: _____ Victor J. Geraci _____
(Include preferred honorific.)

Daytime Telephone: _____

Home Mailing Address: _____

Personal E-Mail/Fax: _____

Business Address: _____

Business E-Mail/Fax: _____ newyorkflex@gmail.com _____

Charter School Name: _____ New York Flex Charter School _____

Charter School Address: _____ 295 Greenwich Street, #127, New York, New York 10007 _____

To which charter school board position and/or office are you asking to be appointed? (e.g., parent representative, vice-president, Finance subcommittee, etc.):

_____ Board Member _____

As you may know, serving on a public charter school board of trustees (“board”) is a position of great trust and responsibility. As a member of a public charter school’s board, you would be charged with overseeing the education of all students enrolled in the school, as well as the expenditure of public monies directed to the charter school.

The Department’s consent is required **before** any new member may serve on the board. Accordingly, and in order to properly evaluate potential new board members, we ask that you please provide full and complete answers to each of the items below and provide the required assurance indicated. Note that providing false, misleading, and/or incomplete information may lead to a withdrawal of the Department’s approval, nullifying your appointment to the board.

Background

1. Please provide your educational and employment history. You may do so by attaching a résumé. Resume Attached
2. Please affirm that you are or will be at least eighteen years old at the time of your appointment/election to the board. I affirm.
3. Please affirm that you have read Article 56 of the New York State Education Law, and understand the relationship between a charter school and the authorized chartering entity as defined in that statute. I affirm.
4. Please indicate how you became aware of the charter school and the opportunity to serve as a member of its board.

I became aware of the New York Flex Charter School concept through the CEO of K12, Ron Packard.

5. Please explain why you wish to serve on the board.

As a member of this community and a business leader in Manhattan, it is my hope to give back to the community in a way that will positively impact children and families. I see this school as an opportunity to prepare students for college and workplace options that will benefit them and our larger community.

6. Please indicate whether you have previously served or are currently serving on a board of a school district, a non-public school or any not-for-profit corporation (to the extent not otherwise indicated in your response to Item 1, above). In addition, please describe any other experience, knowledge or skills you feel is relevant to service on the charter school board. This does not apply to me. Yes. (Include description here):

7. Please indicate whether or not you have ever been convicted of a misdemeanor and/or felony in state or federal court in any jurisdiction.

This does not apply to me. Yes.

If the answer to this question is yes, please provide the following details regarding your conviction(s): (1) the name of the criminal offense(s); (2) whether the criminal offense(s) was a misdemeanor or felony; (3) the facts and circumstances surrounding your conviction(s); (4) the date(s) of your conviction(s); and (5) the date(s) of disposition(s).

Your response to question six may also include any relevant written information that you wish to be considered in support of your application, including, but not limited to: certificates of conviction; any parole and/or probation documentation; any certificates, including any certificate of relief from disabilities; any proof of counseling and/or rehabilitation; any documentation attesting to your good conduct or your good character; and any letters of support from friends, family, co-workers, employers, etc.

7. Please indicate if you currently have any criminal charge(s) pending against you in state or federal court in any jurisdiction.

X This does not apply to me. Yes.

If the answer to this question is yes, please provide an explanation.

Conflict of Interest

8. Please indicate whether you, your spouse, or other family member knows any of the other prospective or current board members.

X I / we do not know any such persons. Yes.

If your answer is yes, please indicate the precise nature of your relationship here:

9. Please indicate whether you, your spouse, or other family member knows any person who is a prospective or current charter school employee.

X I / we do not know any such persons. Yes.

If yes, please indicate the precise nature of your relationship here:

10. Please indicate if you, your spouse, or other family member or any corporation, business or other entity in which you, your spouse or other family member serve as an employee, officer, or director or own a controlling interest in, contracts or does business with, or plans to contract or do business with, the charter school, including but not limited to, the lease of real or personal property to the charter school.

X No. Yes.

If yes, please describe the nature of the contract or business and, if applicable, the relationship of the person to the corporation, business or entity involved:

11. If the charter school is partnered with an educational service provider (a management company, whether for-profit or not-for-profit), please indicate whether you, your spouse, or any family member knows any employees, officers, owners, directors or agents of that provider. If your answer is in the affirmative, please describe any such relationship.

X Not applicable because the School does not/will not contract with a management company or charter management organization.

I / we do not know any such persons. Yes.

12. If the charter school is partnered with an educational service provider, please indicate whether you, your spouse or other family member has a direct or indirect ownership, employment, contractual or management interest in the provider. For any interest indicated, please provide a detailed description.

X Not applicable because the School does not/will not contract with a management company or charter management organization.

I / we have no such interest. Yes.

13. If the charter school is partnered with an educational services provider, please indicate if you, your spouse or other family member anticipates conducting, or is conducting, any business with the provider. If so, please indicate the precise nature of the business that is being or will be conducted.

X Not applicable because the School does not/will not contract with a management company or charter management organization.

I / we do not anticipate conducting any such business. Yes.

14. Please indicate whether you, your spouse or other family member is a director, officer, employee, partner or member of, or is otherwise associated with, any organization which filed an application in conjunction with the charter school, i.e., is partnered with the charter school. To the extent you have provided this information in response to items 9-12, you may so indicate. X This does not apply to me, my spouse or other family members. Yes.

15. Please indicate the potential ethical or legal conflicts of interests (if any) that would, or are likely to, exist should you be approved for service on the charter school's board.

X None. Yes.

16. Please explain how you would handle a situation in which you believe one or more members of the charter school's board are involved in working for their own benefit, or the benefit of their friends and family.

Each board member must be prepared to act upon the school's conflict of interest and ethics policy. The school is a public entity so all dealings must meet all legal and ethical requirements. I would act accordingly.

Educational Philosophy

17. Please explain your understanding of the charter school's mission and/or philosophy.

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 classroom educators and engaging, individualized learning which includes the use of state-of-the-art digital learning tools, resources and curriculum; 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.

18. Please explain your understanding of the educational program of the charter school.

The proposed school will combine the strengths of a traditional small high school with the award-winning curriculum and educational services provided by K12 Inc for teachers and students in the classroom. This will help teachers keep students engaged with rigorous curriculum while freeing up the teachers to spend more time when needed with students

that need the most help.

- 19. Please indicate what you believe to be the characteristics of a successful charter school. In particular, please provide the specific steps you think the board of the charter school will need to take to ensure that this charter school is and remains successful.**

The essential steps that must be taken by the board to ensure a successful charter school include:

Establishing and evaluating student outcomes

Establishing and monitoring management compliance

Hiring, evaluating and terminating when necessary, the employment of the executive

Acquiring and disposing of capital assets

Fundraising for the school

Other

- 20. Please explain your understanding of the appropriate role of a public charter school board member.**

To oversee the school's goals, policies, and finances, and the selection and management of leadership.

- 21. Please affirm that you have read and understand the charter school application, the charter school board's by-laws and all proposed policies.**

I affirm.

- 22. Please provide any other information that you feel is pertinent to the Department's review.**

I believe that parent involvement in the school will be critical to the success of the school. As a board member, I will work to involve parents and families in the life of the charter school. The board will develop a policy on parent and family involvement, and will ensure that the school administration and staff develop a formal plan for parent involvement, which will describe with some specificity how parents will be involved in the school.

ATTACHMENT 7

ROGER GRIFFITH
New York, New York

PROFESSIONAL EXPERIENCE

THE MUSEUM OF MODERN ART, Conservation Department, New York. January 1998 – Present

Associate Conservator - Participate in departmental functions including the preparation of condition evaluations for loans, design packing, courier trips, research and publishing. Serve as Conservator in Charge for the Andrew Mellon Digital Imaging Project for the Architecture & Design Department, which includes condition evaluation, prioritizing treatment needs and supervising conservation assistant. November 2002 recipient of the Lee Tenenbaum Award, The Museum of Modern Art.

THE NATIONAL TRUST, Thames & Chilterns Regional Office, London. August 1999

Conservation Consultant - Consulted with Regional Conservator on the care and maintenance of polymeric materials at the National Historic Property, 2 Willow Road, Hamstead Heath, London, designed by Ernő Goldfinger in 1939. Recommendations included cork and linoleum flooring, seated furniture with degraded upholstery and foams, as well as replacing some original materials with facsimiles to insure long time preservation of the original.

STEDELIJK MUSEUM, Conservation Department, Amsterdam. September 1997- November 1997

Samuel H. Kress Fellowship in Sculpture Conservation - Conducted a visual and analytical examination of a Jean Dubuffet sculpture *Table Amoncellante (1968)* that was part of the permanent collection and had not been displayed due to its condition. Performed scientific analysis, photographic documentation, research and testing to establish a cleaning method guideline. Conducted a survey of the plastic furniture collection identifying polymers and manufacturing techniques for an exhibition catalogue of their 20th Century Furniture Collection. (Additional funding: The Netherland-American Foundation Award.)

UNIVERSITY OF EAST ANGLIA: SAINSBURY CENTRE FOR VISUAL ARTS, Norwich, England. June 1997

Advanced Internship in Conservation - Designed and conducted an environmental and condition survey of the UEA Collection. The collection includes a wide variety of objects and materials; paintings, sculpture, architectural models, photography, furniture and other utilitarian objects of the 20th Century and is housed in a building designed by Norman Foster. Identified the main problems of display and storage and designed preventive and protective measures for the paintings & objects and their materials. Established priorities to ensure long term preservation.

VICTORIA & ALBERT MUSEUM, Conservation Department, (Objects & Furniture), London. October 1995 – August 1997

Conservation Assistant and Conservation Student - Researched and treated many object from various periods, but primarily I focused on modern and contemporary objects from the collection. Designed and conducted a Condition Survey of the 20th Century Design Objects in order to assess the problems with polymers in their collection.

METROPOLITAN MUSEUM OF ART, Sherman Fairchild Center for Objects Conservation, New York, January 1991 – June 1994

Conservation Assistant - Treated various objects in a collection of 18th Century French & English furniture and objects for the re-installation of the Florence Gould Galleries for 18th-Century European Decorative Arts. Treatments included veneer replacement, cleaning, consolidation, carving of wooden losses, re-gilding, and in-painting. Researched for Butterworths Series publication *Furniture Conservation*.

OTHER PROFESSIONAL EXPERIENCE

Phillip Johnson Glass House, New Canaan, Connecticut. Donald Judd "Untitled" concrete sculpture. Conservation treatment with Francesca Esmay, lead conservator. Treatment scheduled to commence Spring 2010.

Donald Judd Foundation, 101 Spring Street, New York. *Object - by - Object Condition Survey of Furniture & Non-Art Holdings* August 2007

The object-by-object survey was from a selected group of the furniture and non-art holdings and comprised approximately 450 objects. This included items categorized in the following way: furniture, decorative arts, artifacts, and interventions. This survey precedes a major renovation and building campaign at 101 Spring Street and the related handling, packing, and transport of the objects to remove them before work was undertaken. The scope of the survey encompassed the following parameters and objectives:

1. Create a photographic record for each object or object group
2. Conduct an examination and condition assessment for each object or object group
3. Identify conservation treatment needs, where applicable
4. Provide recommendations for packing, handling, and storage of objects during renovation
5. Provide recommendations for routine maintenance practices once objects are back on display

Private Conservation Consultancy and Treatment – Provide conservation treatments and maintenance of many private collections. The work varies from decorative art or applied art objects to fine art sculpture and objects of all mediums.

EDUCATION

AMERICAN INSTITUTE FOR CONSERVATION Seminar/Professional Development

Analytical Techniques in Conservation, July 6-11, 2003, Williamstown, MA

ROYAL COLLEGE OF ART / VICTORIA & ALBERT MUSEUM JOINT CONSERVATION PROGRAM

London, England. October 1995 – September 1997

Degree: MA - Masters of Art Conservation (Objects & Furniture)

Final Year Thesis: *Storage Not So Simple: An Improved Storage Specification for Modern Furniture Collections.*

COLLEGE OF THE REDWOODS FINE WOODWORKING PROGRAM, Fort Bragg, CA. August 1994 – June 1995.

Certificate in Fine Woodworking Trained as a traditional cabinetmaker with Master Craftsman James Krenov. The certificate program focused on traditional techniques of cabinetry and methods of joinery resulting in the design and construction of two pieces of furniture.

JAMES MADISON UNIVERSITY, Harrisonburg, Virginia. 1979 – 1983

Degree: Bachelor of Fine Arts, Comprehensive Design, and Graphic Design.

Minor: Biology

PUBLICATIONS, PRESENTATIONS AND MEETINGS

Turn it On: Turn it Off: Lighting in MoMA's Collection of Architecture and Design. Co-authors Margo Delidow, Reinhard Bek. Upcoming publication 2010 Presented at the symposium **Future Talks 009, The Conservation of Modern Materials in Applied Arts and Design**, October 22-23, 2009. Pinakothek der Moderne, Munich, Germany.

DADA in the Collection of The Museum of Modern Art. Anne Umland, Adrian Sudhalter and Scott Gerson editors. Published by The Museum of Modern Art, New York. 2008. Contributing author for Conservation Notes Sections of various DADA objects.

Impermanence and Entropy: Collaborative Efforts Installing Contemporary Art. Co-authored with Miriam Basilio and Sydney Briggs. **JAIC: Journal of the American Institute for Conservation**, (2008)47:3-13.

Matthew Barney's Stadium-A Treatment of Replacements. Co-authors Margo Delidow, Scott Gerson. Presented at the symposium on conserving plastic, **Plastics; Looking at the future learning from the past**, Post print publication Victoria and Albert Museum London, England 2008, pp. 59-63.

Invited participant at the "*Inherent Vice: the Replica and its Implications in Modern Sculpture*" held at the Tate Modern London, October 18-19, 2007. The meeting was supported by a grant from The Andrew W. Mellon Foundation and marked the end of the first year of a four-year multi-disciplinary project, *Replicas and Reconstruction in Twentieth-Century Art*.

Plastic Art – A Precarious Success Story. By Stefan Albus, Christian Bonten, Kathrin Kessler, Gabriela Rossi, and Thomas Wessel. Roger Griffith Contributing Editing Assistant. AXA Art Insurance Publication. Cologne, Germany 2007.

Co-Chair for symposium of **Modern and Contemporary Furniture: Materials and Preservation.** Planning meeting at The Museum of Modern Art, New York. The two day planning meeting was organized by the Conservation Department of MoMA in conjunction with the Museum of Fine Arts, Houston October 23-24, 2006.

Invited participant at the "*Conservators Symposium: Brancusi and Serra in Dialogue Pulitzer Foundation for the Arts*" St. Louis, Missouri. September 24 – 25, 2005. The symposium examined two groundbreaking approaches to the creation and display of sculpture. The "architectural fragment" and "sculpture as base".

Slightly Off-Color: In-Painting Roy Lichtenstein's Sculpture Brushstroke V. Presented at the **Symposium: From Eames to Tinguely – Synthetics from Art and Design Perspectives, 4th Symposium on Conservation Synthetic Materials** Vitra Design Museum, Weil am Rhein, October 10-11, 2005. Abstract available.

Readymade – made ready: The Treatment of Marcel Duchamp's Why Not Sneeze Rose Sélavy? Coauthored with Kate Moomaw, New York University Institute of Fine Art Student. **The International Institute for the Conservation of Historic and Artistic Works, 20th International Congress**, Modern Art, New Museums. Bilbao, Spain, September 13-17, 2004, pp. 54 – 58.

Care of Plastic Materials in the Collection of the Museum of Modern Art, New York. Presented at the **Symposium: Plastics – Past and Present, 4th Symposium on Conservation Synthetic Materials**, Vitra Design Museum, Weil am Rhein, November 24-25, 2004. Abstract available.

An Investigation of Cleaning Methods for Untreated Wood. Co- Author Francesca Esmay. Published in **Postprints 2004 American Institute for Conservation 32nd Annual Meeting** Portland, Oregon June 2004 Wooden Artifacts Group. pp. 57 – 64.

Conservation of Furniture .Shayne Rivers & Nick Umney Editors . Roger Griffith Contributing Author on "*Conserving other materials II*" Chapter 16. Butterworth-Heinemann, London. 2003. pp. 719 - 721

Care of Polyester Materials in the Collection of The Museum of Modern Art, New York. Presented at the **Symposium: Polyester – A Synthetic Considered from Many Facets**, Vitra Design Museum, Weil am Rhein, November 26-27, 2003. Abstract available.

Please be seated. Presented at the **Symposium on Conservation of Synthetic Materials**, Vitra Design Museum, Weil am Rhein, March 25 – 26, 2003. Abstract available.

Untreated Plywood Conservation. Co- Author Francesca Esmay. Published in **The Chinati Foundation Newsletter**, volume 7. The Chinati Foundation / La Fundación Chinati, Marfa Texas, October 2002, pp. 17-19.

The Formation of Calcium Formate on a Rigid Phenolic Foam. Presented at the **ICOM-CC Modern Materials Working Group Interim Meeting**, Fachhochschule Köln, Fachbereich Restaurierung und Konservierung von Kunst-und Kulturgut Köln, Germany, March 12-14, 2001.

Consistency of Structure: The Conservation of Charles & Ray Eames 'Study for a Glider Nose'. Presented at the **American Institute for Conservation of Historic & Artistic Works, Objects Specialty Group Postprints 2000**, Proceedings of the Objects Specialty Group Session June 12, 2000. 29th Annual AIC Meeting, Philadelphia, Pennsylvania.

En Bloc: Art in a Cabinet or a Cabinet as Art., Presented and published at the **Modern Materials Modern Problems Symposium**, organized by the United Kingdom Institute for Conservation of Historic and Artistic Works, Furniture Section, The Conservation Centre National Museums & Galleries at Merseyside Liverpool, England, April 17, 1999. Also presented by invitation at the **New York Regional Association for Conservation**, Institute of Fine Arts, New York University, March 22, 1999.

Synthetic Textiles in the Upholstery of Modern Furniture Collections. Presented by invitation to the **Care and Preservation of Modern Materials in Costume Collections Symposium**. Costume Institute, Metropolitan Museum of Art, New York, February 2, 1998.

Plastics in the Domestic Landscape of the 1950's & 1960's: History & Conservation. Presented by invitation at the **Plastics Historical Society Annual Meeting**, Institute of Materials, London, November 1997.

Polyurethanes: Degrading Furniture at the Victoria & Albert Museum. Presented by invitation in Plastics Seminar of **Modern Art: Who Cares?** An International Symposium of the Conservation of Modern Art, Amsterdam, The Netherlands, 8-10 September 1997.

The (Im)possibilities of Conservation of 'Non-Traditional' Materials Used in Twentieth Century Furniture. Published in **In-View: News and Events at the Victoria & Albert Museum**. May – August 1997, London. Also presented by invitation to **Buckinghamshire College Brunell University**, Museum Studies Course, High Wycombe, Buckinghamshire England, February 1997.

Two Pooped-Out Pop Chairs: What is the Future of Our Plastic Collection? Published in **V&A Conservation Journal**, The Quarterly Publication of the Victoria & Albert Museum Conservation Department. Issue No. 20. London: Victoria & Albert Museum, October 1996.

TEACHING EXPERIENCE

Outdoor Sculpture Workshop – Heritage Conservation Centre Singapore – January 25-29, 2010. The five day workshop was conducted to instruct The Heritage Conservation Centre staff and affiliates in the conservation of outdoor sculpture. The intensive workshop was organized and taught by Roger Griffith and Francesca Esmay. The lecture series provided a basic introduction into conservation practice and specific instruction regarding maintenance of wood, concrete, metal, painted metal, and stone. Discussions regarding the development and implementation of a sustainable maintenance program including such issues as preventative measures and identifying and prioritizing treatment needs. Hands-on demonstrations of practical approaches, materials and methods were employed on outdoor sculpture from the Heritage Conservation Centre.

Museum of Modern Art School and Teacher Programs Spring 2006-2008, "The Art and Science of Conservation". The program is designed for 11th and 12th grade students who are interested in science and art. The twelve week class provides a behind-the-scenes look at The Museum Of modern Art, its collection, and the career and process of art conservation. Students spend time in the Museum's conservation studios, galleries, and classrooms exploring the material characteristics of art and conducting laboratory-based experiments.

Seton Hall University, South Orange, New Jersey. September 2007 - Visiting Lecturer for the MA Program in Museum Professions and Museum Studies Program. Modern Art and Modern Art Installations at the Museum of Modern Art.

New York University, Museum Studies and the Department of Art History in the Faculty of Arts and Science. New York, New York. Spring 2007- Visiting Lecturer in Miriam Basilio's course titled "Curating as Collaboration".

Attachment 8: Statement of Assurances for Each Board Member Applicant

A Statement of Assurance must be signed by and submitted for each Board Member Applicant.

I, Roger Griffith, (print name of board member applicant) state that I am the applicant for board member approval and I have read the questionnaire and any supporting documents and know the contents thereof; that the same is true to my knowledge except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true and further acknowledge that I am aware of the fact that, pursuant to the New York Penal Law, a person who knowingly offers a false instrument for filing to a public official or public servant may be subject to criminal prosecution, including for the crimes of Offering a False Instrument for Filing in the 2nd Degree, a Class A Misdemeanor, or, if there is intent to defraud, of Offering a False Instrument for Filing in the 1st Degree, a Class E felony.


Signature

March 23, 2011
Date

Background

1. Please provide your educational and employment history. You may do so by attaching a résumé. Resume Attached
2. Please affirm that you are or will be at least eighteen years old at the time of your appointment/election to the board. I affirm.
3. Please affirm that you have read Article 56 of the New York State Education Law, and understand the relationship between a charter school and the authorized chartering entity as defined in that statute. I affirm.
4. Please indicate how you became aware of the charter school and the opportunity to serve as a member of its board.

I became aware of this new school board opportunity through my sister Anita Fiel.

5. Please explain why you wish to serve on the board.

Having lived in Manhattan for over 22 years, I see this as an opportunity to invest back in my community by helping to offer student and families an additional excellent school choice.

