

The Opportunity Charter School

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June 20, 2008

Ms. Jeannemarie Hendershot
NYC Department of Education
52 Chambers Street
New York, NY 10007

Re: Opportunity Charter School (OCS) – Quality Review Report

Dear Ms. Hendershot,

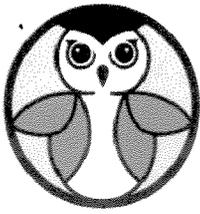
Yolanda Santiago, our board's vice chair, and I met with Mr. Michael Duffy and Mr. Aamir Raza last Thursday, May 22, at 4:00 p.m. At that time, we discussed the report you issued for the Annual Site Visit 2008 for The Opportunity Charter School, as well as a number of other issues. The report was only sent to us a few hours prior to the meeting. Much of what Mr. Raza intimated at our meeting was of great concern to us and we expressed this quite clearly at our meeting.

I forwarded the report to Betty Marsella and Leonard Goldberg, Co-Directors, that same day because I wanted to immediately begin preparing our response to the report. On behalf of the board of trustees, we send you the attached as a formal rebuttal to the report presented by Mr. Raza.

In our reply, you will find a separate response to each of the six bulleted items highlighting what the school needs to improve upon. You will also find a narrative response to the report; with some references to specific statements made in the report that we think should be modified to reflect more accurately the status of the school as well as a general narrative in response to the overall report.

It became clear to Ms. Santiago and I at our meeting with Mr. Duffy that he was not made fully aware of how the review was conducted; for example, a number of our key leadership team were never interviewed to authenticate, clarify or refute some of the report's findings. He was also not made aware that during our current principal's tenure, OCS has had seventeen resignations and two terminations. Also, under our current principal, the school environment has suffered a great amount of turmoil which we described during our meeting. Despite all of this, OCS has continued to make progress in all areas that are referenced in the report.

Your progress. Our passion.



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Lastly, we believe that because of the way that Mr. Raza chose to debrief the OCS staff about the visit, he caused strife and contention among the leadership members of the school and our faculty. Specifically, we maintain that it is regrettable that Mr. Raza spoke to the general leadership team about his assessment of a lack of empowerment of the principal, which we steadfastly maintain is an inaccurate conclusion, instead of debriefing the Co-Directors about such sensitive issues and deciding together how best to proceed. We believe DOE staff should not interfere with school management by providing its opinion to school staff, especially when our model is a co-director model, not a traditional school leader model. In so doing, this procedural error has done a tremendous disservice to our school which our board and leadership team continue to work to rectify.

Please be assured that our board and leadership team will not be detracted from OCS's mission and vision. We have every confidence that OCS's upcoming reviews will be positive and that OCS's charter will successfully be renewed during the upcoming academic year. We look forward to many years of serving the students in New York City who live in poverty and for the most part, have special needs and/or special lives often challenged by psychosocial crises. Thank you for the continued support that the Department of Education gives to our school.

If you have any questions, please feel free to contact me.

Very truly yours,

Joseph P. Merlino, MD MPA
Chairperson, OCS Board of Trustees

Cc: Michael Duffy, Executive Director, Office of Charter Schools
Betty Marsella, Co-Director, OCS
Leonard Goldberg, Co-Director, OCS
Board of Trustees, OCS

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Part 1: The School Context

We believe page 3, Paragraph 3, does not appropriately describe our support system. May we suggest the following:

The notable feature of the school is its commitment to serve a student population that has special needs or who are considered "at risk." Teachers are supported by a knowledgeable and experienced administration, including executive leadership (Co-Directors) who have a combined special education experience of 35 years. Teachers are also provided support by a social worker and a behavior specialist assigned to each grade cohort. All staff members receive training in the *Schools Attuned* neuro-developmental model by an on-site, certified *Schools Attuned* trainer, who also serves the school in the capacity of Director of Professional Development.

Part 2: Overview

- **The principal and school community have a clear vision for the development of the school. (p. 4)**
 - We believe the school leadership has a clear vision for the school. We suggest the second bullet read: The school leadership and the school community have a clear vision for the leadership and further development of the school.
- **Behavior support helps some challenging students to develop responsibility for their actions. (p. 4)**
 - We believe that behavior supports help all our students. We suggest the third bullet read: Behavior support helps all challenging students to develop responsibility for their actions.
- **Start long-term curriculum planning to prepare for grades 11 and 12, ensuring that all appropriate resources are in place for effective and expedient planning. (p. 4)**
 - We have been engaged in the planning of curriculum for grades 11 and 12.
 - For students performing at or above grade level, we will offer on-grade level classes and/or Advanced Placement classes.
 - For students performing below grade level and who are limited in their ability to read due to learning disabilities, OCS is partnering with Co-Op Tech High School. Co-Op Tech will allow fifteen 11th grade students to study a skill based on their interests and strengths. These courses are either for one or two years and the students receive certification in their area of study at the end of the courses. Such offerings may include: automotive repair, culinary arts, cosmetology, and computer repair.
 - **Review management structures in the light of the appointment of the principal. (p. 4)** Prior to the April 8 visit, the Board and Co-Directors recognized problems associated with our administrative structure and hired a consultant to begin the restructuring of the leadership. During the 2007-08 school year, the Principal, while bringing some interesting programs to the school, gave primary attention to operational issues, PBIS, and personnel committee structure instead of instruction for which the position was created. Upon deliberation among the Board, the Co-Directors and the consultant, we have decided to eliminate the principal position and create two new positions: Director

of Instruction, to solely focus on instruction, and Director of Operations, to focus on managerial issues and day to day operations.

- The Board has changed the titles of the Co-Directors to Chief Executive Officer (CEO) and Chief Development Officer (CDO). This will clarify the roles of each Co-Director. The CEO will be responsible for the day to day operations and instruction of the school and the CDO will be responsible for the internal growth and development of the school. See Exhibit A: Organizational Chart for 2008-09.
- **Set goals for teachers for which progress is measured objectively over the course of the academic year to support professional development**
 - The Director of Professional Development will have a more global role in planning for the entire