6. Please indicate whether you have previously served or are currently serving on a board of a school district, a non-public school or any not-for-profit corporation (to the extent not otherwise indicated in your response to Item 1, above). In addition, please describe any other experience, knowledge or skills you feel is relevant to service on the charter school board. This does not apply to me. Yes. (Include description here):

My experience includes :1) work with the Museum of Modern Art's High School Program, 2) extensive experience in the cultures and lands of a wide set of diverse countries, 3) professional non-profit work experience in both business and service functions.

7. Please indicate whether or not you have ever been convicted of a misdemeanor and/or felony in state or federal court in any jurisdiction.
 This does not apply to me. Yes.

If the answer to this question is yes, please provide the following details regarding your conviction(s): (1) the name of the criminal offense(s); (2) whether the criminal offense(s) was a misdemeanor or felony; (3) the facts and circumstances surrounding your conviction(s); (4) the date(s) of your conviction(s); and (5) the date(s) of disposition(s).

Your response to question six may also include any relevant written information that you wish to be considered in support of your application, including, but not limited to: certificates of conviction; any parole and/or probation documentation; any certificates, including any certificate of relief from disabilities; any proof of counseling and/or

rehabilitation; any documentation attesting to your good conduct or your good character; and any letters of support from friends, family, co-workers, employers, etc.

7. Please indicate if you currently have any criminal charge(s) pending against you in state or federal court in any jurisdiction.

This does not apply to me. Yes.

If the answer to this question is yes, please provide an explanation.

Conflict of Interest

8. Please indicate whether you, your spouse, or other family member knows any of the other prospective or current board members.
 I / we do not know any such persons. Yes.
If your answer is yes, please indicate the precise nature of your relationship here:
9. Please indicate whether you, your spouse, or other family member knows any person who is a prospective or current charter school employee.
 I / we do not know any such persons. Yes.
If yes, please indicate the precise nature of your relationship here:
10. Please indicate if you, your spouse, or other family member or any corporation, business or other entity in which you, your spouse or other family member serve as an employee, officer, or director or own a controlling interest in, contracts or does business with, or plans to contract or do business with, the charter school, including but not limited to, the lease of real or personal property to the charter school.
 No. Yes.
If yes, please describe the nature of the contract or business and, if applicable, the relationship of the person to the corporation, business or entity involved:
11. If the charter school is partnered with an educational service provider (a management company, whether for-profit or not-for-profit), please indicate whether you, your spouse, or any family member knows any employees, officers, owners, directors or agents of that provider. If your answer is in the affirmative, please describe any such relationship.
 Not applicable because the School does not/will not contract with a management company or charter management organization.
 I / we do not know any such persons. Yes.
12. If the charter school is partnered with an educational service provider, please indicate whether you, your spouse or other family member has a direct or indirect ownership, employment, contractual or management interest in the provider. For any interest indicated, please provide a detailed description.
 Not applicable because the School does not/will not contract with a management company or charter management organization.
 I / we have no such interest. Yes.
13. If the charter school is partnered with an educational services provider, please indicate if you, your spouse or other family member anticipates conducting, or is conducting, any business with the provider. If so, please indicate the precise nature of the business that is being or will be conducted.
 Not applicable because the School does not/will not contract with a management company or charter management organization.
 I / we do not anticipate conducting any such business. Yes.

14. Please indicate whether you, your spouse or other family member is a director, officer, employee, partner or member of, or is otherwise associated with, any organization which filed an application in conjunction with the charter school, i.e., is partnered with the charter school. To the extent you have provided this information in response to items 9-12, you may so indicate. This does not apply to me, my spouse or other family members. Yes.
15. Please indicate the potential ethical or legal conflicts of interests (if any) that would, or are likely to, exist should you be approved for service on the charter school's board. None. Yes.
16. Please explain how you would handle a situation in which you believe one or more members of the charter school's board are involved in working for their own benefit, or the benefit of their friends and family.

I would confront any conflict of interest to protect the school at large and require full disclosure and compliance with the ethics policies.

Educational Philosophy

17. Please explain your understanding of the charter school's mission and/or philosophy.

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 classroom educators and engaging, individualized learning which includes the use of state-of-the-art digital learning tools, resources and curriculum; 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.

18. Please explain your understanding of the educational program of the charter school.

New York Flex will be a public charter high school combining the best of online education with traditional, onsite schooling to meet the needs of a broad spectrum of students who can benefit most from self-paced, differentiated, individualized instruction. Instruction will be delivered by certified and highly qualified teachers aided by state-of-the-art interactive technology in classrooms providing teachers with the ability to utilize ready-made digital lessons, activities and resources. Each student will have access to her/his 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 classroom teacher supervision and support as needed.

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 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 will have the ability to move more rapidly, have additional assignments and projects, take more advanced classes, while receiving direct instruction from teachers.

19. Please indicate what you believe to be the characteristics of a successful charter school. In particular, please provide the specific steps you think the board of the charter school will need to take to ensure that this charter school is and remains successful.

Ultimately, charter schools provide alternative school choices where students can find academic success. Having a shared vision with the other board member and the school's administrative staff is important to build the culture and guidelines for a successful school.

The board should expect and review documents from the school's administration on the achievement of the school's students. Through collaboration with the school administrative team the board should review the plans put in place to ensure continuous improvement. This includes, but is not limited to, review of the budget, approval of supplemental funding avenues, and school improvement planning.

Additionally, board members must review and approve hires and as necessary terminate executive staff. The board is responsible for hiring decisions. Hiring executive personnel that can carry out the mission and vision of the schools is a critical role of the board.

Finally, the board is responsible of compliance and oversight for the school. This oversight includes financial and ethical decision making.

Other

20. Please explain your understanding of the appropriate role of a public charter school board member.

Select and collaborate with the school's lead administrator, policy and planning, budgeting, goal setting and guidance, and governance process.

21. Please affirm that you have read and understand the charter school application, the charter school board's by-laws and all proposed policies.

Yes

22. Please provide any other information that you feel is pertinent to the Department's review.

Public charter schools are schools of choice. This provides unique responsibilities for board members. The balance of having a successful school with students achieving at the highest levels, balancing the financial responsibilities, and promoting a culture where students, families, and the community are working together on a shared vision is critical. The board will need to plan strategically to ensure that the proper balance is met.



Brooklyn, NY

Executive Biography

Mr. Roberto Gutierrez is the Senior Vice President for the Alzheimer's Foundation of America, located in New York, NY. He also is managing Director of Gutierrez Communications, Inc., an independent consulting firm he founded in 2009. Gutierrez Communications specializes in strategic communications and national reputation management, and develops communications strategies for global corporations, world-renowned institutions, NGO's, and state and local government leaders. Mr. Gutierrez has provided communications counsel to CEOs, religious leaders, and presidents of major not-for-profit institutions, including top-tier universities.

Most recently, Mr. Gutierrez was the Senior Vice President for Communications and Public Affairs for the privately-held education management company, EdisonLearning, Inc. in New York. He was recruited for the position by the company's CEO in 2007. Prior to his work at EdisonLearning, Mr. Gutierrez was a Principal at The Dilenschneider Group, Inc., a communications consulting firm in New York. Mr. Gutierrez joined the firm immediately after his service as Vice President for Public Affairs and Communication at the University of Notre Dame.

An entrepreneurial activist, Mr. Gutierrez began his career as a broadcast television executive in 1982 founding the not-for-profit documentary production agency, Hispanic Telecommunications Network, located in San Antonio, Texas. During his twenty years leading the organization, he developed and produced over 1200 half hours of television programming in 35 countries (primarily covering social justice and cultural themes), and served as the organization's President and Chief Development Officer, reporting to a 15-member national board of Directors.

Mr. Gutierrez' programs were broadcast on UNIVISION, the Hallmark Channel, ABC and PBS, many winning the prestigious Gabriel Award and the Cine Golden Eagle Award. He was nominated for a Regional Emmy Award for his documentary covering the plight of undocumented migrant workers and pesticides in the fields. He produced two thirteen-part series for international NGO's; with topics ranging from strip mining in the Philippines to refugees fleeing from Myanmar, to the theology of liberation among *campesinos* in El Salvador and Guatemala, his stories track struggle and triumph, especially among the lives of America's burgeoning immigrant Hispanic community. For this exemplar body of work, in 1999, he was awarded an honorary doctorate from the University of Notre Dame.

He has served as a communications consultant to the United States Catholic Conference of Bishops in Washington, D.C. and was a member of their national Hispanic Advisory Committee.

An executive search firm brought Mr. Gutierrez to the University of Notre Dame in 2002, where he served as Vice President for Public Affairs and Communication. Reporting directly to the President and the University's board of trustees, including CEO's from Quest Communications and Hearst Magazines, his responsibilities included marketing communications strategy, media relations as well as all external and internal communications.

In 2007, he was invited to serve as Chief Communications Officer for Edison Schools, Inc., (later rebranded EdisonLearning) and was the company's national spokesperson. In Philadelphia, he executed a grass-roots advocacy campaign entitled "Lift the Children Up" and recruited 2000 families for support at local school district hearings. Gutierrez opened dialogue between company executives and community religious leaders, United Way and local council representatives improving community relations. With local Muslim Imams, he established a 501-C-3 mentoring organization for African-American young men in that city.

Mr. Gutierrez forged a public-private research partnership with the Universities of Notre Dame, Vanderbilt and Arizona State University to prepare the company for emerging product needs; e.g. new curriculum for English Language Learners which resulted in a multidisciplinary study with national education scholars.

Jose Roberto Gutierrez received his undergraduate degree in English and Communications from St. Mary's University in San Antonio, Texas. He has advanced studies in Strategic Communications and in Theology from the Oblate School of Theology in San Antonio. He received an honorary Doctor of Laws from the University of Notre Dame in 1999.

He is currently on the board of a new charter high school slated for development in Manhattan. An accomplished *basso profundo*, he sings with the St. Francis Xavier choir in Manhattan and lives with his wife Rosita in Brooklyn, New York.

Attachment 8: Statement of Assurances for Each Board Member Applicant

A Statement of Assurance must be signed by and submitted for each Board Member Applicant.

I, Jose Roberto Gutierrez, (print name of board member applicant) state that I am the applicant for board member approval and I have read the questionnaire and any supporting documents and know the contents thereof; that the same is true to my knowledge except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true and further acknowledge that I am aware of the fact that, pursuant to the New York Penal Law, a person who knowingly offers a false instrument for filing to a public official or public servant may be subject to criminal prosecution, including for the crimes of Offering a False Instrument for Filing in the 2nd Degree, a Class A Misdemeanor, or, if there is intent to defraud, of Offering a False Instrument for Filing in the 1st Degree, a Class E felony.


Signature

March 27, 2011
Date

Each Prospective Charter School Board Member must provide the Information requested in the next three pages.

Name: Jose Roberto Gutierrez
(Include preferred honorific.)

Daytime Telephone: [REDACTED]

Home Mailing Address: _____

Personal E-Mail/Fax: _____

Business Address: _____

Business E-Mail/Fax: newyorkflex@gmail.com

Charter School Name: New York Flex Charter School

Charter School Address: 295 Greenwich Street, #127, New York, New York 10007

To which charter school board position and/or office are you asking to be appointed? (e.g., parent representative, vice-president, Finance subcommittee, etc.):

Vice President (Communications)

As you may know, serving on a public charter school board of trustees (“board”) is a position of great trust and responsibility. As a member of a public charter school’s board, you would be charged with overseeing the education of all students enrolled in the school, as well as the expenditure of public monies directed to the charter school.

The Department’s consent is required **before** any new member may serve on the board. Accordingly, and in order to properly evaluate potential new board members, we ask that you please provide full and complete answers to each of the items below and provide the required assurance indicated. Note that providing false, misleading, and/or incomplete information may lead to a withdrawal of the Department’s approval, nullifying your appointment to the board.

Background

1. Please provide your educational and employment history. You may do so by attaching a résumé. Resume Attached
2. Please affirm that you are or will be at least eighteen years old at the time of your appointment/election to the board. I affirm.
3. Please affirm that you have read Article 56 of the New York State Education Law, and understand the relationship between a charter school and the authorized chartering entity as defined in that statute. I affirm.
4. Please indicate how you became aware of the charter school and the opportunity to serve as a member of its board.

I am the former Senior VP for Public Affairs and Communication of the education management company, EdisonLearning, Inc. It is important to maintain close ties with former colleagues still working in education reform. Joe Chisholm is a friend and colleague who made me aware of the proposed creation of the new charter school near the Tribeca/SoHo area of Manhattan. Though I live in Brooklyn, I volunteered to assist in this endeavor, and was invited to serve on the founding board.

5. Please explain why you wish to serve on the board.

Charter schools provide a very specific opportunity for high achievement in local communities. Their missions are typically focused, their staff is generally mission driven, and their parents are more active and involved. Charter schools also represent an opportunity to create a specific curriculum focus, not generally available in traditional public schools. I support charters and want to see them grow to serve local neighborhoods.

6. Please indicate whether you have previously served or are currently serving on a board of a school district, a non-public school or any not-for-profit corporation (to the extent not otherwise indicated in your response to Item 1, above). In addition, please describe any other experience, knowledge or skills you feel is relevant to service on the charter school board. This does not apply to me. Yes. (Include description here):

I am the former executive director and board member of a not-for-profit communications agency in the state of Texas, as well as a former board chair of a child protective agency in that state. I have also served as Board Chair, vice chair and member on a number of national associations.

Leading the strategic communications agenda for a national university, providing communications counsel to foundations and other universities, and directing the communications outcomes for a for-profit education management company provide only a

quick snapshot of the experience and service that I would be honored to offer the board of this new charter effort.

As CEO, executive producer, chief development officer of a highly recognized communications firm, I also bring the value-added benefit of twenty years of superior management leadership. I am eager to put this experience to work for the Board.

7. Please indicate whether or not you have ever been convicted of a misdemeanor and/or felony in state or federal court in any jurisdiction.

This does not apply to me. Yes.

If the answer to this question is yes, please provide the following details regarding your conviction(s): (1) the name of the criminal offense(s); (2) whether the criminal offense(s) was a misdemeanor or felony; (3) the facts and circumstances surrounding your conviction(s); (4) the date(s) of your conviction(s); and (5) the date(s) of disposition(s).

Your response to question six may also include any relevant written information that you wish to be considered in support of your application, including, but not limited to: certificates of conviction; any parole and/or probation documentation; any certificates, including any certificate of relief from disabilities; any proof of counseling and/or rehabilitation; any documentation attesting to your good conduct or your good character; and any letters of support from friends, family, co-workers, employers, etc.

7. Please indicate if you currently have any criminal charge(s) pending against you in state or federal court in any jurisdiction.

This does not apply to me. Yes.

If the answer to this question is yes, please provide an explanation.

Conflict of Interest

8. Please indicate whether you, your spouse, or other family member knows any of the other prospective or current board members.
 I / we do not know any such persons. Yes.
If your answer is yes, please indicate the precise nature of your relationship here:
9. Please indicate whether you, your spouse, or other family member knows any person who is a prospective or current charter school employee.
 I / we do not know any such persons. Yes.
If yes, please indicate the precise nature of your relationship here:
10. Please indicate if you, your spouse, or other family member or any corporation, business or other entity in which you, your spouse or other family member serve as an employee, officer, or director or own a controlling interest in, contracts or does business with, or plans to contract or do business with, the charter school, including but not limited to, the lease of real or personal property to the charter school.
 No. Yes.
If yes, please describe the nature of the contract or business and, if applicable, the relationship of the person to the corporation, business or entity involved:
11. If the charter school is partnered with an educational service provider (a management company, whether for-profit or not-for-profit), please indicate whether you, your spouse, or any family member knows any employees, officers, owners, directors or agents of that provider. If your answer is in the affirmative, please describe any such relationship.
 Not applicable because the School does not/will not contract with a management company or charter management organization.
 I / we do not know any such persons. Yes.
12. If the charter school is partnered with an educational service provider, please indicate whether you, your spouse or other family member has a direct or indirect ownership, employment, contractual or management interest in the provider. For any interest indicated, please provide a detailed description.
 Not applicable because the School does not/will not contract with a management company or charter management organization.
 I / we have no such interest. Yes.
13. If the charter school is partnered with an educational services provider, please indicate if you, your spouse or other family member anticipates conducting, or is conducting, any business with the provider. If so, please indicate the precise nature of the business that is being or will be conducted.
 Not applicable because the School does not/will not contract with a management company or charter management organization.
 I / we do not anticipate conducting any such business. Yes.

14. Please indicate whether you, your spouse or other family member is a director, officer, employee, partner or member of, or is otherwise associated with, any organization which filed an application in conjunction with the charter school, i.e., is partnered with the charter school. To the extent you have provided this information in response to items 9-12, you may so indicate. This does not apply to me, my spouse or other family members. Yes.
15. Please indicate the potential ethical or legal conflicts of interests (if any) that would, or are likely to, exist should you be approved for service on the charter school's board. None. Yes.
16. Please explain how you would handle a situation in which you believe one or more members of the charter school's board are involved in working for their own benefit, or the benefit of their friends and family.

The most important step is for board directors to disclose information related to the possibility of dual interests to others on the board. Minimally, the director needs to inform the board of the important facts and details and must abstain from voting on the transaction. These actions should be recorded in the minutes to document the disclosure. In cases of potential conflict, boards should take extra steps to document that the decisions they make are in the best interests of the charter school.

Educational Philosophy

17. Please explain your understanding of the charter school's mission and/or philosophy.

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 classroom educators and engaging, individualized learning which includes the use of state-of-the-art digital learning tools, resources and curriculum; 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.

18. Please explain your understanding of the educational program of the charter school.

New York Flex Charter School will provide an engaging, individualized education to students in grades nine through twelve from throughout New York City. While the student population will represent diverse demographics, across that spectrum, New York Flex aims to serve students who can benefit most from individualized instruction--including students who are bored, want a greater challenge, are looking for more electives, are behind in credits, want more technology access and resources, or want to be pioneers of a 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 and who can be active participants in their own future, through the use of technology.

19. Please indicate what you believe to be the characteristics of a successful charter school. In particular, please provide the specific steps you think the board of the charter school will need to take to ensure that this charter school is and remains successful.

A successful charter school will have a well developed and focused mission for student success, will be innovative in its educational and academic offering, will have a carefully designed operating and accountability structure, will manage its public funds wisely and trustfully, will support strong teaching through highly effective teachers and professional development, will be actively engaged with its community and parents and will have excellent governance and oversight that follows steps outlined in Item 20.

Other

20. Please explain your understanding of the appropriate role of a public charter school board member.
- Determine the charter school's mission and purpose. A statement of mission and purpose should articulate the charter school's goals, means, and primary constituents served. It is the board of directors' responsibility to create the mission statement and review it periodically for accuracy and validity. Each individual board director should fully understand and support it.
 - Select the charter school administrator. Boards must reach consensus on the charter school administrators' job description and undertake a careful search process to find the most qualified individual for the position.
 - Support the charter school administrator and review his or her performance. The board should ensure that the charter school administrator has the moral and professional support he or she needs to further the goals of the charter school. The charter school administrator, in partnership with the entire board, should decide upon a periodic evaluation of the administrator's performance.
 - Ensure effective organizational planning. As stewards of the charter school, the board must actively participate with the staff in an overall planning process and assist in implementing the resulting plan.
 - Ensure adequate resources. One of the board's foremost responsibilities is to provide adequate resources for the charter school to fulfill its mission. The board should work in partnership with the charter school administrator and development staff to raise funds from the community.

- Manage resources effectively. The charter school board, in order to remain accountable to the charter granting entity, parents and students, its donors, the public and to safeguard its tax-exempt status, must approve the annual budget and ensure that proper financial controls are in place.
- Determine and monitor the charter school's programs and services. The board's role in this area is to determine which educational programs and services are the most consistent with the charter schools mission, and to monitor their effectiveness.
- Enhance the charter school's public image. A charter school's primary link to the community, including constituents, the public, and the media, is the board. Clearly articulating the organization's mission, accomplishments, and goals to the public, as well as garnering support from important members of the community, are important elements of a comprehensive public relations strategy.
- Assess its own performance. It is the board's responsibility to ensure that the total organization is effective in achieving its mission and efficient in using its resources. It should begin this annual discussion by evaluating its success as a board. By evaluating its performance in fulfilling its responsibilities, the board can recognize its achievements and reach consensus on which areas need to be improved.

21. Please affirm that you have read and understand the charter school application, the charter school board's by-laws and all proposed policies.

I affirm.

22. Please provide any other information that you feel is pertinent to the Department's review.

ATTACHMENT 7

HERBERT H. TOLER, JR.

New York, New York

EDUCATION:

COLUMBIA UNIVERSITY, New York, New York,
Ph.D. Candidate, American History.

Dissertation: *Religion and Reconstruction in Washington, D.C., 1862-1877*, Anticipated, 2012.

COLUMBIA UNIVERSITY, New York, New York,
M.Phil., American History, December 2003.

UNION THEOLOGICAL SEMINARY, New York, New York,
M.A., Church History, May 1994.

HOWARD UNIVERSITY, Washington, D.C.,
M.A., History, May 1992.

HAMPTON UNIVERSITY, Hampton, Virginia,
B.A., History, May 1990.

LANDON SCHOOL FOR BOYS, Bethesda, Maryland,
H.S. Diploma, June 1986.

SCHOLARSHIPS AND AWARDS:

St. Hilda's & St. Hugh's Faculty Scholarship

Mellon Fellowship

Ford Fellowship

Bradley/Fieldsted Scholar,

Scholarship and Grant, Teachers College, Columbia University.

General Robert Anderson Scholarship, Teachers College, Columbia University.

J. Richard Munro Scholarship, Teachers College, Columbia University.

John Bunyan Reeve Memorial Book Award, Union Theological Seminary.

Maryland Senatorial Scholarship.

Maryland House of Delegates Scholarship.

Roothbert Fellow, Roothbert Fund, Inc., New York, New York.

Scholarship and Grant, Union Theological Seminary, New York City.

Scholarship and Grant, Howard University, Washington, D.C.

Dean's List, Hampton University, Presidential Honors.

Phi Alpha Theta, History Honor Society.

Who's Who Among American College Students and Universities.

American Economics Association: Summer Program, Temple University.

Practica Experience (Continued)

TEACHING EXPERIENCE:

**HISTORY INSTRUCTOR
2007 TO THE PRESENT**

**CITY UNIVERSITY OF NEW YORK, CITY COLLEGE,
New York, New York.**

**HISTORY INSTRUCTOR
2005 TO THE 2009**

**CITY UNIVERSITY OF NEW YORK, JOHN JAY COLLEGE,
New York, New York.**

**HISTORY, SOCIAL STUDIES,
AND RELIGION TEACHER
1996 TO THE PRESENT**

**ST. HILDA'S & ST. HUGH'S EPISCOPAL SCHOOL
New York, New York.**

Prepare lesson outlines for discussion; lead discussion sessions in classroom settings; evaluate students' performance; tutor; conduct research for future presentations.

**MELLON FELLOWSHIP
GRADUATE TEACHER'S
ASSISTANT Fall 1997**

**COLUMBIA UNIVERSITY, New York, New York.
Institute for Research in African-American
Studies. Introduction to African-American Studies.**

Prepared lesson outlines for seminar discussions; led discussion sessions in undergraduate seminars; served as proctor for undergraduate exams; evaluated student's performance; Served as a tutor; conducted research for professors.

**FORD GRADUATE
FELLOWSHIP ASSISTANT**

**COLUMBIA UNIVERSITY, New York, New York.
Introduction to African-American Studies.**

Prepared lesson outlines for seminar discussions; led discussion sessions in undergraduate seminars; served as proctor for undergraduate exams; evaluated student's performance; served as a tutor; conducted research for professors.

OTHER PROFESSIONAL EXPERIENCE:

**CONSULTANT
2003**

WASHINGTON CITY MUSEUM, Washington, D.C.

Research, write, and collect material for a proposed exhibit that will help inaugurate a new District of Columbia museum.

Practica Experience (Continued)

**FORD FELLOWSHIP
ASSISTANT COORDINATOR
Fall 1997 to Spring 1998**

**COLUMBIA UNIVERSITY, New York, New York.
Institute of African Studies.**

Designed proposal for the African Fellows Forum;
developed program structure; coordinated daily activities
for scholars and undergraduates.

**BRADLEY/FIELDSTED
SCHOLAR, 1994 TO 1996**

HERITAGE FOUNDATION, Washington, D.C.

Traveled the United States to chronicle what black
churches are doing to revitalize urban communities.

**CATALOGUER, ARCHIVIST,
AND BUSINESS MANAGER
SPRING, 1994 to 1995**

**ELVIN MONTGOMERY, JR., ANTIQUARIAN,
New York, New York.**

Catalogued books, documents, autographs, memorabilia,
artifacts in various disciplines including genealogy, social,
religious, and local history. Organized acquisitions
according to their provenance. Restructured the business
to be efficient in its daily operations.

**RESEARCH ASSISTANT
OF 1992-1994
SEMINARY,**

**DR. JAMES MELVIN WASHINGTON, PROFESSOR
CHURCH HISTORY, UNION THEOLOGICAL
New York, New York.**

Researched, collected, organized, and analyzed
primary and secondary sources for future publications.

**GRADUATE ASSISTANT
1990-1992**

HOWARD UNIVERSITY, Washington, D.C.

Served as proctor for undergraduate exams; served as tutor;
prepared lesson outlines for seminar discussions; conducted
research for professors.

Practica Experience (Continued)

INTERNSHIP

SMITHSONIAN INSTITUTE, DUKE ELLINGTON COLLECTION, 1991, Washington, D.C.

Conducted research in major repositories; transcribed interviews with Duke Ellington into a database; wrote abstracts of newspaper. And magazine articles; catalogued recordings, ephemera, and memorabilia; informed local Government officials about the progress of the project.

CONSULTANT FALL 1990

HISTORY ASSOCIATES, INC., Rockville, Maryland.

Implemented efficient storage control and filing system for current documents and documents requiring short-term retention for the Montgomery County Archives and the Washington and Lee University-DuPont Collection.

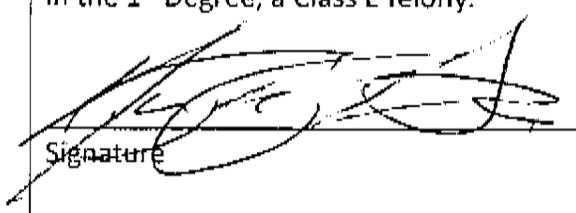
PUBLICATIONS:

A Review of The Original African Heritage Study Bible edited by Cain Hope Felder in The Journal of Blacks In Higher Education, Spring 1994:102; "Rivers of Babylon: A Harvard Man Brings The Gospel to the Crack House," Policy Review, Fall 1994, 68; "Fisher of Men: A Baltimore Minister Promotes Black Christian Manhood," Policy Review, Spring 1995, 72. "Any Slave I May Die Possessed Of," A Review of the Slave Life Tour at Mount Vernon, American Legacy Magazine, Summer 1996: 35.

Attachment 8: Statement of Assurances for Each Board Member Applicant

A Statement of Assurance must be signed by and submitted for each Board Member Applicant.

I, Herbert H. Toler, Jr., (print name of board member applicant) state that I am the applicant for board member approval and I have read the questionnaire and any supporting documents and know the contents thereof; that the same is true to my knowledge except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true and further acknowledge that I am aware of the fact that, pursuant to the New York Penal Law, a person who knowingly offers a false instrument for filing to a public official or public servant may be subject to criminal prosecution, including for the crimes of Offering a False Instrument for Filing in the 2nd Degree, a Class A Misdemeanor, or, if there is intent to defraud, of Offering a False Instrument for Filing in the 1st Degree, a Class E felony.


Signature

3/24/11
Date

Attachment 9: Request for Information from Prospective Charter School Board Members

Each Prospective Charter School Board Member must provide the Information requested in the next three pages.

Name: Herbert H. Toler, Jr
(Include preferred honorific.)

Daytime Telephone: [REDACTED]

Home Mailing Address: _____

Personal E-Mail/Fax: _____

Business Address: _____

Business E-Mail/Fax: newyorkflex@gmail.com

Charter School Name: New York Flex Charter School

Charter School Address: 295 Greenwich Street, #127, New York, New York 10007

To which charter school board position and/or office are you asking to be appointed? (e.g., parent representative, vice-president, Finance subcommittee, etc.):

Board Member

As you may know, serving on a public charter school board of trustees (“board”) is a position of great trust and responsibility. As a member of a public charter school’s board, you would be charged with overseeing the education of all students enrolled in the school, as well as the expenditure of public monies directed to the charter school.

The Department’s consent is required **before** any new member may serve on the board. Accordingly, and in order to properly evaluate potential new board members, we ask that you please provide full and complete answers to each of the items below and provide the required assurance indicated. Note that providing false, misleading, and/or incomplete information may lead to a withdrawal of the Department’s approval, nullifying your appointment to the board.

Background

1. Please provide your educational and employment history. You may do so by attaching a résumé. Resume Attached
2. Please affirm that you are or will be at least eighteen years old at the time of your appointment/election to the board. I affirm.
3. Please affirm that you have read Article 56 of the New York State Education Law, and understand the relationship between a charter school and the authorized chartering entity as defined in that statute. I affirm.
4. Please indicate how you became aware of the charter school and the opportunity to serve as a member of its board.

My former teaching colleague, Peter Stewart has been a leader in the development of digital curriculum and learning techniques. Through my professional collaboration with him, I have studied these learning technologies and become aware of their power to improve student achievement and success. As such, when I learned from him that there was an initiative to provide this opportunity to NYC students, I expressed an interest in engaging with fellow board members to propose, implement and govern New York Flex.

5. Please explain why you wish to serve on the board.

As a career educator, my passion is seeing each student through to the realization of their highest aspirations and development of their fullest talents. New learning technologies, combined with skilled teaching, offer the prospect of individualizing the education experience for each child to maximize educational achievement. My participation in board leadership at New York Flex Charter School is an opportunity to provide these innovative educational opportunities to the students and families of New York City.

6. Please indicate whether you have previously served or are currently serving on a board of a school district, a non-public school or any not-for-profit corporation (to the extent not otherwise indicated in your response to Item 1, above). In addition, please describe any other experience, knowledge or skills you feel are relevant to service on the charter school board. This does not apply to me. Yes. (Include description here):

The Children's Stewardship Fund

7. Please indicate whether or not you have ever been convicted of a misdemeanor and/or felony in state or federal court in any jurisdiction.
 This does not apply to me. Yes.

If the answer to this question is yes, please provide the following details regarding your conviction(s): (1) the name of the criminal offense(s); (2) whether the criminal offense(s)

was a misdemeanor or felony; (3) the facts and circumstances surrounding your conviction(s); (4) the date(s) of your conviction(s); and (5) the date(s) of disposition(s).

Your response to question six may also include any relevant written information that you wish to be considered in support of your application, including, but not limited to: certificates of conviction; any parole and/or probation documentation; any certificates, including any certificate of relief from disabilities; any proof of counseling and/or rehabilitation; any documentation attesting to your good conduct or your good character; and any letters of support from friends, family, co-workers, employers, etc.

7. Please indicate if you currently have any criminal charge(s) pending against you in state or federal court in any jurisdiction.

This does not apply to me. Yes.

If the answer to this question is yes, please provide an explanation.

Conflict of Interest

8. Please indicate whether you, your spouse, or other family member knows any of the other prospective or current board members.
 I / we do not know any such persons. Yes.
If your answer is yes, please indicate the precise nature of your relationship here:
9. Please indicate whether you, your spouse, or other family member knows any person who is a prospective or current charter school employee.
 I / we do not know any such persons. Yes.
If yes, please indicate the precise nature of your relationship here:
10. Please indicate if you, your spouse, or other family member or any corporation, business or other entity in which you, your spouse or other family member serve as an employee, officer, or director or own a controlling interest in, contracts or does business with, or plans to contract or do business with, the charter school, including but not limited to, the lease of real or personal property to the charter school.
 No. Yes.
If yes, please describe the nature of the contract or business and, if applicable, the relationship of the person to the corporation, business or entity involved:
11. If the charter school is partnered with an educational service provider (a management company, whether for-profit or not-for-profit), please indicate whether you, your spouse, or any family member knows any employees, officers, owners, directors or agents of that provider. If your answer is in the affirmative, please describe any such relationship.
 Not applicable because the School does not/will not contract with a management company or charter management organization.
 I / we do not know any such persons. Yes.
12. If the charter school is partnered with an educational service provider, please indicate whether you, your spouse or other family member has a direct or indirect ownership, employment, contractual or management interest in the provider. For any interest indicated, please provide a detailed description.
 Not applicable because the School does not/will not contract with a management company or charter management organization.
 I / we have no such interest. Yes.
13. If the charter school is partnered with an educational services provider, please indicate if you, your spouse or other family member anticipates conducting, or is conducting, any business with the provider. If so, please indicate the precise nature of the business that is being or will be conducted.
 Not applicable because the School does not/will not contract with a management company or charter management organization.
 I / we do not anticipate conducting any such business. Yes.

14. Please indicate whether you, your spouse or other family member is a director, officer, employee, partner or member of, or is otherwise associated with, any organization which filed an application in conjunction with the charter school, i.e., is partnered with the charter school. To the extent you have provided this information in response to items 9-12, you may so indicate. This does not apply to me, my spouse or other family members. Yes.
15. Please indicate the potential ethical or legal conflicts of interests (if any) that would, or are likely to, exist should you be approved for service on the charter school's board. None. Yes.
16. Please explain how you would handle a situation in which you believe one or more members of the charter school's board are involved in working for their own benefit, or the benefit of their friends and family.

If there was any question that such activities were in violation of the Conflict of Interest policies, applicable law or board bylaws, I would formally report such activities to appropriate officials and demand the implementation of Conflict of Interest procedures.

Educational Philosophy

17. Please explain your understanding of the charter school's mission and/or philosophy.

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 classroom educators and engaging, individualized learning which includes the use of state-of-the-art digital learning tools, resources and curriculum; 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.

18. Please explain your understanding of the educational program of the charter school.

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. Our school will be a full-time, five-days-a-week public charter high school combining the best of digital curriculum with traditional, onsite schooling to meet the needs of a broad 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 2012-13 and growing to a full complement of Grades 9-12 in 2015-16. 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.

19. Please indicate what you believe to be the characteristics of a successful charter school. In particular, please provide the specific steps you think the board of the charter school will need to take to ensure that this charter school is and remains successful.

Steps the charter board takes to ensure a successful charter school include

- Passionate, unwavering belief in the charter school’s mission and core values
- A firm understanding of the charter promises and a clear, consistent way to measure them
- Clarity of collective vision—where the school is and where it wants to be in the future
- Focus on results
- Clarity of roles and responsibilities of the full board, individual trustees and committees
- The right structure in terms of board size, composition, committees and officers
- Board meetings focused on strategic issues, not just reporting
- Clear understanding of the difference between governance and management
- A school leader who has the time to assist in the creation of effective governance
- A strong partnership between the board and the school leader which is built on mutual trust and respect

Source: Authorizer Issue Brief, National Association of Charter School Authorizers, September 2005

Other

20. Please explain your understanding of the appropriate role of a public charter school board member.

A charter school board member is part of a governing body of a charter school that governs the school, maintains overall control of the school, and is responsible for the operation of the school. The school administrators and all other employees and contractors, serve under the governing body, and are subject to the rulings of the governing body. The governing body critically evaluates the performance of the school’s administrator and any contractors with the school, and replaces the administrator or contractor if he is not performing duties or providing services in a satisfactory manner.

The charter board member joins the board as it:

- Sets policies
- Complies with legal obligations
- Establishes criteria for administrator and charter school performance
- Monitors administrator and charter school performance
- Reviews and acts on administrator recommendations
- Provides guidance to administrator as needed
- Hires and terminates teachers

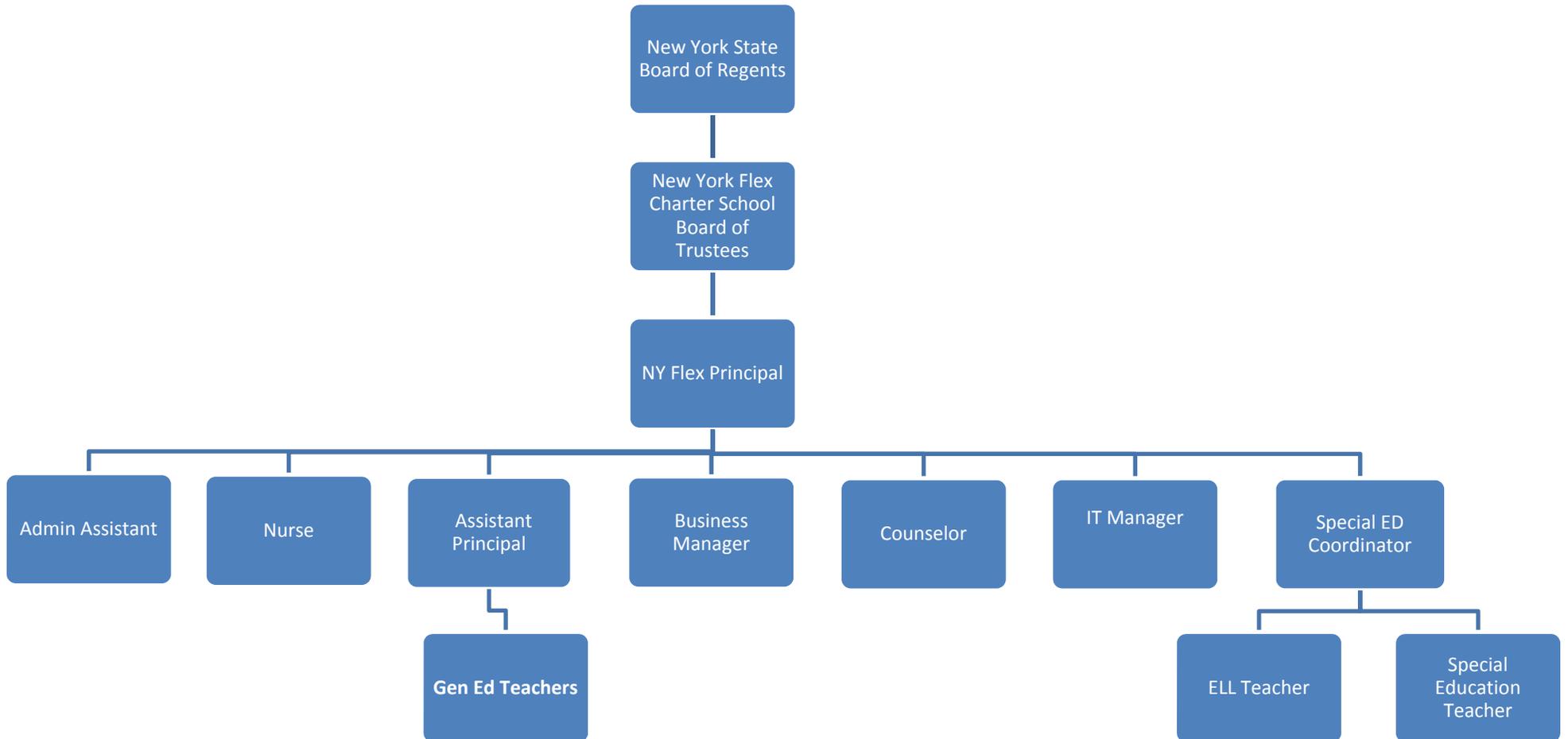
- Creates and monitors long term vision for the charter school
- Creates a positive image for the charter school

21. Please affirm that you have read and understand the charter school application, the charter school board's by-laws and all proposed policies.

I affirm.

22. Please provide any other information that you feel is pertinent to the Department's review.

Proposed NY Flex Charter School Organizational Chart



PRINCIPAL

The Principal will serve as the instructional leader of the school. The appropriate candidate will possess a Masters degree or higher in Educational Leadership or another related area. As an educational leader, turnaround specialist, or educational supervisor, the candidate must possess the proper New York State certification to qualify for principal, including the School Administrator and Supervisor (SAS), School District Administrator (SDA), School District Leader (SDL), or School Building Leader (SBL), or possess the qualifications to be granted the certification, for instance through interstate reciprocity. At least 3 years of demonstrated success in moving low performing schools to acceptable or higher levels of achievement is also required. The ideal candidate will possess a strong desire to improve the education options for children. He/she will have experience in running a business and/or a school with multi-tier management. This person will work with cross-functional teams to manage projects and improve processes for the school. The ideal candidate will have experience in some areas of school restructure including:

- Implementation of a school-within-a-school model
- Career themed academic programs
- Workplace certifications
- Virtual learning opportunities
- High tech project based learning
- Effective implementation of community building strategies

The Principal's performance is reviewed, annually, on the basis of learning gains as measured by student performance on applicable state tests and/or Scantron pre and post test results, student attendance, graduation rates, demonstrated community involvement, and implementation of STEM initiatives.

Responsibilities

- Instructional leader of the school
- Implementation of the school redesign
- Recruitment and retention of highly qualified faculty and staff
- Evaluation of faculty and staff performance
- Balanced operational budget
- Implementation of effective student disciplinary policies
- Implementation of student achievement goals and expectations
- Building relationships with a school steering committee and other key stakeholders
- Implementation of parent involvement/inclusion best practices
- Support of curriculum and instructional practices
- Support and adherence to management procedures and practices
- Supervision of marketing and enrollment management processes

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education/Experience

Master's degree (M. A.) or equivalent; or ten to twelve years related experience and/or training; or equivalent combination of education and experience. School administration experience required; charter school experience preferred.

Computer Skills

To perform this job successfully, an individual should have knowledge of Microsoft Office suite of software including Word, Excel, Outlook, and Access.

Certificates and Licenses

As an educational leader, turnaround specialist, or educational supervisor, the candidate must possess the proper New York State certification to qualify for principal, including the School Administrator and Supervisor (SAS), School District Administrator (SDA), School District Leader (SDL), or School Building Leader (SBL), or possess the qualifications to be granted the certification, for instance through interstate reciprocity.

Supervisory Responsibilities

This job has supervisory responsibilities for all school staff, including the teachers and administrative staff.

ASSISTANT PRINCIPAL

The Assistant Principal directs and coordinates educational, administrative, and counseling activities of students by performing the following duties personally or through subordinate supervisors.

Essential Duties and Responsibilities include the following. Other duties may be assigned.

- Develops and evaluates the educational program to ensure conformance to state and school board standards.
- Develops and coordinates educational programs through meetings with staff, review of teachers' activities, and issuance of directives.
- Manages Master and Lead Teachers and programs.
- Confers with teachers, students, and parents concerning educational and behavioral problems in school.
- Coordinates with teachers curriculum provider regarding expulsions and withdrawals.
- Researches and implements all curriculum resources to meet state standards
- Manages teaching staff.
- Ensures that the school is meeting the needs of students while complying with local, state, and federal laws regarding special education.
- Develops and oversees implementation of the school's Student Achievement Improvement Plan.
- Requisitions and allocates supplies, equipment, and instructional material as needed.
- Actively participates in all school leadership team meetings.

Qualifications

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education/Experience

Master's degree (M. A.) or equivalent in Business or Education with minimum of five years related experience and/or training; or equivalent combination of education and experience.

Computer Skills

To perform this job successfully, an individual should have knowledge of MS Word processing software; MS Excel spreadsheet software; MS Outlook, and MS Access database software.

Certificates and Licenses

The candidate must possess the proper New York State certification to qualify for assistant principal, including the School Administrator and Supervisor (SAS), School District Administrator (SDA), School District Leader (SDL), or School Building Leader (SBL), as an educational leader, turnaround specialist, or educational supervisor, or possess the qualifications to be granted the certification, for instance through interstate reciprocity.

Supervisory Responsibilities

Directly supervises 5 to 20 teachers. Carries out supervisory responsibilities in accordance with the school's policies and applicable laws. Responsibilities include interviewing, hiring, and training employees; planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

BUSINESS MANAGER

The Business Manager develops, interprets, and implements complex financial and accounting concepts, or techniques for financial planning and control, by performing the following duties.

Essential Duties and Responsibilities include the following. Other duties may be assigned.

- All financial activities and business processes
- Assist in development of annual budget
- Preparation of monthly forecasts and variance analysis
- Review and issuance of monthly financial statements (Income Statement, Balance Sheet and Cash Flow)
- Implementation and ensure compliance with school finance policies, internal controls and business processes
- Assist in the development of grant and other funding opportunities
- Timely and accurate submissions for state and federal funding programs to include funding determinations, audit responses, and interim financial reports
- Assist with school audit and ensure all tax filings are prepared and submitted
- Assist with monthly financial closings
- Book monthly journal entries
- Prepare monthly bank reconciliations
- Analyze monthly P&L and balance sheet variances
- Responsible for asset inventory

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education/Experience

Bachelor's degree (B.A.) from four-year college or university; or seven to ten years related experience and/or training; or equivalent combination of education and experience. School or non-profit accounting (501(c)(3) desirable.

Language Ability

Ability to read, analyze, and interpret common scientific and technical journals, financial reports, and legal documents. Ability to respond to common inquiries or complaints from customers, regulatory agencies, or members of the business community. Ability to write speeches and articles for publication that conform to prescribed style and format.

Math Ability

Ability to apply advanced mathematical concepts such as exponents, logarithms, quadratic equations, and permutations. Ability to apply mathematical operations to such tasks as frequency distribution, determination of test reliability and validity, analysis.

Reasoning Ability

Ability to define problems, collect data, establish facts, and draw valid conclusions. Ability to interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables.

Computer Skills

To perform this job successfully, an individual should have knowledge of Word Processing software; advanced Spreadsheet software; Accounting software; Project Management software and Database software. QuickBooks and/or Great Plains experience desirable.

INFORMATION TECHNOLOGY (IT) MANAGER

The IT Manager handles all technical matters pertaining to the school program by performing the following duties:

Essential Duties and Responsibilities include the following. Other duties may be assigned.

- Manages set-up and maintenance of school technology systems, including but limited to computers, printers, wireless network, servers if any, Internet Access, interactive white boards, LCD projectors, copiers, faxes, phone systems, Internet access and network.
- Monitors and tracks student information through the Learning Management System
- Oversees moderation of school discussion boards
- Learns to use all school technology, databases and software
- Supports the school staff in the use of all school technology, databases and software
- Provides technical support to staff and families through email and occasional phone calls and coordinate with curriculum provider
- Collects all FAQ's related to school technology and technical support. Creates and maintains a discussion board thread to share responses
- Reports major software and hardware malfunctions to school administrators
- Logs and reports issues pertaining to curriculum and instructional materials, digital resource functionality, testing and assessment tools, and professional development to appropriate vendors for process improvement.
- Prepare materials required for training sessions, including specific user application instructions
- Work with teachers to log, track and monitor attendance and student progress, as needed

- Perform troubleshooting and problem analysis for the purpose of diagnosing, repairing and/or replacing equipment
- Liaise with hardware vendors for computer repair and replacement
- Report major software and system malfunction to school management
- Communicate with curriculum providers regarding update and maintenance of content on the school's website
- Meet with administrators and teachers to assess their technology needs and recommend professional development
- Work directly with students where necessary
- Develop technology policies for the school's handbook
- Develop and disseminate "best practices" in use of technology

Qualifications

Education/Experience

Bachelor' degree in Computer Information Systems or related degree and/or five years related experience in an enterprise environment; or equivalent combination of education and experience.

Computer Skills

To perform this job successfully, an individual should have knowledge of MS Word, Excel Outlook, PowerPoint and Access software and Database software. Computer networking ability required. Knowledge of HTML required.

ADMINISTRATIVE ASSISTANT

The Administrative Assistant will be a primary support role for all the administrators at the school, while also performing the following duties:

- Support administrators with enrollment process
- Manage all incoming calls and the telephone system as a whole
- Greet guests who visit the office
- Assist with inventory and maintenance of all office equipment, supplies and services
- Set up conference calls, meetings and office functions both on and off-site
- Assist in maintaining contact with families, teachers and other community members
- Assist in the preparation and publication of school newsletters
- Coordinate special events
- Create and maintain administrative calendars
- Check-in, track faxes and distribute to staff
- Sort and distribute mail; maintain stamps, mailing and package shipment supplies
- Distribute school-wide communications approved by administrative team
- Process student withdrawals
- Fulfill records requests for withdrawn students (within 5 days of receiving the request and remove file from active students and placed with the withdrawn student in regular file)
- Request and track receipt of records for newly enrolled students
- Maintain student cumulative files and other student records
- Establish secure access to student records
- Assist in the preparation and maintenance of transcripts

Qualifications

- Great organizational and time management skills
- Professional experience using Microsoft Excel, Word and Outlook
- Strong communication skills

HIGH SCHOOL GENERAL EDUCATION TEACHER

Teachers must be highly qualified and motivated to work in an innovative environment. Our teachers should therefore share the school's entrepreneurial spirit and passion to provide students with a world class educational program that blends virtual with face to face instruction.

As part of their regular teaching responsibilities, teachers are expected to fulfill duties in the following areas:

Instruction and Student Achievement Responsibilities

- Adheres to and follows the curriculum
- Develops weekly lesson plans that reflect alignment with New York state standards and pacing as set forth in the managed curriculum
- Sustains an orderly, respectful learning environment
- Implements routines and instructional methods that promote high expectations for learning
- Maintains all records, grades, student work and parent contacts as required by state law
- Utilizes student performance data to measure student performance and effectiveness of instruction
- Assigns homework as opportunities for students to practice specific learning skills or content
- Meets at least three times per year with each student's family to discuss student progress
- Learns the curriculum for assigned grade levels and courses
- Able to teach in an environment with multiple teachers working with students on different subjects
- Proactive in assessing and addressing students' individual needs and creating a learning plan
- Demonstrates knowledge of state standards and testing requirements
- Assesses student academic progress, performance and attendance data collected in the Learning Management System
- Provides students and parents with regular feedback regarding student performance and progress
- Supports students with special needs, including participation on IEP teams as needed
- Prepares students for standardized tests and proctors exams

Professional Responsibilities

- Builds community by contributing to school message boards, newsletter and events
- Participates in staff meetings and professional development sessions

Qualifications

- Highly qualified in a high school core academic subject
- Possesses skill in teaching and understanding the unique learning, social and emotional needs of high school students

- Demonstrated ability in improving student performance, especially with students who are low performing
- Experience in using and analyzing performance data to improve individual and overall student performance
- Preference for working on a collaborative, cross content area instructional team
- Proficiency with the Microsoft Office Suite
- Experience using interactive whiteboards in the classroom

SPECIAL EDUCATION TEACHER

Special Education Teachers will be highly qualified and state certified teachers responsible for delivering specific course content in a unique environment. They will provide specially designed instruction to all special education students to meet individual needs. The Special Education Teacher must possess a strong educational background and a firm understanding of how best practices in special education can be applied in this model.

Responsibilities

- Provide data and information to the Committee on Special Education (CSE) for students' IEPs as well as attend IEP meetings if applicable
- Provide focused academic support to the student on a schedule determined by the IEP
- Provide focused support to the parent on accommodations and interventions to promote the attainment of IEP goals through phone conferencing, virtual real-time interaction and/or face to face support
- Collect data and work samples to support documentation of IEP goals
- Provide weekly focused support to all supplemental programs being used by the special needs student to ensure participation and progress
- Make modifications and accommodations to lessons and assessments as specified by the IEP
- Attend all required professional development
- Collaborate with regular education teachers to ensure full inclusion and success of student in the regular classroom
- Collaborate with the regular education teachers on all progress, semester and grade reports
- Collaborate with regular education teachers regarding "at-risk" students to support the development and implementation of interventions within the regular classroom
- Maintain all required reports as assigned by the Special Education Coordinator including student progress reports
- Ensure that assigned students participate in state achievement testing and receive monitored accommodations as defined by the IEP
- Serve as proctors for site-based proctored exams
- Participate in the school's self-evaluation programs
- Support the school administration in the enrollment of special education students

Qualifications

- 3+ years of teaching experience
- Appropriate state certification as HQT Special Education Teacher
- Experience in a charter school environment preferred

- Great organizational and time management skills
- Flexible schedule
- Proficiency in Microsoft Excel, Word and Outlook
- Experience using search engines (Internet) for research projects
- Experience using a student information system and/or other type of database preferred
- Strong communication skills with regular education teachers and parents

ENGLISH LANGUAGE LEARNER (ELL) TEACHER

The goal of the ELL teacher is to accelerate the learning or acquisition of English and the academic content of math, language arts, science, and social studies in order to meet passing classroom expectations, passing SOL scores and graduation requirements and to provide cross-cultural information about the American school system and being a student in an American school for ELL students. The ELL teacher will serve as a liaison between the ELL student and all his/her classroom teachers and their families and the school. The ELL teacher will implement all assessment procedures in order to be in compliance with legal responsibilities. The ELL teacher will also provide leadership and consultation as the second language expert/specialist to all staff in a school.

Qualifications

- ESL certification
- Knowledge of: second language acquisition and acculturation processes, research, legal requirements, program models, methodological approaches, techniques for teaching English, reading, and content to second language learners, appropriate assessments for program placement and monitoring student achievement, and administrative procedures in implementing a formal ESOL program.
- Native or near-native proficiency in all the skills of understanding, speaking, reading and writing in English is required.
- Bilingualism of the language most represented by the students is an asset, not a requirement.
- Excellent interpersonal skills in order to: collaborate with all staff in the school and provide on-going staff development and leadership as a specialist of the school's second language issues.

Experience

- Teaching ELL and second language learners at the elementary or secondary level and in a formal ELL or bilingual education program and experience with administrative procedures, forms, and compliance issues; and/or
- Teaching in a mainstream secondary class with some English language learners.

Certification

ESL State Certification is required. Certification in a foreign language or another academic content area is preferred.

Responsibilities

- To assess all ELL students for ELL program eligibility;
- To implement all the procedures of the ELL program as prescribed in all school manuals and in written communication in order to be in compliance with the law and school policies;
- To maintain appropriate and required documentation on every ELL student;
- To make recommendations to staff about the types of accommodations, adaptations, special resources, courses, classes, and classroom adjustments that are appropriate for each ELL student;

- To make recommendations about the appropriate accommodations for all types of formal assessments whether within the school or state and communicating those recommendations to parents and staff;
- To serve as the second language specialist to an entire school staff by maintaining a high knowledge base of the latest research, laws, most effective practices, and issues in the field;
- To serve as a liaison between the ELL student, his/her family and the school, especially with respect to cultural and language differences, and providing cross-cultural information to all parties that foster positive relationships;
- To provide rigorous and appropriate instruction to ELL students that supports the acceleration of English and appropriate academic content and is aligned with the New York State Standards and New York Flex curriculum;
- To monitor ELL students' progress in all aspects of their academic schedules and their participation in all school activities and programs and promote and advocate for their participation as appropriate;
- To provide on-going staff development as is necessary and/or requested on the second language acquisition and acculturation processes, sheltered instruction, the latest research, and most effective practices in teaching English Language Learners;
- To serve as a consultant for purposes of referrals to other programs such as Title 1, Special Education, Gifted and Talented and others to assure neither the under nor over-representation of ELL students;
- To participate in intra-school staff development opportunities that enhance the knowledge of the mainstream curriculum and issues in order to know how those relate to ELL and how to adapt or incorporate them into ELL instruction;
- To participate in all meetings within the school where representation of ELL is needed and appropriate such as school councils, grade level, mapping, multicultural and others;
- To participate in staff development meetings and workshops both specific to ELL and generic in order to be connected to and knowledgeable of the most current trends, practices, and procedures;
- To maintain on-going communication with parents and the families of ELL students in a meaningful way which may require the use of interpreters and translations; and
- To maintain on-going communication with all teachers of the ELL students and maintain a positive, nurturing, collaborative and consultative-type relationship.

GUIDANCE COUNSELOR

As part of their regular teaching responsibilities, guidance counselors are expected to fulfill duties in the following areas:

- Provides individual and group counseling to students with identified concerns and needs.
- Consults and collaborates effectively with parents/guardians, teachers, administrators and other educational/community resources regarding students with identified concerns and needs.
- Implements an effective referral and follow-up process.
- Accurately and appropriately uses assessment procedures for determining and structuring individual and group counseling services.
- Provides appropriate information to staff related to the comprehensive school counseling program.
- Assists teachers, parents/guardians and other stakeholders in interpreting and understanding student data.
- Participates in professional development activities to improve knowledge and skills
- Proficient in MS Excel, MS Word, and Outlook
- Strong written and verbal communication skills

SPECIAL EDUCATION COORDINATOR

The coordinator of special education is a vital role in our school because it enables the school to work directly with parents and students who have special needs. This person will develop and implement the special education procedures at the school keeping in mind all local, state, and federal guidelines and all compliance reporting. This person has the responsibility to integrate students into the school community. The Special Education coordinator will manage all special education and ELL teachers and educate all teachers in special education procedures, focusing on identification.

Responsibilities include:

- Recruit, train, supervise and evaluate special education and ELL teachers
- Create and maintain appropriate contacts with NYCDOE and NYSED special education and ELL leaders
- Develop and disseminate “best practices” for special education and ELL at New York Flex Charter School
- Implement the use of adaptive technology to meet the needs of our students
- Develop contacts with special education providers
- Design and implement a school-wide pre-referral process
- Oversee the development and maintenance of all IEPs
- Travel, as required, to support students in implementation of the special education and ELL program

Requirements:

- Masters in Special Education
- Experience with local, state and federal laws and reporting
- 5-7 years of Special Education experience
- Great organizational and time management skills

ATTACHMENTS 12-16

New York Flex does not intend to contract with a not-for-profit charter management organization. Therefore, Attachments 12-16 are not applicable to our charter application.

New Applicaton Budget(s) & Cash Flow(s) Template

New York Flex Charter School

Contact Name: Yung Moon
Contact Email: newyorkflex@gmail.com
Contact Phone: [REDACTED]

Examples

Pre-Opening Period January 1, 2012 to June 30, 2012
Operational Year ONE July 1, 2012 to June 30, 2013

**New York Flex Charter School
PROJECTED BUDGET / OPERATING PLAN FOR PRE-OPENING PERIOD
September 1, 2011 to June 30, 2012**

Total Revenue	-	DESCRIPTION OF ASSUMPTIONS
Total Expenses	112,864	
Net Income	(112,864)	
Actual Student Enrollment	-	
Total Paid Student Enrollment	-	

**START-UP
PERIOD**

REVENUE

REVENUES FROM STATE SOURCES

Per Pupil Revenue	CY Per Pupil Rate	
School District 1 (Enter Name)	-	-
School District 2 (Enter Name)	-	-
School District 3 (Enter Name)	-	-
School District 4 (Enter Name)	-	-
School District 5 (Enter Name)	-	-
School District 6 (Enter Name)	-	-
School District 7 (Enter Name)	-	-
School District 8 (Enter Name)	-	-
School District 9 (Enter Name)	-	-
School District 10 (Enter Name)	-	-
School District 11 (Enter Name)	-	-
School District 12 (Enter Name)	-	-
School District 13 (Enter Name)	-	-
School District 14 (Enter Name)	-	-
School District 15 (Enter Name)	-	-
School District - ALL OTHER	-	-
TOTAL Per Pupil Revenue (Average Districts Per Pupil Funding)	-	-
Special Education Revenue		-
Grants		
Stimulus		-
DYCD (Department of Youth and Community Developmt.)		-
Other		-
Other		-
TOTAL REVENUE FROM STATE SOURCES		-

REVENUE FROM FEDERAL FUNDING

IDEA Special Needs	-
Title I	-
Title Funding - Other	-
School Food Service (Free Lunch)	-
Grants	
Charter School Program (CSP) Planning & Implementation	-
Other	-
Other	-
TOTAL REVENUE FROM FEDERAL SOURCES	-

LOCAL and OTHER REVENUE

Contributions and Donations	-
Fundraising	-
Erate Reimbursement	-
Earnings on Investments	-
Interest Income	-
Food Service (Income from meals)	-
Text Book	-
OTHER	-
TOTAL REVENUE FROM LOCAL and OTHER SOURCES	-

TOTAL REVENUE	-
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New York Flex Charter School
PROJECTED BUDGET / OPERATING PLAN FOR PRE-OPENING PERIOD
September 1, 2011 to June 30, 2012

Total Revenue	-	DESCRIPTION OF ASSUMPTIONS
Total Expenses	112,864	
Net Income	(112,864)	
Actual Student Enrollment	-	
Total Paid Student Enrollment	-	

EXPENSES

ADMINISTRATIVE STAFF PERSONNEL COSTS

	No. of Positions		
Executive Management	1.00	52,500	Principal hired in April 2011
Instructional Management	-	-	
Deans, Directors & Coordinators	-	-	
CFO / Director of Finance	-	-	
Operation / Business Manager	-	-	
Administrative Staff	1.00	13,750	Part-time IT mgr
TOTAL ADMINISTRATIVE STAFF	2.00	66,250	

INSTRUCTIONAL PERSONNEL COSTS

Teachers - Regular	-	-
Teachers - SPED	-	-
Substitute Teachers	-	-
Teaching Assistants	-	-
Specialty Teachers	-	-
Aides	-	-
Therapists & Counselors	-	-
Other	-	-
TOTAL INSTRUCTIONAL	-	-

NON-INSTRUCTIONAL PERSONNEL COSTS

Nurse	-	-
Librarian	-	-
Custodian	-	-
Security	-	-
Other	-	-
TOTAL NON-INSTRUCTIONAL	-	-

SUBTOTAL PERSONNEL SERVICE COSTS

	2.00	66,250
--	------	--------

PAYROLL TAXES AND BENEFITS

Payroll Taxes	5,631	Assumes Standard Payroll taxes
Fringe / Employee Benefits	5,896	Other benefits
Retirement / Pension	5,698	Pension/retirement at 8.6%
TOTAL PAYROLL TAXES AND BENEFITS	17,225	

TOTAL PERSONNEL SERVICE COSTS

	2.00	83,475
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CONTRACTED SERVICES

Accounting / Audit	-	
Legal	10,000	Start-up legal expenses
Management Company Fee	-	
Nurse Services	-	
Food Service / School Lunch	-	
Payroll Services	-	
Special Ed Services	-	
Titlement Services (i.e. Title I)	-	
Other Purchased / Professional / Consulting	-	
TOTAL CONTRACTED SERVICES	10,000	

SCHOOL OPERATIONS

Board Expenses	-	
Classroom / Teaching Supplies & Materials	-	
Special Ed Supplies & Materials	-	
Textbooks / Workbooks	-	
Supplies & Materials other	-	
Equipment / Furniture	-	
Telephone	1,800	Telecom durring start-up
Technology	6,000	Computer purchase for management
Student Testing & Assessment	-	
Field Trips	-	
Transportation (student)	-	
Student Services - other	-	
Office Expense	-	
Staff Development	-	
Staff Recruitment	-	
Student Recruitment / Marketing	-	
School Meals / Lunch	-	
Travel (Staff)	5,000	Start-up travel for recruitment and set-up
Fundraising	-	
Other	6,589	Interest on financing for build-out and start-up operations
TOTAL SCHOOL OPERATIONS	19,389	

New York Flex Charter School
PROJECTED BUDGET / OPERATING PLAN FOR PRE-OPENING PERIOD
September 1, 2011 to June 30, 2012

		DESCRIPTION OF ASSUMPTIONS
Total Revenue	-	
Total Expenses	112,864	
Net Income	(112,864)	
Actual Student Enrollment	-	
Total Paid Student Enrollment	-	
FACILITY OPERATION & MAINTENANCE		
Insurance	-	
Janitorial	-	
Building and Land Rent / Lease	-	2 months of buildout and 3 months of rent abatement
Repairs & Maintenance	-	
Equipment / Furniture	-	
Security	-	
Utilities	-	
TOTAL FACILITY OPERATION & MAINTENANCE	-	
DEPRECIATION & AMORTIZATION	-	
DISSOLUTION ESCROW & RESERVES / CONTINGENCY	-	
TOTAL EXPENSES	<u>112,864</u>	
NET INCOME	<u>(112,864)</u>	

ENROLLMENT - *School Districts Are Linked To Above Entries*	
School District 1 (Enter Name)	-
School District 2 (Enter Name)	-
School District 3 (Enter Name)	-
School District 4 (Enter Name)	-
School District 5 (Enter Name)	-
School District 6 (Enter Name)	-
School District 7 (Enter Name)	-
School District 8 (Enter Name)	-
School District 9 (Enter Name)	-
School District 10 (Enter Name)	-
School District 11 (Enter Name)	-
School District 12 (Enter Name)	-
School District 13 (Enter Name)	-
School District 14 (Enter Name)	-
School District 15 (Enter Name)	-
School District - ALL OTHER	-
TOTAL ENROLLMENT	<u>-</u>
REVENUE PER PUPIL	<u>-</u>
EXPENSES PER PUPIL	<u>-</u>

**New York Flex Charter School
PROJECTED CASH FLOW FOR PRE-OPENING PERIOD
September 1, 2011 to June 30, 2012**

Total Revenue	-	-	-	-	-	-	-
Total Expenses	22,144	16,144	16,144	26,144	16,144	16,144	112,864
Net Income	(22,144)	(16,144)	(16,144)	(26,144)	(16,144)	(16,144)	(112,864)
Cash Flow Adjustments	251,000	-	(34,482)	(34,482)	(34,482)	(34,482)	113,072
Beginning Cash Balance	-	228,856	212,712	162,086	101,460	50,834	-
Net Income	228,856	212,712	162,086	101,460	50,834	208	208

	January	February	March	April	May	June	TOTAL
REVENUE							
REVENUES FROM STATE SOURCES							
Per Pupil Revenue							
School District 1 (Enter Name)	-	-	-	-	-	-	-
School District 2 (Enter Name)	-	-	-	-	-	-	-
School District 3 (Enter Name)	-	-	-	-	-	-	-
School District 4 (Enter Name)	-	-	-	-	-	-	-
School District 5 (Enter Name)	-	-	-	-	-	-	-
School District 6 (Enter Name)	-	-	-	-	-	-	-
School District 7 (Enter Name)	-	-	-	-	-	-	-
School District 8 (Enter Name)	-	-	-	-	-	-	-
School District 9 (Enter Name)	-	-	-	-	-	-	-
School District 10 (Enter Name)	-	-	-	-	-	-	-
School District 11 (Enter Name)	-	-	-	-	-	-	-
School District 12 (Enter Name)	-	-	-	-	-	-	-
School District 13 (Enter Name)	-	-	-	-	-	-	-
School District 14 (Enter Name)	-	-	-	-	-	-	-
School District 15 (Enter Name)	-	-	-	-	-	-	-
School District - ALL OTHER	-	-	-	-	-	-	-
TOTAL Per Pupil Revenue (Average Districts Per Pupil Funding)	-	-	-	-	-	-	-
Grants							
Stimulus	-	-	-	-	-	-	-
DYCD (Department of Youth and Community Developmt.)	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-
TOTAL REVENUE FROM STATE SOURCES	-	-	-	-	-	-	-
REVENUE FROM FEDERAL FUNDING							
IDEA Special Needs	-	-	-	-	-	-	-
Title I	-	-	-	-	-	-	-
Title Funding - Other	-	-	-	-	-	-	-
School Food Service (Free Lunch)	-	-	-	-	-	-	-
Grants							
Charter School Program (CSP) Planning & Implementation	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-
TOTAL REVENUE FROM FEDERAL SOURCES	-	-	-	-	-	-	-

**New York Flex Charter School
PROJECTED CASH FLOW FOR PRE-OPENING PERIOD
September 1, 2011 to June 30, 2012**

Total Revenue	-	-	-	-	-	-	-
Total Expenses	22,144	16,144	16,144	26,144	16,144	16,144	112,864
Net Income	(22,144)	(16,144)	(16,144)	(26,144)	(16,144)	(16,144)	(112,864)
Cash Flow Adjustments	251,000	-	(34,482)	(34,482)	(34,482)	(34,482)	113,072
Beginning Cash Balance	-	228,856	212,712	162,086	101,460	50,834	-
Net Income	228,856	212,712	162,086	101,460	50,834	208	208

	January	February	March	April	May	June	TOTAL
LOCAL and OTHER REVENUE							
Contributions and Donations	-	-	-	-	-	-	-
Fundraising	-	-	-	-	-	-	-
Erate Reimbursement	-	-	-	-	-	-	-
Earnings on Investments	-	-	-	-	-	-	-
Interest Income	-	-	-	-	-	-	-
Food Service (Income from meals)	-	-	-	-	-	-	-
Text Book	-	-	-	-	-	-	-
OTHER	-	-	-	-	-	-	-
TOTAL REVENUE FROM LOCAL and OTHER SOURCES	-	-	-	-	-	-	-
TOTAL REVENUE	-	-	-	-	-	-	-

EXPENSES		No. of Positions						
ADMINISTRATIVE STAFF PERSONNEL COSTS								
Executive Management	1.00		8,750	8,750	8,750	8,750	8,750	52,500
Instructional Management	-		-	-	-	-	-	-
Deans, Directors & Coordinators	-		-	-	-	-	-	-
CFO / Director of Finance	-		-	-	-	-	-	-
Operation / Business Manager	-		-	-	-	-	-	-
Administrative Staff	1.00		2,292	2,292	2,292	2,292	2,292	13,750
TOTAL ADMINISTRATIVE STAFF	2.00		11,042	11,042	11,042	11,042	11,042	66,250
INSTRUCTIONAL PERSONNEL COSTS								
Teachers - Regular	-		-	-	-	-	-	-
Teachers - SPED	-		-	-	-	-	-	-
Substitute Teachers	-		-	-	-	-	-	-
Teaching Assistants	-		-	-	-	-	-	-
Specialty Teachers	-		-	-	-	-	-	-
Aides	-		-	-	-	-	-	-
Therapists & Counselors	-		-	-	-	-	-	-
Other	-		-	-	-	-	-	-
TOTAL INSTRUCTIONAL	-		-	-	-	-	-	-
NON-INSTRUCTIONAL PERSONNEL COSTS								
Nurse	-		-	-	-	-	-	-
Librarian	-		-	-	-	-	-	-
Custodian	-		-	-	-	-	-	-
Security	-		-	-	-	-	-	-
Other	-		-	-	-	-	-	-
TOTAL NON-INSTRUCTIONAL	-		-	-	-	-	-	-
SUBTOTAL PERSONNEL SERVICE COSTS	2.00		11,042	11,042	11,042	11,042	11,042	66,250
PAYROLL TAXES AND BENEFITS								
Payroll Taxes	-		939	939	939	939	939	5,631
Fringe / Employee Benefits	-		983	983	983	983	983	5,896
Retirement / Pension	-		950	950	950	950	950	5,698
TOTAL PAYROLL TAXES AND BENEFITS	-		2,871	2,871	2,871	2,871	2,871	17,225
TOTAL PERSONNEL SERVICE COSTS	2.00		13,913	13,913	13,913	13,913	13,913	83,475

New York Flex Charter School
PROJECTED CASH FLOW FOR PRE-OPENING PERIOD
September 1, 2011 to June 30, 2012

Total Revenue	-	-	-	-	-	-	-
Total Expenses	22,144	16,144	16,144	26,144	16,144	16,144	112,864
Net Income	(22,144)	(16,144)	(16,144)	(26,144)	(16,144)	(16,144)	(112,864)
Cash Flow Adjustments	251,000	-	(34,482)	(34,482)	(34,482)	(34,482)	113,072
Beginning Cash Balance	-	228,856	212,712	162,086	101,460	50,834	-
Net Income	228,856	212,712	162,086	101,460	50,834	208	208

	January	February	March	April	May	June	TOTAL
CONTRACTED SERVICES							
Accounting / Audit	-	-	-	-	-	-	-
Legal	-	-	-	10,000	-	-	10,000
Management Company Fee	-	-	-	-	-	-	-
Nurse Services	-	-	-	-	-	-	-
Food Service / School Lunch	-	-	-	-	-	-	-
Payroll Services	-	-	-	-	-	-	-
Special Ed Services	-	-	-	-	-	-	-
Titlement Services (i.e. Title I)	-	-	-	-	-	-	-
Other Purchased / Professional / Consulting	-	-	-	-	-	-	-
TOTAL CONTRACTED SERVICES	-	-	-	10,000	-	-	10,000
SCHOOL OPERATIONS							
Board Expenses	-	-	-	-	-	-	-
Classroom / Teaching Supplies & Materials	-	-	-	-	-	-	-
Special Ed Supplies & Materials	-	-	-	-	-	-	-
Textbooks / Workbooks	-	-	-	-	-	-	-
Supplies & Materials other	-	-	-	-	-	-	-
Equipment / Furniture	300	300	300	300	300	300	1,800
Telephone	-	-	-	-	-	-	-
Technology	6,000	-	-	-	-	-	6,000
Student Testing & Assessment	-	-	-	-	-	-	-
Field Trips	-	-	-	-	-	-	-
Transportation (student)	-	-	-	-	-	-	-
Student Services - other	-	-	-	-	-	-	-
Office Expense	-	-	-	-	-	-	-
Staff Development	-	-	-	-	-	-	-
Staff Recruitment	-	-	-	-	-	-	-
Student Recruitment / Marketing	-	-	-	-	-	-	-
School Meals / Lunch	-	-	-	-	-	-	-
Travel (Staff)	833	833	833	833	833	833	5,000
Fundraising	-	-	-	-	-	-	-
Other	1,098	1,098	1,098	1,098	1,098	1,098	6,589
TOTAL SCHOOL OPERATIONS	8,231	2,231	2,231	2,231	2,231	2,231	19,389

New York Flex Charter School
PROJECTED CASH FLOW FOR PRE-OPENING PERIOD
September 1, 2011 to June 30, 2012

Total Revenue	-	-	-	-	-	-	-
Total Expenses	22,144	16,144	16,144	26,144	16,144	16,144	112,864
Net Income	(22,144)	(16,144)	(16,144)	(26,144)	(16,144)	(16,144)	(112,864)
Cash Flow Adjustments	251,000	-	(34,482)	(34,482)	(34,482)	(34,482)	113,072
Beginning Cash Balance	-	228,856	212,712	162,086	101,460	50,834	-
Net Income	228,856	212,712	162,086	101,460	50,834	208	208
	January	February	March	April	May	June	TOTAL
FACILITY OPERATION & MAINTENANCE							
Insurance	-	-	-	-	-	-	-
Janitorial	-	-	-	-	-	-	-
Building and Land Rent / Lease	-	-	-	-	-	-	-
Repairs & Maintenance	-	-	-	-	-	-	-
Equipment / Furniture	-	-	-	-	-	-	-
Security	-	-	-	-	-	-	-
Utilities	-	-	-	-	-	-	-
TOTAL FACILITY OPERATION & MAINTENANCE	-	-	-	-	-	-	-
DEPRECIATION & AMORTIZATION	-	-	-	-	-	-	-
DISSOLUTION ESCROW & RESERVES / CONTIGENCY	-	-	-	-	-	-	-
TOTAL EXPENSES	22,144	16,144	16,144	26,144	16,144	16,144	112,864
NET INCOME	(22,144)	(16,144)	(16,144)	(26,144)	(16,144)	(16,144)	(112,864)
CASH FLOW ADJUSTMENTS							
OPERATING ACTIVITIES							
Example - Add Back Depreciation	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-
Total Operating Activities	-	-	-	-	-	-	-
INVESTMENT ACTIVITIES							
Initial buildout of floor space	-	-	(34,482)	(34,482)	(34,482)	(34,482)	(137,928)
Other	-	-	-	-	-	-	-
Total Investment Activities	-	-	(34,482)	(34,482)	(34,482)	(34,482)	(137,928)
FINANCING ACTIVITIES							
Example - Add Expected Proceeds from a Loan or Line of Credit	251,000	-	-	-	-	-	251,000
Total Financing Activities	251,000	-	-	-	-	-	251,000
Total Cash Flow Adjustments	251,000	-	(34,482)	(34,482)	(34,482)	(34,482)	113,072
NET INCOME	228,856	(16,144)	(50,626)	(60,626)	(50,626)	(50,626)	208
Beginning Cash Balance	-	228,856	212,712	162,086	101,460	50,834	-
ENDING CASH BALANCE	228,856	212,712	162,086	101,460	50,834	208	208

**New York Flex Charter School
PROJECTED BUDGET / OPERATING PLAN FOR YEAR ONE
July 1, 2012 to June 30, 2013**

DESCRIPTION OF ASSUMPTIONS

Total Revenue	1,615,255	360,690	-	-	-	1,975,945
Total Expenses	960,915	273,219	12,000	-	729,810	1,975,944
Net Income	654,340	87,471	(12,000)	-	(729,810)	1
Actual Student Enrollment	111	14				125
Total Paid Student Enrollment	111	14				125

	PROGRAM SERVICES			SUPPORT SERVICES		
	REGULAR EDUCATION	SPECIAL EDUCATION	OTHER	FUNDRAISING	MANAGEMENT & GENERAL	TOTAL

REVENUE						
REVENUES FROM STATE SOURCES						
Per Pupil Revenue	CY Per Pupil Rate					
New York	13,527	1,504,880	185,996	-	-	1,690,876
School District 2 (Enter Name)	-	-	-	-	-	-
School District 3 (Enter Name)	-	-	-	-	-	-
School District 4 (Enter Name)	-	-	-	-	-	-
School District 5 (Enter Name)	-	-	-	-	-	-
School District 6 (Enter Name)	-	-	-	-	-	-
School District 7 (Enter Name)	-	-	-	-	-	-
School District 8 (Enter Name)	-	-	-	-	-	-
School District 9 (Enter Name)	-	-	-	-	-	-
School District 10 (Enter Name)	-	-	-	-	-	-
School District 11 (Enter Name)	-	-	-	-	-	-
School District 12 (Enter Name)	-	-	-	-	-	-
School District 13 (Enter Name)	-	-	-	-	-	-
School District 14 (Enter Name)	-	-	-	-	-	-
School District 15 (Enter Name)	-	-	-	-	-	-
School District - ALL OTHER	-	-	-	-	-	-
TOTAL Per Pupil Revenue (Average Districts Per Pupil Funding)	13,527	1,504,880	185,996	-	-	1,690,876
Special Education Revenue		-	174,694	-	-	174,694
Grants						
Stimulus						
DYCD (Department of Youth and Community Developmt.)		110,375				110,375
Other						
Other						
TOTAL REVENUE FROM STATE SOURCES		1,615,255	360,690	-	-	1,975,945
REVENUE FROM FEDERAL FUNDING						
IDEA Special Needs						
Title I						
Title Funding - Other						
School Food Service (Free Lunch)						
Grants						
Charter School Program (CSP) Planning & Implementation						
Other						
Other						
TOTAL REVENUE FROM FEDERAL SOURCES						
LOCAL and OTHER REVENUE						
Contributions and Donations						
Fundraising						
Erate Reimbursement						
Earnings on Investments						
Interest Income						
Food Service (Income from meals)						
Text Book						
OTHER						
TOTAL REVENUE FROM LOCAL and OTHER SOURCES						
TOTAL REVENUE		1,615,255	360,690	-	-	1,975,945

Standard regular funding for ADM of 125

Estimated SPED population of 11% of ADM

New York Start-up Grant (Year 1 only)

**New York Flex Charter School
PROJECTED BUDGET / OPERATING PLAN FOR YEAR ONE
July 1, 2012 to June 30, 2013**

DESCRIPTION OF ASSUMPTIONS

Total Revenue	1,615,255	360,690	-	-	-	1,975,945
Total Expenses	960,915	273,219	12,000	-	729,810	1,975,944
Net Income	654,340	87,471	(12,000)	-	(729,810)	1
Actual Student Enrollment	111	14				125
Total Paid Student Enrollment	111	14				125

EXPENSES		No. of Positions					
ADMINISTRATIVE STAFF PERSONNEL COSTS							
Executive Management	1.00	-	-	-	-	105,000	105,000
Instructional Management	1.50	-	25,000	-	-	70,000	95,000
Deans, Directors & Coordinators	-	-	-	-	-	-	-
CFO / Director of Finance	-	-	-	-	-	-	-
Operation / Business Manager	0.50	-	-	-	-	32,500	32,500
Administrative Staff	1.50	-	-	-	-	57,500	57,500
TOTAL ADMINISTRATIVE STAFF	4.50	-	25,000	-	-	285,000	290,000
INSTRUCTIONAL PERSONNEL COSTS							
Teachers - Regular	5.00	249,200	30,800	-	-	-	280,000
Teachers - SPED	1.00	-	56,000	-	-	-	56,000
Substitute Teachers	-	-	-	-	-	-	-
Teaching Assistants	-	-	-	-	-	-	-
Specialty Teachers	0.50	19,695	5,555	-	-	-	25,250
Aides	-	-	-	-	-	-	-
Therapists & Counselors	0.50	22,473	2,778	-	-	-	25,250
Other	-	-	-	-	-	-	-
TOTAL INSTRUCTIONAL	7.00	291,368	95,133	-	-	-	386,500
NON-INSTRUCTIONAL PERSONNEL COSTS							
Nurse	1.00	-	-	-	-	65,000	65,000
Librarian	-	-	-	-	-	-	-
Custodian	-	-	-	-	-	-	-
Security	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-
TOTAL NON-INSTRUCTIONAL	1.00	-	-	-	-	65,000	65,000
SUBTOTAL PERSONNEL SERVICE COSTS	12.50	291,368	120,133	-	-	330,000	741,500
PAYROLL TAXES AND BENEFITS							
Payroll Taxes	-	21,853	9,010	-	-	24,750	55,613
Fringe / Employee Benefits	-	24,845	11,893	-	-	36,670	73,409
Retirement / Pension	-	25,058	10,331	-	-	28,380	63,769
TOTAL PAYROLL TAXES AND BENEFITS	-	71,756	31,234	-	-	89,800	192,790
TOTAL PERSONNEL SERVICE COSTS	12.50	363,123	151,367	-	-	419,800	934,290
CONTRACTED SERVICES							
Accounting / Audit	-	-	-	-	-	1,000	1,000
Legal	-	-	-	-	-	7,500	7,500
Management Company Fee	-	-	-	-	-	-	-
Nurse Services	-	-	-	-	-	-	-
Food Service / School Lunch	-	7,258	-	-	-	-	7,258
Payroll Services	-	-	-	-	-	-	-
Special Ed Services	-	-	68,750	-	-	-	68,750
Titlement Services (i.e. Title I)	-	-	-	-	-	-	-
Other Purchased / Professional / Consulting	-	-	-	-	-	-	-
TOTAL CONTRACTED SERVICES	-	7,258	68,750	-	-	8,500	84,508

Principal
SPED Coordinator, Assist Prin
5 B-Mgr
Admin and .5 IT Mgr
5 teachers at a 25:1
1 FTE
5 ELL
5 Counselor
1 FTE
Payroll taxes
Other Benefits
Public Pension 8.6%
Year one audit prep
Legal
Contract labor related to food service
\$500 per pupil per year for curriculum training, professional development, and related services

**New York Flex Charter School
PROJECTED BUDGET / OPERATING PLAN FOR YEAR ONE
July 1, 2012 to June 30, 2013**

DESCRIPTION OF ASSUMPTIONS

Total Revenue	1,615,255	360,690	-	-	-	1,975,945	
Total Expenses	960,915	273,219	12,000	-	729,810	1,975,944	
Net Income	654,340	87,471	(12,000)	-	(729,810)	1	
Actual Student Enrollment	111	14				125	
Total Paid Student Enrollment	111	14				125	
SCHOOL OPERATIONS							
Board Expenses					5,000	5,000	Training and development
Classroom / Teaching Supplies & Materials	3,500					3,500	Misc supplies
Special Ed Supplies & Materials							
Textbooks / Workbooks	20,126					20,126	Purchased Curriculum
Supplies & Materials other	50,871					50,871	Purchased Materials
Equipment / Furniture					17,400	17,400	Misc furniture copier equipment
Telephone					21,600	21,600	
Technology					14,400	102,094	Online learning tech svcs and computers; vendor will credit pmt for fees until 3rd year
Student Testing & Assessment	3,125					3,125	Scantron and student support services
Field Trips	2,500					2,500	
Transportation (student)							
Student Services - other			1,500			1,500	
Office Expense	3,847					19,872	
Staff Development	35,000					35,000	Conferences, tuition reimbursement, CPE reimbursement, and outside training
Staff Recruitment							
Student Recruitment / Marketing							
School Meals / Lunch							
Travel (Staff)			10,500			10,000	20,500
Fundraising							
Ot (add interest)	2,500					17,903	20,403
TOTAL SCHOOL OPERATIONS	209,163		12,000			102,328	323,491
FACILITY OPERATION & MAINTENANCE							
Insurance					21,630	21,630	As quoted
Janitorial							
Building and Land Rent / Lease	381,371	53,102				48,275	482,748
Repairs & Maintenance						41,378	41,378
Equipment / Furniture							
Security							
Utilities						48,275	48,275
TOTAL FACILITY OPERATION & MAINTENANCE	381,371	53,102				159,558	594,031
DEPRECIATION & AMORTIZATION							
DISSOLUTION ESCROW & RESERVES / CONTINGENCY						39,625	39,625
TOTAL EXPENSES	960,915	273,219	12,000			729,810	1,975,944
NET INCOME	654,340	87,471	(12,000)			(729,810)	1
ENROLLMENT - *School Districts Are Linked To Above Entries*							
New York	111	14					125
School District 2 (Enter Name)							
School District 3 (Enter Name)							
School District 4 (Enter Name)							
School District 5 (Enter Name)							
School District 6 (Enter Name)							
School District 7 (Enter Name)							
School District 8 (Enter Name)							
School District 9 (Enter Name)							
School District 10 (Enter Name)							
School District 11 (Enter Name)							
School District 12 (Enter Name)							
School District 13 (Enter Name)							
School District 14 (Enter Name)							
School District 15 (Enter Name)							
School District - ALL OTHER							
TOTAL ENROLLMENT	111	14					125
REVENUE PER PUPIL	14,519	26,232					15,808
EXPENSES PER PUPIL	8,637	19,870					15,808

**New York Flex Charter School
PROJECTED CASH FLOW FOR YEAR ONE OF OPERATIONS
July 1, 2012 to June 30, 2013**

Total Revenue	265,839	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	1,975,945
Total Expenses	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	1,975,944
Net Income	101,177	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	1
Cash Flow Adjustments	(35,857)	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	466
Beginning Cash Balance	208	65,529	59,633	53,737	47,842	41,946	36,050	30,154	24,258	18,363	12,467	6,571	6,571	208
Net Income	65,529	59,633	53,737	47,842	41,946	36,050	30,154	24,258	18,363	12,467	6,571	6,571	675	675
	July	August	September	October	November	December	January	February	March	April	May	June	TOTAL	
REVENUE	* Total Column (Column U) for all lines other than Cash Flow Adjustments should equal the Total Column (Column N) on tab '4.' Year Budget & Assumptions'.													
REVENUES FROM STATE SOURCES														
Per Pupil Revenue	CY Per Pupil Rate													
School District 1 (Enter Name)	-	140,906	140,906	140,906	140,906	140,906	140,906	140,906	140,906	140,906	140,906	140,906	140,906	1,690,876
School District 2 (Enter Name)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School District 3 (Enter Name)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School District 4 (Enter Name)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School District 5 (Enter Name)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School District 6 (Enter Name)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School District 7 (Enter Name)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School District 8 (Enter Name)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School District 9 (Enter Name)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School District 10 (Enter Name)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School District 11 (Enter Name)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School District 12 (Enter Name)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School District 13 (Enter Name)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School District 14 (Enter Name)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School District 15 (Enter Name)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School District - ALL OTHER	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL Per Pupil Revenue (Average Districts Per Pupil Funding)	-	140,906	140,906	140,906	140,906	140,906	140,906	140,906	140,906	140,906	140,906	140,906	140,906	1,690,876
Special Education Revenue	-	14,558	14,558	14,558	14,558	14,558	14,558	14,558	14,558	14,558	14,558	14,558	14,558	174,694
Grants														
Stimulus	-	-	-	-	-	-	-	-	-	-	-	-	-	-
DYCD (Department of Youth and Community Developmt.)	110,375	-	-	-	-	-	-	-	-	-	-	-	-	110,375
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL REVENUE FROM STATE SOURCES		265,839	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	1,975,945
REVENUE FROM FEDERAL FUNDING														
IDEA Special Needs	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Title I	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Title Funding - Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School Food Service (Free Lunch)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Grants														
Charter School Program (CSP) Planning & Implementation	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL REVENUE FROM FEDERAL SOURCES		-	-	-	-	-	-	-	-	-	-	-	-	-
LOCAL and OTHER REVENUE														
Contributions and Donations	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Fundraising	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Erate Reimbursement	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Earnings on Investments	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Interest Income	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Food Service (Income from meals)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Taxi Book	-	-	-	-	-	-	-	-	-	-	-	-	-	-
OTHER	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL REVENUE FROM LOCAL and OTHER SOURCES		-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL REVENUE		265,839	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	1,975,945

**New York Flex Charter School
PROJECTED CASH FLOW FOR YEAR ONE OF OPERATIONS
July 1, 2012 to June 30, 2013**

Total Revenue	265,839	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	1,975,945
Total Expenses	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	1,975,944
Net Income	101,177	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	1
Cash Flow Adjustments	(35,857)	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	466
Beginning Cash Balance	208	65,529	59,633	53,737	47,842	41,946	36,050	30,154	24,258	18,363	12,467	6,571	675	675	208
Net Income	65,529	59,633	53,737	47,842	41,946	36,050	30,154	24,258	18,363	12,467	6,571	675	675	675	208

	July	August	September	October	November	December	January	February	March	April	May	June	TOTAL	
EXPENSES														
ADMINISTRATIVE STAFF PERSONNEL COSTS														
	No. of Positions													
Executive Management	1.00	8,750	8,750	8,750	8,750	8,750	8,750	8,750	8,750	8,750	8,750	8,750	8,750	105,000
Instructional Management	1.50	7,917	7,917	7,917	7,917	7,917	7,917	7,917	7,917	7,917	7,917	7,917	7,917	95,000
Deans, Directors & Coordinators	-	-	-	-	-	-	-	-	-	-	-	-	-	-
CEO / Director of Finance	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Operation / Business Manager	0.50	2,708	2,708	2,708	2,708	2,708	2,708	2,708	2,708	2,708	2,708	2,708	32,500	
Administrative Staff	1.50	4,792	4,792	4,792	4,792	4,792	4,792	4,792	4,792	4,792	4,792	4,792	57,500	
TOTAL ADMINISTRATIVE STAFF	4.50	24,167	290,000											
INSTRUCTIONAL PERSONNEL COSTS														
Teachers - Regular	5.00	23,333	23,333	23,333	23,333	23,333	23,333	23,333	23,333	23,333	23,333	23,333	280,000	
Teachers - SPED	1.00	4,667	4,667	4,667	4,667	4,667	4,667	4,667	4,667	4,667	4,667	4,667	56,000	
Substitute Teachers	-	-	-	-	-	-	-	-	-	-	-	-	-	
Teaching Assistants	-	-	-	-	-	-	-	-	-	-	-	-	-	
Specialty Teachers	0.50	2,104	2,104	2,104	2,104	2,104	2,104	2,104	2,104	2,104	2,104	2,104	25,250	
Aides	-	-	-	-	-	-	-	-	-	-	-	-	-	
Therapists & Counselors	0.50	2,104	2,104	2,104	2,104	2,104	2,104	2,104	2,104	2,104	2,104	2,104	25,250	
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	
TOTAL INSTRUCTIONAL	7.00	32,208	386,500											
NON-INSTRUCTIONAL PERSONNEL COSTS														
Nurse	1.00	5,417	5,417	5,417	5,417	5,417	5,417	5,417	5,417	5,417	5,417	5,417	65,000	
Librarian	-	-	-	-	-	-	-	-	-	-	-	-	-	
Custodian	-	-	-	-	-	-	-	-	-	-	-	-	-	
Security	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	
TOTAL NON-INSTRUCTIONAL	1.00	5,417	65,000											
SUBTOTAL PERSONNEL SERVICE COSTS	12.50	61,792	741,500											
PAYROLL TAXES AND BENEFITS														
Payroll Taxes		4,634	4,634	4,634	4,634	4,634	4,634	4,634	4,634	4,634	4,634	4,634	55,613	
Fringe / Employee Benefits		6,117	6,117	6,117	6,117	6,117	6,117	6,117	6,117	6,117	6,117	6,117	73,409	
Retirement / Pension		5,314	5,314	5,314	5,314	5,314	5,314	5,314	5,314	5,314	5,314	5,314	63,769	
TOTAL PAYROLL TAXES AND BENEFITS		16,066	192,790											
TOTAL PERSONNEL SERVICE COSTS	12.50	77,858	934,290											
CONTRACTED SERVICES														
Accounting / Audit		83	83	83	83	83	83	83	83	83	83	83	1,000	
Legal		625	625	625	625	625	625	625	625	625	625	625	7,500	
Management Company Fee		-	-	-	-	-	-	-	-	-	-	-	-	
Nurse Services		-	-	-	-	-	-	-	-	-	-	-	-	
Food Service / School Lunch		605	605	605	605	605	605	605	605	605	605	605	7,258	
Payroll Services		-	-	-	-	-	-	-	-	-	-	-	-	
Special Ed Services		5,729	5,729	5,729	5,729	5,729	5,729	5,729	5,729	5,729	5,729	5,729	68,750	
Titement Services (i.e. Title I)		-	-	-	-	-	-	-	-	-	-	-	-	
Other Purchased / Professional / Consulting		-	-	-	-	-	-	-	-	-	-	-	-	
TOTAL CONTRACTED SERVICES		7,042	84,508											

New York Flex Charter School
PROJECTED CASH FLOW FOR YEAR ONE OF OPERATIONS
 July 1, 2012 to June 30, 2013

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	
Total Revenue	265,839	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	155,464	1,975,945	
Total Expenses	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	1,975,944	
Net Income	101,177	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	1	
Cash Flow Adjustments	(35,857)	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	466	
Beginning Cash Balance	208	65,529	59,633	53,737	47,842	41,946	36,050	30,154	24,258	18,363	12,467	6,571	6,571	6,571	208	
Net Income	65,529	59,633	53,737	47,842	41,946	36,050	30,154	24,258	18,363	12,467	6,571	6,571	6,571	6,571	675	
SCHOOL OPERATIONS																
Board Expenses	417	417	417	417	417	417	417	417	417	417	417	417	417	417	417	5,000
Classroom / Teaching Supplies & Materials	292	292	292	292	292	292	292	292	292	292	292	292	292	292	292	3,500
Special Ed Supplies & Materials	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Textbooks / Workbooks	1,677	1,677	1,677	1,677	1,677	1,677	1,677	1,677	1,677	1,677	1,677	1,677	1,677	1,677	1,677	20,126
Supplies & Materials other	4,239	4,239	4,239	4,239	4,239	4,239	4,239	4,239	4,239	4,239	4,239	4,239	4,239	4,239	4,239	50,871
Equipment / Furniture	1,450	1,450	1,450	1,450	1,450	1,450	1,450	1,450	1,450	1,450	1,450	1,450	1,450	1,450	1,450	17,400
Telephone	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	21,600
Technology	8,508	8,508	8,508	8,508	8,508	8,508	8,508	8,508	8,508	8,508	8,508	8,508	8,508	8,508	8,508	102,094
Student Testing & Assessment	260	260	260	260	260	260	260	260	260	260	260	260	260	260	260	3,125
Field Trips	208	208	208	208	208	208	208	208	208	208	208	208	208	208	208	2,500
Transportation (student)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Student Services - other	125	125	125	125	125	125	125	125	125	125	125	125	125	125	125	1,500
Office Expense	1,656	1,656	1,656	1,656	1,656	1,656	1,656	1,656	1,656	1,656	1,656	1,656	1,656	1,656	1,656	19,872
Staff Development	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	35,000
Staff Recruitment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Student Recruitment / Marketing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School Meals / Lunch	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Travel (Staff)	1,708	1,708	1,708	1,708	1,708	1,708	1,708	1,708	1,708	1,708	1,708	1,708	1,708	1,708	1,708	20,500
Fundraising	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	20,403
TOTAL SCHOOL OPERATIONS	26,958	26,958	26,958	26,958	26,958	26,958	26,958	26,958	26,958	26,958	26,958	26,958	26,958	26,958	26,958	323,491
FACILITY OPERATION & MAINTENANCE																
Insurance	1,803	1,803	1,803	1,803	1,803	1,803	1,803	1,803	1,803	1,803	1,803	1,803	1,803	1,803	1,803	21,630
Janitorial	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Building and Land Rent / Lease	40,229	40,229	40,229	40,229	40,229	40,229	40,229	40,229	40,229	40,229	40,229	40,229	40,229	40,229	40,229	482,748
Repairs & Maintenance	3,448	3,448	3,448	3,448	3,448	3,448	3,448	3,448	3,448	3,448	3,448	3,448	3,448	3,448	3,448	41,378
Equipment / Furniture	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Security	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Utilities	4,023	4,023	4,023	4,023	4,023	4,023	4,023	4,023	4,023	4,023	4,023	4,023	4,023	4,023	4,023	48,275
TOTAL FACILITY OPERATION & MAINTENANCE	49,503	49,503	49,503	49,503	49,503	49,503	49,503	49,503	49,503	49,503	49,503	49,503	49,503	49,503	49,503	594,031
DEPRECIATION & AMORTIZATION																
DISSOLUTION ESCROW & RESERVES / CONTINGENCY	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	39,625
TOTAL EXPENSES	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	164,662	1,975,944
NET INCOME	101,177	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	(9,198)	1
CASH FLOW ADJUSTMENTS																
OPERATING ACTIVITIES																
Example - Add Back Depreciation	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	39,625
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Operating Activities	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	39,625
INVESTMENT ACTIVITIES																
Example - Subtract Property and Equipment Expenditures	(129,159)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(129,159)
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Investment Activities	(129,159)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(129,159)
FINANCING ACTIVITIES																
Example - Add Expected Proceeds from a Loan or Line of Credit	90,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	90,000
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Financing Activities	90,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	90,000
Total Cash Flow Adjustments	(35,857)	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	3,302	466
NET INCOME	65,321	(5,896)	(5,896)	(5,896)	(5,896)	(5,896)	(5,896)	(5,896)	(5,896)	(5,896)	(5,896)	(5,896)	(5,896)	(5,896)	(5,896)	467
Beginning Cash Balance	208	65,529	59,633	53,737	47,842	41,946	36,050	30,154	24,258	18,363	12,467	6,571	6,571	6,571	208	
ENDING CASH BALANCE	65,529	59,633	53,737	47,842	41,946	36,050	30,154	24,258	18,363	12,467	6,571	6,571	6,571	6,571	675	

New York Flex Charter School						DESCRIPTION OF ASSUMPTIONS
PROJECTED BUDGET / OPERATING PLAN FOR INITIAL CHARTER PERIOD						
*NOTE: If a Planning Year is Taken in the Beginning of the Charter, the Charter Will Be Extended to Encompass Five Years of Operation. Projected Five Year Budget on this Tab Should Be For the First Five Years of Actual Operations.						
	1,975,945	3,749,790	6,179,654	8,249,538	8,249,538	
Total Revenue	1,975,945	3,749,790	6,179,654	8,249,538	8,249,538	
Total Expenses	1,975,944	3,344,223	5,711,058	7,685,447	7,318,884	Assumptions as distinct from Year 1
Net Income (Before Cash Flow Adjustments)	1	405,568	468,596	564,092	930,654	
Actual Student Enrollment	125	250	412	550	550	
Total Paid Student Enrollment	125	250	412	550	550	Growth 550 ADM
	Year 1 2013	Year 2 2014	Year 3 2015	Year 4 2016	Year 5 2017	
	*Year 1 should tie to Totals for Year 1 on Tabs 4 and 5					
REVENUE	Per Pupil Revenue Percentage Increase					
REVENUES FROM STATE SOURCES	0.0%	0.0%	0.0%	0.0%	0.0%	No increase in YoY funding
Per Pupil Revenue	CY Per Pupil Rate					
School District 1 (Enter Name)	13,527	1,690,876	3,398,656	5,600,985	7,477,043	
School District 2 (Enter Name)	-	-	-	-	-	
School District 3 (Enter Name)	-	-	-	-	-	
School District 4 (Enter Name)	-	-	-	-	-	
School District 5 (Enter Name)	-	-	-	-	-	
School District 6 (Enter Name)	-	-	-	-	-	
School District 7 (Enter Name)	-	-	-	-	-	
School District 8 (Enter Name)	-	-	-	-	-	
School District 9 (Enter Name)	-	-	-	-	-	
School District 10 (Enter Name)	-	-	-	-	-	
School District 11 (Enter Name)	-	-	-	-	-	
School District 12 (Enter Name)	-	-	-	-	-	
School District 13 (Enter Name)	-	-	-	-	-	
School District 14 (Enter Name)	-	-	-	-	-	
School District 15 (Enter Name)	-	-	-	-	-	
School District - ALL OTHER	-	-	-	-	-	
TOTAL Per Pupil Revenue (Average Districts Per Pupil Funding)	13,527	1,690,876	3,398,656	5,600,985	7,477,043	
Special Education Revenue		174,694	351,134	578,669	772,495	
Grants						
Stimulus		-	-	-	-	
DYCD (Department of Youth and Community Developmt.)		110,375	-	-	-	
Other		-	-	-	-	
Other		-	-	-	-	
TOTAL REVENUE FROM STATE SOURCES		1,975,945	3,749,790	6,179,654	8,249,538	
REVENUE FROM FEDERAL FUNDING						
IDEA Special Needs		-	-	-	-	
Title I		-	-	-	-	
Title Funding - Other		-	-	-	-	
School Food Service (Free Lunch)		-	-	-	-	
Grants						
Charter School Program (CSP) Planning & Implementation		-	-	-	-	
Other		-	-	-	-	
Other		-	-	-	-	
TOTAL REVENUE FROM FEDERAL SOURCES		-	-	-	-	
LOCAL and OTHER REVENUE						
Contributions and Donations		-	-	-	-	
Fundraising		-	-	-	-	
Grants Reimbursement		-	-	-	-	
Earnings on Investments		-	-	-	-	
Interest Income		-	-	-	-	
Food Service (Income from meals)		-	-	-	-	
Text Book		-	-	-	-	
OTHER		-	-	-	-	
TOTAL REVENUE FROM LOCAL and OTHER SOURCES		-	-	-	-	
TOTAL REVENUE		1,975,945	3,749,790	6,179,654	8,249,538	New York and SPED funding only. We assume no other sources after year 1

New York Flex Charter School PROJECTED BUDGET / OPERATING PLAN FOR INITIAL CHARTER PERIOD						DESCRIPTION OF ASSUMPTIONS
*NOTE: If a Planning Year is Taken in the Beginning of the Charter, the Charter Will Be Extended to Encompass Five Years of Operation. Projected Five Year Budget on this Tab Should Be for the First Five Years of Actual Operations.						
	1,975,945	3,749,790	6,179,654	8,249,538	8,249,538	
Total Revenue	1,975,944	3,344,223	5,711,058	7,685,447	7,318,884	
Total Expenses	1	405,568	468,596	564,092	930,654	Assumptions as distinct from Year 1
Net Income (Before Cash Flow Adjustments)	125	250	412	550	550	
Actual Student Enrollment	125	250	412	550	550	Growth 550 ADM
Total Paid Student Enrollment						
	Year 1	Year 2	Year 3	Year 4	Year 5	
	2013	2014	2015	2016	2017	
EXPENSES						
ADMINISTRATIVE STAFF PERSONNEL COSTS						
	No. of Positions					
Executive Management	1.00	105,000	108,150	111,395	114,736	118,178
Instructional Management	1.50	95,000	97,850	100,785	175,909	181,187
Deans, Directors & Coordinators	-	-	-	-	-	-
CFO / Director of Finance	-	-	-	-	-	-
Operation / Business Manager	0.50	32,500	35,425	46,254	71,027	73,158
Administrative Staff	1.50	57,500	59,225	92,882	144,382	148,713
TOTAL ADMINISTRATIVE STAFF	4.50	290,000	300,650	371,315	506,054	521,236
INSTRUCTIONAL PERSONNEL COSTS						
Teachers - Regular	5.00	280,000	571,200	971,040	1,281,773	1,307,408
Teachers - SPED	1.00	56,000	57,120	87,394	118,855	121,232
Substitute Teachers	-	-	-	-	-	-
Teaching Assistants	-	-	-	-	-	-
Specialty Teachers	0.50	25,250	57,120	58,262	89,141	90,924
Aides	-	-	-	-	-	-
Therapists & Counselors	0.50	25,250	23,868	23,409	23,877	24,355
Other	-	-	-	-	-	-
TOTAL INSTRUCTIONAL	7.00	386,500	709,308	1,140,105	1,513,647	1,543,920
NON-INSTRUCTIONAL PERSONNEL COSTS						
Nurse	1.00	65,000	65,000	68,959	71,027	73,158
Librarian	-	-	-	-	-	-
Custodian	-	-	-	-	-	-
Security	-	-	-	-	-	-
Other	-	-	-	-	-	-
TOTAL NON-INSTRUCTIONAL	1.00	65,000	65,000	68,959	71,027	73,158
SUBTOTAL PERSONNEL SERVICE COSTS	12.50	741,500	1,074,958	1,580,379	2,090,728	2,138,314
PAYROLL TAXES AND BENEFITS						
Payroll Taxes		55,613	80,622	118,528	156,805	160,374
Fringe / Employee Benefits		73,409	106,421	156,457	206,982	211,693
Retirement / Pension		63,769	92,446	135,913	179,803	183,895
TOTAL PAYROLL TAXES AND BENEFITS		192,791	279,489	410,898	543,589	555,962
TOTAL PERSONNEL SERVICE COSTS	12.50	934,291	1,354,447	1,991,277	2,634,318	2,694,275
CONTRACTED SERVICES						
Accounting / Audit	10	1,000	21,000	26,250	31,500	33,075
Legal	11	7,500	5,625	6,188	6,806	7,147
Management Company Fee		-	-	-	-	-
Nurse Services		-	-	-	-	-
Food Service / School Lunch	12	7,258	14,515	23,921	31,933	31,933
Payroll Services		-	-	-	-	-
Special Ed Services	13	68,750	141,625	240,400	330,550	340,466
Titement Services (i.e. Title I)		-	-	-	-	-
Other Purchased / Professional / Consulting	28	-	125,000	206,000	339,436	275,000
TOTAL CONTRACTED SERVICES		84,508	307,765	502,758	740,226	687,621

New York Flex Charter School						DESCRIPTION OF ASSUMPTIONS	
PROJECTED BUDGET / OPERATING PLAN FOR INITIAL CHARTER PERIOD							
*NOTE: If a Planning Year is Taken in the Beginning of the Charter, the Charter Will Be Extended to Encompass Five Years of Operation. Projected Five Year Budget on this Tab Should Be For the First Five Years of Actual Operations.							
	1,975,945	3,749,790	6,179,654	8,249,538	8,249,538		
Total Revenue							
Total Expenses	1,975,944	3,344,223	5,711,058	7,685,447	7,318,884	Assumptions as distinct from Year 1	
Net Income (Before Cash Flow Adjustments)	1	405,568	468,596	564,092	930,654		
Actual Student Enrollment	125	250	412	550	550		
Total Paid Student Enrollment	125	250	412	550	550	Growth 550 ADM	
	Year 1	Year 2	Year 3	Year 4	Year 5		
	2013	2014	2015	2016	2017		
SCHOOL OPERATIONS							
Board Expenses	14	5,000	5,250	5,513	5,788	6,078	
Classroom / Teaching Supplies & Materials	15	3,500	7,210	12,239	16,828	17,165	
Special Ed Supplies & Materials		-	-	-	-	-	
Textbooks / Workbooks	16	20,126	354,165	595,700	962,695	826,871	Materials and Curriculum provided per terms
Supplies & Materials other	17	50,871	104,342	173,469	236,415	239,637	Materials and Curriculum provided per terms
Equipment / Furniture	18	17,400	22,800	29,640	35,568	36,457	
Telephone	19	21,600	31,140	39,654	47,129	48,683	
		102,094	315,204	765,004	1,278,335	999,002	
Technology	20						
Student Testing & Assessment		3,125	6,438	10,927	15,025	15,476	Student computers at rate, plus technology services fee at \$1,073 per-pupil per year
Field Trips		2,500	5,150	8,742	12,020	12,381	Scantron and student support services
Transportation (student)		-	-	-	-	-	
Student Services - other	22	1,500	3,090	5,245	7,212	7,428	
Office Expense	23	19,872	39,974	55,115	68,492	70,112	
Staff Development	24	35,000	72,100	122,385	168,280	171,645	Conferences, tuition reimbursement, CPE reimbursement, and outside training
Staff Recruitment		-	-	-	-	-	
Student Recruitment / Marketing		-	-	-	-	-	
School Meals / Lunch		-	-	-	-	-	
Travel (Staff)	25	20,500	33,130	49,366	64,399	67,305	
Fundraising		-	-	-	-	-	
Other	32	20,403	5,150	8,742	12,020	12,381	Interest at Prime plus 2%; currently 5.25% simple interest calculated monthly
TOTAL SCHOOL OPERATIONS		323,491	1,005,142	1,881,740	2,930,206	2,530,620	
FACILITY OPERATION & MAINTENANCE							
Insurance	26	21,630	45,423	67,371	92,636	94,951	
Janitorial		-	-	-	-	-	
Building and Land Rent / Lease	27	482,748	482,748	984,806	984,806	1,004,502	13,800 SQ Ft. in years 1 and 2, expansion to 27,600 SQ Ft. in year 3
Repairs & Maintenance	29	41,378	41,378	84,412	84,412	86,100	
Equipment / Furniture		-	-	-	-	-	
Security		-	-	-	-	-	
Utilities	30	48,275	48,275	98,481	98,481	100,450	
TOTAL FACILITY OPERATION & MAINTENANCE		594,031	617,824	1,235,069	1,260,334	1,286,004	
DEPRECIATION & AMORTIZATION		39,625	59,044	100,213	120,364	120,364	Depreciation for buildout and capex
DISSOLUTION ESCROW & RESERVES / CONTINGENCY	31	-	-	-	-	-	
TOTAL EXPENSES		1,975,944	3,344,223	5,711,058	7,685,447	7,318,884	
NET INCOME		1	405,568	468,596	564,092	930,654	

New York Flex Charter School PROJECTED BUDGET / OPERATING PLAN FOR INITIAL CHARTER PERIOD						DESCRIPTION OF ASSUMPTIONS
*NOTE: If a Planning Year is Taken in the Beginning of the Charter, the Charter Will Be Extended to Encompass Five Years of Operation. Projected Five Year Budget on this Tab Should Be For the First Five Years of Actual Operations.						
Total Revenue	1,975,945	3,749,790	6,179,654	8,249,538	8,249,538	Assumptions as distinct from Year 1 Growth 550 ADM
Total Expenses	1,975,944	3,344,223	5,711,058	7,685,447	7,318,884	
Net Income (Before Cash Flow Adjustments)	1	405,568	468,596	564,092	930,654	
Actual Student Enrollment	125	250	412	550	550	
Total Paid Student Enrollment	125	250	412	550	550	
	Year 1 2013	Year 2 2014	Year 3 2015	Year 4 2016	Year 5 2017	
ENROLLMENT - *School Districts Are Linked To Above Entries*						
New York	125	250	412	550	550	
School District 2 (Enter Name)	-	-	-	-	-	
School District 3 (Enter Name)	-	-	-	-	-	
School District 4 (Enter Name)	-	-	-	-	-	
School District 5 (Enter Name)	-	-	-	-	-	
School District 6 (Enter Name)	-	-	-	-	-	
School District 7 (Enter Name)	-	-	-	-	-	
School District 8 (Enter Name)	-	-	-	-	-	
School District 9 (Enter Name)	-	-	-	-	-	
School District 10 (Enter Name)	-	-	-	-	-	
School District 11 (Enter Name)	-	-	-	-	-	
School District 12 (Enter Name)	-	-	-	-	-	
School District 13 (Enter Name)	-	-	-	-	-	
School District 14 (Enter Name)	-	-	-	-	-	
School District 15 (Enter Name)	-	-	-	-	-	
School District - ALL OTHER	-	-	-	-	-	
TOTAL ENROLLMENT	125	250	412	550	550	
REVENUE PER PUPIL	15,808	14,999	14,999	14,999	14,999	
EXPENSES PER PUPIL	15,808	13,377	13,862	13,974	13,307	
CASH FLOW ADJUSTMENTS						
OPERATING ACTIVITIES						
Example - Add Back Depreciation	39,625	59,044	100,213	120,364	120,364	
Other	-	-	-	-	-	
Total Operating Activities	39,625	59,044	100,213	120,364	120,364	
INVESTMENT ACTIVITIES						
Example - Subtract Property and Equipment Expenditures	(129,159)	(97,098)	(274,810)	(100,755)	-	
Other	-	-	-	-	-	
Total Investment Activities	(129,159)	(97,098)	(274,810)	(100,755)	-	
FINANCING ACTIVITIES						
Financing provided to cover capital shortfalls (Paid Y1)	90,000	(341,000)	-	-	-	
Escrowed funds	-	-	(70,000)	-	-	
Total Financing Activities	90,000	(341,000)	(70,000)	-	-	
Total Cash Flow Adjustments	466	(379,053)	(244,597)	19,610	120,364	
NET INCOME	467	26,514	224,000	583,701	1,051,018	
Beginning Cash Balance	208	675	27,190	251,190	834,891	
ENDING CASH BALANCE	675	27,190	251,190	834,891	1,885,909	

SAMPLE EXIT STANDARDS
NEW YORK FLEX CHARTER SCHOOL

NOTE: Student must receive 65% of the points possible in the course to earn a passing grade. Grades are based on teacher and computer scored items and show proficiency in the following exit standards.

Literary Analysis and Composition I
ELA 102A (Semester 1) Objectives

- Identify characteristics of haiku.
- Identify theme.
- Identify personification.
- Recognize use of language to convey mood.
- Identify and interpret the use of figurative language.
- Identify alliteration.
- Identify elements of a short story.
- Recognize use of dialect.
- Identify the effect of first-person point of view.
- Identify symbolism.
- Identify character traits and motivations.
- Describe characters based on speech, actions, or interactions with others.
- Recognize author's purpose and devices used to accomplish it, including author's language, organization, and structure.
- Identify climax.
- Distinguish fact from historical fiction.
- Make inferences and draw conclusions.
- Recognize author's attitude.
- Compare and contrast characters or literary selections.
- Draw conclusions and make inferences.

Grammar, Usage & Mechanics Objectives

- Identify complements as direct objects, indirect objects, predicate nominatives, or predicate adjectives.
- Distinguish among adjective, adverb, and appositive phrases in sentences.
- Distinguish between adverb and adjective clauses in sentences.

Vocabulary Objectives

- Use word origins, derivations, or definitions of Greek and Latin roots to determine word meaning.

Literary Analysis and Composition I
ELA 102B (Semester 2) Objectives

- Identify character traits and motivations.

- Recognize author's purpose and devices used to accomplish it, including author's language, organization, and structure.
- Make inferences and draw conclusions.
- Recognize the effect of setting or culture on a literary work.
- Identify defining characteristics of text.
- Describe characters based on speech, actions, or interactions with others.
- Identify and interpret the use of subplots.
- Demonstrate knowledge of authors, characters, and events of historically or culturally significant works of literature.
- Identify theme.
- Recognize use of language to convey mood.
- Identify conflict and resolution.

Grammar, Usage & Mechanics Objectives

- Use the correct form of a verb to complete a sentence.
- Use the correct pronoun or pronouns to complete a sentence.
- Use verbs that agree in number with their subjects.
- Use the correct forms of adjectives and adverbs in sentences.
- Use negative words correctly in sentences.
- Recognize and use correct capitalization.
- Use end marks and commas correctly.
- Use italics and quotation marks correctly.
- Recognize and use correct capitalization and punctuation in quotations.
- Use apostrophes, semicolons, colons, and hyphens correctly.

Vocabulary Objectives

- Use word origins, derivations, or definitions of Greek and Latin roots to determine word meaning.
-

SAMPLE EXIT STANDARDS **NEW YORK FLEX CHARTER SCHOOL**

NOTE: Student must receive 65% of the points possible in the course to earn a passing grade. Grades are based on teacher and computer scored items and show proficiency in the following exit standards.

American Literature **ELA 302 (Semester 1) Objectives**

- Identify character traits and motivations.
- Describe characters on the basis of speech, actions, or interactions with others.
- Demonstrate knowledge of authors, characters, and events of significant works of literature.
- Identify conflict and resolution.
- Recognize the effect of setting or culture on a literary work.
- Recognize an author's attitude or tone.
- Recognize an author's purpose and devices used to accomplish it, including author's language, organization, and structure.

- Identify theme.
- Recognize how point of view affects literature.
- Compare and contrast literary characters or selections.
- Recognize use of dialect.
- Recognize the characteristics of various forms of literature.
- Identify and understand universal themes.
- Analyze the relationship between character actions/interactions and plot.
- Identify elements of plot, and analyze plot development.
- Recognize literary devices such as foreshadowing; flashbacks; suspense; irony; symbolism; and metaphor, simile, and other figures of speech.
- Identify an author's purpose, style, tone, and intended audience.
- Recognize the effect of word choice, style, and figurative language on tone, mood, and theme.
- Recognize and examine the effect of voice, persona, and the choice of narrator on a work of literature.
- Explain how point of view affects tone, characterization, and plot.
- Recognize the importance of setting in literature.
- Develop interpretations of literary works.
- Develop understanding and interpretation of fiction and nonfiction texts.
- Make relevant inferences by synthesizing concepts and ideas from a single reading selection.
- Use context, definitions, examples, synonyms and antonyms, and comparisons to determine the meanings of words.
- Analyze the way in which clarity of meaning is affected by the patterns of organization, hierarchical structures, repetition of the main ideas, syntax, and word choice in the text.
- Demonstrate control of grammar, diction, and paragraph and sentence structure, and an understanding of English usage.
- Edit writing using the conventions of language.
- Demonstrate knowledge of authors, characters, and events in literature.
- Recognize use of language to convey mood.
- Identify point of view.
- Recognize how point of view affects literature.
- Recognize author's purpose and devices used to accomplish it, including author's language, organization, and structure.
- Identify allusions.
- Identify and interpret subplots.
- Identify and interpret foreshadowing.
- Identify and interpret the use of irony.
- Identify and interpret symbolism.

American Literature

ELA 302 (Semester 2) Objectives

- Read and respond to nonfiction and fiction, including poetry and drama.
- Demonstrate knowledge of authors, characters, and events of significant works of literature.
- Recognize the effect of setting or culture on a literary work.
- Describe characters through speech, actions, or interactions with others.
- Develop interpretations of literary works.
- Recognize an author's attitude or tone.
- Recognize the use of language to convey mood.

- Recognize how point of view affects literature.
 - Recognize and examine the effect of voice, persona, and the choice of narrator on a work of literature.
 - Identify and understand universal themes.
 - Identify and interpret figurative language.
 - Analyze the melodies of literary language, including the use of evocative words and rhythms.
 - Identify an author's purpose, style, tone, and intended audience.
 - Recognize the characteristics of various forms of literature.
 - Explain the use of asides, soliloquies, and monologues in drama.
 - Compare and contrast literary characters or selections.
 - Compare and contrast themes within and across texts.
 - Analyze significant works of American literature that reflect major literary periods and traditions.
 - Analyze the relationship between a literary work and its historical period and cultural influences.
 - Make relevant inferences by synthesizing concepts and ideas from a single reading selection.
 - Use context, definitions, examples, synonyms and antonyms, and comparisons to determine the meanings of words.
 - Analyze the way in which clarity of meaning is affected by the patterns of organization, hierarchical structures, repetition of the main ideas, syntax, and word choice in the text.
 - Demonstrate control of grammar, diction, and paragraph and sentence structure, and an understanding of English usage.
 - Edit writing using the conventions of language.
 - Demonstrate understanding and interpretation of fiction and nonfiction texts.
-

SAMPLE EXIT STANDARDS
NEW YORK FLEX CHARTER SCHOOL

NOTE: Student must receive 65% of the points possible in the course to earn a passing grade. Grades are based on teacher and computer scored items and show proficiency in the following exit standards.

Algebra I
MTH122 Objectives

- Name number properties used to write or relate equivalent expressions.
- Solve word problems involving categories of consecutive integers.
- Evaluate addition, subtraction, multiplication, or division expressions involving real numbers or absolute values.
- Solve equations involving more than one transformation.
- Solve equations that have variables on both sides.
- Graph linear inequalities in two variables.
- Solve equations or inequalities involving absolute value.
- Write an equation or inequality that would solve a given word problem.
- Solve a word problem involving value of coins.
- Write ratios in simplest form.
- Translate word phrases into ratios.
- Solve problems involving ratios or proportions.

- Solve percent problems.
 - Write equations of lines when given specific criteria.
 - Find slopes of lines.
 - Find an intercept of a line.
 - Identify a pair of lines as parallel, perpendicular, or neither.
 - Write or interpret equations in slope-intercept form.
 - Graph solution sets of systems of two linear inequalities in two variables.
 - Use transformations to solve inequalities or word problems involving inequalities.
 - Solve a system of two linear equations.
 - Write a system of equations that would help solve a word problem.
 - Solve word problems using systems of linear equations.
-

SAMPLE EXIT STANDARDS
NEW YORK FLEX CHARTER SCHOOL

NOTE: Student must receive 65% of the points possible in the course to earn a passing grade. Grades are based on teacher and computer scored items and show proficiency in the following exit standards.

Algebra II
MTH303 Objectives

- Name number properties used to write or relate equivalent expressions.
- Solve word problems involving categories of consecutive integers.
- Evaluate addition, subtraction, multiplication, or division expressions involving real numbers or absolute values.
- Solve equations involving more than one transformation.
- Solve equations that have variables on both sides.
- Graph linear inequalities in two variables.
- Solve equations or inequalities involving absolute value.
- Write an equation or inequality that would solve a given word problem.
- Solve a word problem involving value of coins.
- Write ratios in simplest form.
- Translate word phrases into ratios.
- Solve problems involving ratios or proportions.
- Solve percent problems.
- Write equations of lines when given specific criteria.
- Find slopes of lines.
- Find an intercept of a line.
- Identify a pair of lines as parallel, perpendicular, or neither.
- Write or interpret equations in slope-intercept form.
- Graph solution sets of systems of two linear inequalities in two variables.
- Use transformations to solve inequalities or word problems involving inequalities.
- Solve a system of two linear equations.
- Write a system of equations that would help solve a word problem.
- Solve word problems using systems of linear equations.



March 23, 2011

To Whom It May Concern:

**RE: Insurance Coverage for the New York Flex Charter School
Broker of Record – Arthur J. Gallagher Insurance Brokers Inc.**

We are pleased to provide insurance services for the New York Flex Charter School. Our division specializes in Charter Schools throughout the country. We currently work in many states helping schools secure insurance and are licensed to work in The State of New York as required by law. Our program utilizes the following carriers which are admitted in the State of NY: The Hartford, Chartis, and Philadelphia Insurance Company.

On behalf of the New York Flex Charter School, the following coverages will be secured to meet all requirements by the New York State Board of Regents and any other authorizing agencies and/or additional insureds as appropriate:

Coverage	Limit
General Liability	\$1,000,000 occurrence \$2,000,000 aggregate
Workers Compensation	Statutory Limits pursuant to NY laws
Employee Benefits Liability	\$1,000,000
Automobile/Bus Liability including underinsured and uninsured as needed	\$1,000,000
Umbrella / Excess Liability above primary program	\$10,000,000
Employment Practices Liability	\$1,000,000
Educators Legal Liability	\$1,000,000
Directors & Officers	\$1,000,000
Sexual Abuse and Misconduct Liability	\$1,000,000 \$2,000,000 aggregate
Crime / Fidelity Coverage (Surety Bond for the CFO as required)	\$500,000 - \$1,000,000 limits as needed
Property/Lease and Boiler Machinery Coverage	Blanket Limits as needed by School, on an all risk of direct physical basis
Student Accident Coverage	Primary \$25,000 limits and CAT option at \$5,000,000

As requested, all required additional insureds and loss payees can be added upon review to these policies. We will only place this school with at least an “A” rated insurance carrier as determined by AM Best rating guidelines.

Estimated Premiums:

The estimate below has been prepared based on current market rates, anticipated student population, number of fulltime employees and building dimensions.

Coverage	Annual Premium Indication
General Liability/Abuse/Crime/Auto/Employee Benefits/Educators E&O	\$ 7,000
Directors & Officers / Employment Practices	\$ 3,000
Property (Assuming leasing only \$100k contents)	\$ 750
Excess \$10 million Limits	\$ 2,880
Workers Compensation	\$ 8,000
total	\$ 21,630

Exposures: Based on 1st year projections of 125 students, 12 FTE - employees, payroll of \$914,000

Tentative Timeline for Insurance Coverages

As part of your planning process, we have prepared a timeline for buying the insurance package before start of the school year. See below for each coverage:

<u>Coverage</u>	<u>Timeline</u>
School Board Legal/Educators Legal Liability	As soon as board is formed and making school based decisions (contracts)
Employment Practices Liability	Before first employee is hired
Workers Compensation	When first employee is hired or board is formed.
General Liability, Excess, Crime, Sexual Abuse, Auto Liability, Student Accident (please ask for this separately if you would like the coverage).	When lease agreement is signed or property is purchased (landlord will require General Liability coverage).
Property/Flood	As soon as you acquire contents/school equipment

Please let me know if you have any questions, (949) 349-9871.

Sincerely,

Tom Boobar, MS, MBA, REHS, CSP
 Area Vice President Arthur J. Gallagher Insurance
 License #0726293

**New York Flex Charter School
Code of Conduct/ Student Discipline Policy**

Teachers are responsible for the day-to-day discipline in their classrooms within the understanding that teachers have many different roles beyond just disciplinarian. Teachers work with their students to meet their individual needs of their students and work together to find a common ground in the classroom, to ensure that learning can take place. Disciplinary options available to the teachers include: warning, detention, parent-teacher communication, counseling referral, written assignment, and discipline referral to the Assistant Principal.

Teacher Detention

Any New York Flex teacher may assign a teacher's detention to a student. This detention is served after school, and may consist of writing an assignment, sitting quietly in a classroom or assisting with general office duties. School events, activities, or athletics are not valid reasons for missing a detention. As a general rule teachers assign a Teacher Detention for minor classroom misconduct such as: chewing gum, passing notes, making noises, minor inappropriate conflicts with others, or cheating. Repeated violations by individuals will be referred to the Assistant Principal. When there is a serious violation of the student Code of Conduct, the student will be referred to the Principal.

Progression of Disciplinary Procedures

After a student is given a school detention, the student's parent/guardian will be notified by telephone. When a student is given five (5) school detentions, a letter will be sent to the parent/guardian, and the parent/guardian must sign the letter and return it to the school. Upon receiving ten (10) detentions, the parent/guardian will be contacted. At this time a meeting will be held with the student and parent/guardian. Both must be present. At the end of the meeting, a personal "contract" to improve the student's behavior will be developed and signed by the parent/guardian, student, and Assistant Principal. At least one parent/guardian, as well as the student must be present at the meeting, which will be held as soon as scheduling allows and will include the Principal.

Parents/guardians may at any time request a conference with the Principal to discuss their son/daughter's behavior.

Serious offenses will be handled on an individual basis. For these, it is not necessary to follow the above procedures. Contact with parent/guardian will be made immediately.

A School Detention may be issued for any offense listed above in "Teacher's Detention," as well as the following:

1. Failure to report to a teacher's detention
2. Dress code violation
3. Boisterous conduct in buildings
4. Any type of behavior that is disrespectful or subversive in nature to the administration, faculty, or staff of New York Flex.

Disciplinary Probation

Disciplinary Probation refers to a period of time determined by the Principal based on the recommendation of the Assistant Principal, during which a student's behavior is monitored and evaluated to determine the student's right to remain at New York Flex. The Disciplinary Probation period is a positive attempt to help the student realize that all choices carry consequences. Therefore, this period is designed to help the student correct his or her behavior. After suspension, a serious, and/or repeated disciplinary problem, the parent/guardian, student, and the Principal will sign a probation contract. Failure to adhere to the terms of the contract may result in dismissal from school. A growth plan may be included in this process. Disciplinary Probation may include restriction from specified school sponsored activities. A Principal/Student conference and contract with parent signature is required.

- a) **Probationary Term** The Disciplinary Probation term officially begins with the issuance of the probation notice. The length of probation will be determined by the Principal and may be extended for any violation listed under conduct and behavior.

- b) **Violations** of the probationary conditions will result in a nine-week extension of probation.

Suspension

Suspension is intended to remove the student from peers and the class environment. This separation provides the student time to reflect on his or her behavior and to encourage a pattern of behavior that is more positive.

A student serving *on campus suspension* reports to school at the regular time. Each teacher will give the student written assignments that he or she must complete under the direct supervision of the Assistant Principal or designee. The student will not attend any classes or go out for break. The student will eat lunch in the assigned room. The maximum number of days a student may be suspended is 5.

A student may be suspended for any of the following acts:

- Theft, destruction, or defacement of school or personal property during school hours or during school-sponsored events. Parents will be held financially responsible.
- Defiance, disrespect, or abuse of school authority
- Harassment
- Hazing
- Fighting
- Profanity or vulgarity in word or gesture
- Smoking or possessing tobacco products on campus or at school-sponsored events
- Being under the influence of, or possessing, alcohol or any controlled substance at school or any school-sponsored event
- Writing on, tagging, or defacing school property
- Any infraction not listed but considered sufficiently serious by the Principal

Expulsion

A student may be expelled from New York Flex for any of the following major violations or for repeating any violation listed under suspension length of expulsion is determined by the Principal and at the time of the act in question.

- Brandishing a knife at another person, or possession or use of any weapons or firearms on school premises or at school sponsored events
- Possession of an explosive
- Unlawfully selling a controlled substance including providing or selling narcotics of any kind (immediate expulsion)
- Inflicting or causing bodily harm to any person on campus
- Committing or attempting to commit a sexual assault or committing a sexual battery
- Assault or battery, or any threat of force or violence directed toward anyone
- Fighting
- Theft of, tampering with, or unauthorized handling of a teacher's grade book, textbook, handbook, keys, briefcase, or other personal items
- Tampering with fire alarms or extinguishers
- Any infraction considered sufficiently serious by the Principal (multiple suspensions, consistent defiance, etc.)
- Narcotics possession or use (marijuana, dangerous drugs, or other harmful substances)

Parents and students have due process rights with regards to suspensions and expulsions. Parents are immediately notified about suspensions or expulsion proceedings. Notification includes a written notice outlining the student's violations and the suspension or expulsion process. In the case of expulsions, a hearing with the Principal is held as soon as can be practically scheduled whereby the parent/guardian, student and a representative (if the parent/guardian so chooses) may be present. Parents are notified in writing of the final determination of the expulsion. Parents have the right to appeal expulsions and suspensions to New York Flex's Board of Trustees. A parent must submit an appeal within 30 days of

being informed of the expulsion or suspension to the Board of Trustees. Additionally, parents can appeal a suspension or expulsion prior to the suspension or expulsion by immediately informing the Principal of their desire to appeal the suspension or expulsion. A meeting will occur as soon as practically possible between the Assistant Principal, the Principal, and the parent. The suspension or expulsion will not occur until the appeal has been heard and ruled upon by the Board of Trustees.

In the case of a special education student, or a student who receives 504 accommodations, New York Flex will ensure that it makes the appropriate adjustment as necessary to comply with the mandates of IDEA and Special Education laws. Prior to recommending expulsion for a Section 504 student or special education student, New York Flex will convene a review committee to determine whether the student's misconduct was a manifestation of his or her disability; whether the student was appropriately placed and was receiving the appropriate services at the time of the misconduct; and/or whether behavior intervention strategies were in effect and consistent with the student's IEP and placement. If it is determined that the student's misconduct was not a manifestation of his or her disability and that the student was appropriately placed, and that the IEP set forth the necessary behavior goals or interventions, the student may be expelled.

Alternative Instruction

In all cases of suspension or expulsion, alternative instruction will be provided within 24 hours of such suspension or expulsion and shall consist of actual instruction as well as all assignments for the duration of the suspension, and for a reasonable period after expulsion (the period of time necessary for a student to enroll in a district school, charter school or private school or until the end of the school year, whatever comes first pursuant to the compulsory education laws).

Record Keeping and Transfer

All suspensions and expulsions will be documented in writing including student name, description of incident, and disciplinary action taken. As charter schools are subject to the federal Family Education Rights and Privacy Act of 1975 (FERPA) which requires a school to protect a student's privacy, New York Flex will not disclose any personally identifying information from the student's permanent records except as authorized pursuant to FERPA, or in response to a subpoena, as required by law, including FOIL. The parent/guardian of a student under eighteen years of age, or student eighteen years of age or older, is entitled to access the student's school records by submitting a written request to the Principal. Further information concerning the disclosure of student information and limitations on such disclosure may be found in FERPA. If students have records with the New York City Department of Education, they will be transferred in compliance with FERPA regulations.

Search and Seizure

The following rules apply to the search of school property assigned to a specific student and the seizure of illegal items found therein:

1. School authorities will make an individual search of student's book bag, desk, lockers, cubbies, and person only when there is reasonable suspicion to believe that a student is in the possession of an item which is prohibited on school property or which may be used to disrupt or interfere with the educational process.
2. Searches will be conducted under the authorization of the Principal or designee. Items which are prohibited on school property, or which may be used to disrupt or interfere with the educational process, may be removed from student's desks, book bag, lockers, cubbies, and person by school authorities.

Off-Campus Events

Students at school sponsored off-campus events will be governed by all the guidelines of New York Flex and are subject to the authority of school staff. Failure to obey the lawful instruction of school staff will result in a loss of eligibility to attend school sponsored off campus events and may result in additional disciplinary measures in accordance with the Code of Conduct/ Student Discipline Policy.

Discipline Policy for Disabled Students

Students with disabilities have the same rights and responsibilities as other students and may be disciplined for the same behavioral offenses. In addition to New York Flex's School's Code of Conduct procedures for all students, our school will comply with all federal and state laws and regulations

governing the discipline of students with disabilities including 34 CFR 300.519-529 of the Code of Federal Regulations (CFR) and the following procedures:

Students for whom the Individual Education Plan (IEP) includes specific disciplinary guidelines (a Behavioral Intervention Plan or goals and objectives related to student behavior) will be disciplined in accordance with those guidelines. If the disciplinary guidelines appear not to be effective or if there is a concern for health and safety of the student or others, the matter will be immediately referred to local school district's Committees on Special Education (CSE) for consideration of changing guidelines.

Students for whom the IEP does not include specific disciplinary guidelines may be disciplined in accordance with standard school policy relating to each infraction. If there is any reason to believe that the infraction is a result of the student's disability, the student is immediately referred to the school district's CSE. If a connection is found, no penalty will be imposed, and the school will work with the CSE to consider a possible program modification.

A student identified as having a disability will not be suspended for a total of more than ten days during the school year without the specific involvement of the district's CSE prior to the eleventh day of suspension/removal.

In considering the placement of students referred because of disciplinary problems, the district CSE is expected to follow its ordinary policies with respect to parent/guardian notification and involvement.

Whenever procedural safeguards notice is issued pursuant to 34CFR 300.523, the school will notify the CSE in order to keep the CSE appropriately informed of any disciplinary actions taken.

The school will work with the district to ensure that the district's CSE meets as soon as possible but not more than ten days after receiving notification of any of the following for the purpose of considering a change in placement for the student involved:

- The commission of an infraction by a student with a disability who has previously been suspended for the maximum allowable number of days.
- The commission of any infraction which is a result of the student's disability

Protection for Children Not Yet Eligible for Special Education and Related Services

New York Flex will adhere to the requirements of 34 CFR 300.527. In accordance with this section, students who have not yet been determined to be eligible for special education and related services and who have engaged in behaviors that violated the school's Code of Conduct may assert any of the protections provided in Part 300 of Title 34 of the Code of Federal Regulations if the charter school or school district of residence had knowledge that the student was a student with a disability before the behavior that precipitates the disciplinary action occurred.

Provision of Services During Removal

Students removed for a period less than ten days will receive all classroom assignments during the time of his or her suspension. Provisions will be made to permit a suspended student to make up assignments or tests missed as a result of such suspensions. The school will also provide additional alternative instruction within 24 hours by actual instruction, so that the student is given full opportunity to complete assignments and master curriculum, including additional instruction, phone assistance, computer instruction, and/or home visits, and one-on-one tutoring.

During any subsequent removal that, combined with previous removals, equals ten or more school days, but does not constitute a change in placement, during the school year, services must be provided to the extent determined necessary to enable the child to appropriately progress in the general curriculum and in achieving the goals of his/her IEP. In these cases, school personnel in consultation with the child's special education teacher make the service determination.

During any removal due to drug and weapon offenses [pursuant to CFR 300.520(a)(2)], services will be provided to the extent necessary to enable the child to appropriately progress in the general curriculum and in achieving the goals of his/her IEP. These service determinations will be made by the CSE of the student's district of residence. The school will place students in interim alternative educational settings as appropriate and mandated by CFR 300.520(a)(2).

During any subsequent removal that does not constitute a change in placement, but where the behavior is not a manifestation of its disability, the services will be provided to the extent necessary to enable the child to appropriately progress in the general curriculum and in achieving the goals of his/her IEP. The CSE of the student's district of residence will make the service determination.

Committee on Special Education (CSE) Meetings

Meetings of the district's CSE to either develop a behavioral assessment plan or, if the child has one, to review such a plan will occur when:

- The child is first removed from his or her current placement for more than 10 school days in a school year; and
- When commencing a removal which constitutes a change in placement

Subsequently, if other removals occur which do not constitute a change in placement, the school will work with the district's CSE to review the child's assessment plan and its implementation to determine if modifications are necessary. If one or more members of the district's CSE believe that modifications are needed, then the district's CSE is expected to meet to modify the plan and/or its implementation.

Due Process

If discipline which would constitute a change in placement is contemplated for any student, then not later than the date on which the decision to take such action is made, the parent/guardian of the student with the disability will be notified of that decision and provided the procedural safeguards notice described in 34 CFR 300.504 and immediately, if possible, but in no case later than 10 school days after the date on which such decision is made, the district's CSE and other qualified personnel will meet and review the relationship between the child's disability and the behavior subject to the disciplinary action.

If, upon review, it is determined that the child's behavior was not a manifestation of his or her disability, then the child may be disciplined in the same manner as a child without a disability, except as provided in 34 CFR 300.121(d), which relates to the provision of services to students with disabilities during periods of removal.

Parents may request a hearing to challenge the manifestation determination. The child remains in his or her current educational placement while the hearing is pending except as provided below:

If a parent/guardian requests a hearing or an appeal regarding a discipline action relating to weapons or drugs to challenge the interim alternative educational setting or the manifestation determination, the child will remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided for the disciplinary action, whichever occurs first, unless the parent and school agree otherwise.



New York City Alternatives

March 29, 2011

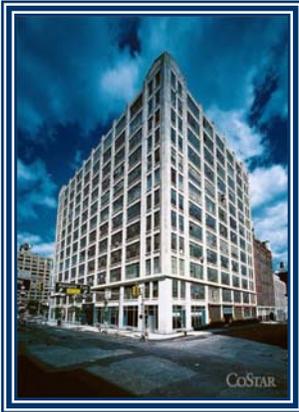
PREPARED BY:
Robert D. Goodman, Executive Managing Director



- 1** 200 Hudson Street
- 2** 175 Varick Street
- 3** 123 William Street
- 4** 17 Battery Place North

200 Hudson Street

(Between Vestry & Canal Streets)



AVAILABLE SPACE

<u>Floor(s)</u>	<u>Rentable Area</u>	<u>Asking Rent</u>
Entire 2 nd , 3 rd & 4 th	Approx. 31,000 RTSF each floor	\$37.00 PRSF

Comments: Premises to be deliver gutted

Electricity: Submetered

Landlord's Work: Landlord to provide a construction allowance of \$45.00 PRSF

Possession: Immediate

Term: Long term

BUILDING PROFILE

Ownership: Trinity Church Realty **Year Built:** 1926

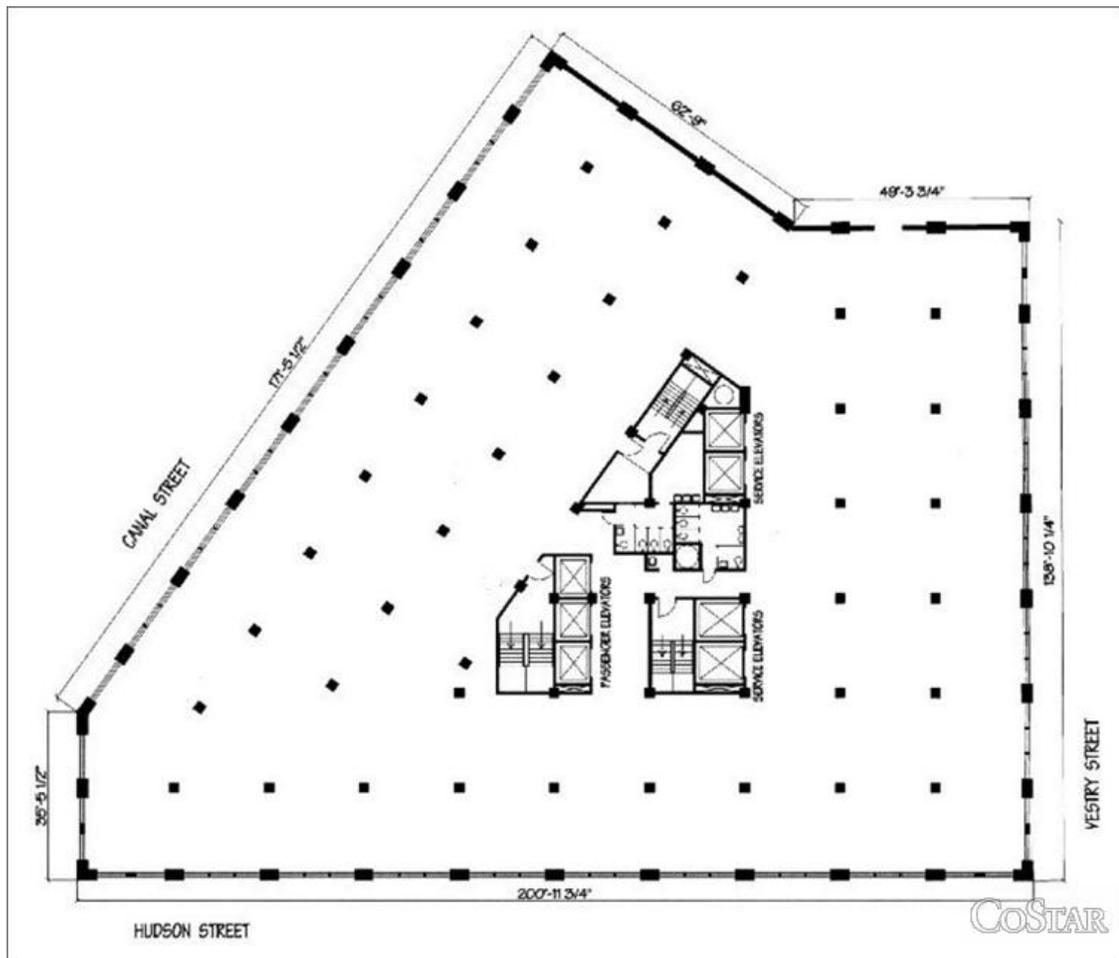
Building Area: 350,476 RSF **Number of Floors:** 12

Major Tenants:

- David Yurman Design Inc.
- Florentine Press Inc.

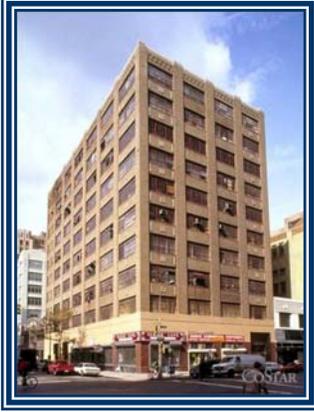
200 Hudson Street

(Typical Floor Plan)



175 Varick Street

(Between Charlton & King Streets)



AVAILABLE SPACE

<u>Floor(s)</u>	<u>Rentable Area</u>	<u>Asking Rent</u>
Entire 7 th & 8 th	16,910 RSF each floor	\$29.00 PRSF

Comment: Floors to be gutted

Electricity: Submetered

Landlord's Work: Landlord to offer tenant improvement allowance of \$40.00 PRSF

Possession: Immediate

Term: 10-15 years

BUILDING PROFILE

Ownership: Georgian Press Inc. **Year Built:** 1926

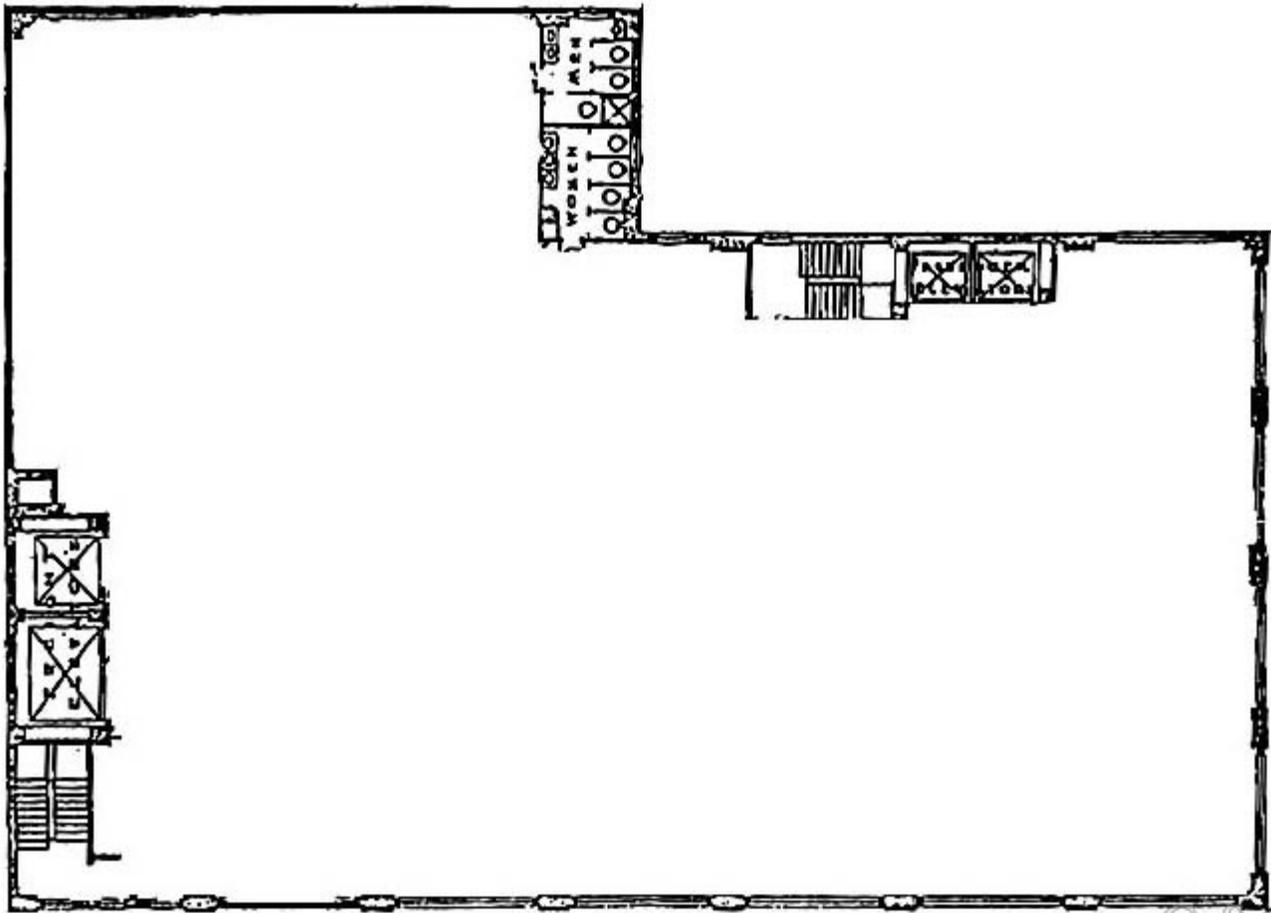
Building Area: 168,840 RSF **Number of Floors:** 10

Major Tenants:

- NYS Council of the Arts
- AKQA
- Georgian Press Inc.

175 Varick Street

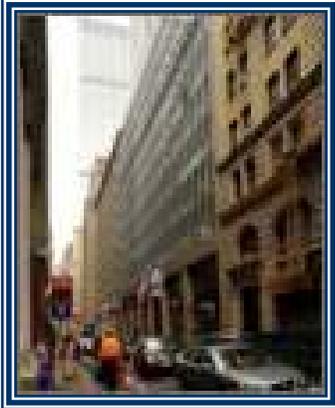
(Typical Floor Plan)



COSTAR

123 William Street

(Between John & Fulton Streets)



AVAILABLE SPACE

<u>Floor(s)</u>	<u>Rentable Area</u>	<u>Asking Rent</u>
Entire 7 th – 11 th	Approx. 23,610 RSF each floor	\$35.00 PRSF

Comment: Certain floors have Certificate of Occupancy already in place

Electricity: Submetered

Landlord's Work: Landlord to build out the premises

Possession: Immediate

Term: Long term

BUILDING PROFILE

Ownership: The Chetrit Group **Year Built:** 1957

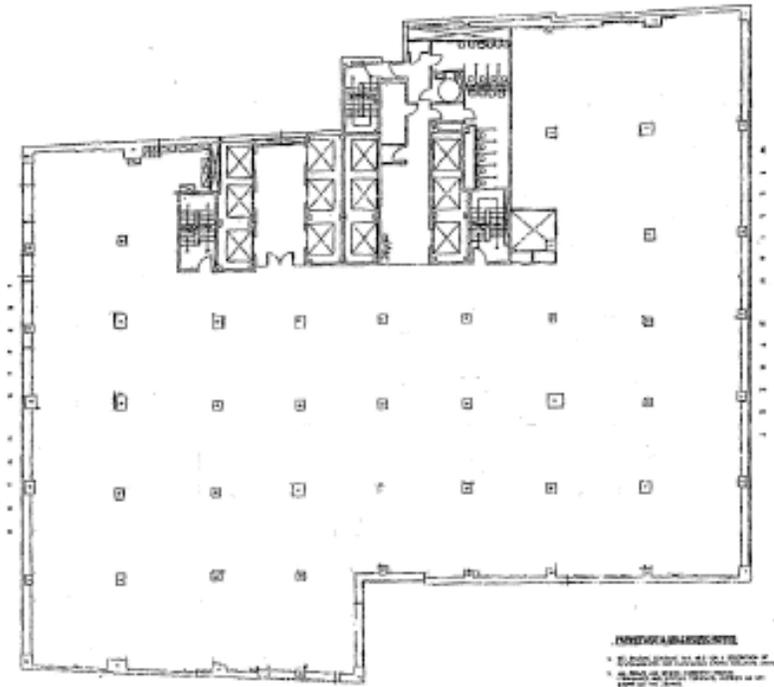
Building Area: 503,000 RSF **Number of Floors:** 27

Major Tenants:

- Global Hue
- NYS Department of State

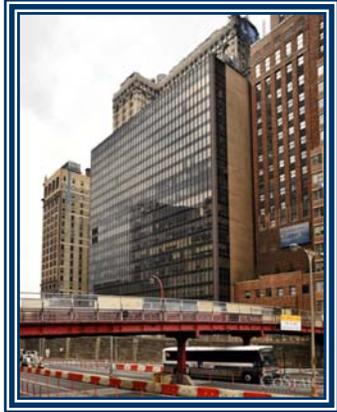
123 William Street

(Floor Plan)



17 Battery Place (North)

(Between Washington & West Streets)



AVAILABLE SPACE

<u>Floor(s)</u>	<u>Rentable Area</u>	<u>Asking Rent</u>
Entire 4 th	23,343 RSF	\$30.00 PRSF
Entire 5 th	23,343 RSF	\$30.00 PRSF

Comments: Old MCI floors will be demolished; floors not yet listed on the market

Electricity: Submetered

Landlord's Work: Landlord will consider building the premises

Possession: Anytime within 12 months

Term: Long term

BUILDING PROFILE

Ownership: The Moinian Group/Jeff Gural **Year Built:** 1903

Building Area: 446,501 RSF **Number of Floors:** 22

Major Tenants: Wildcat Services
New York City Human Resources Division

17 Battery Place (North)

(Floor Plan)

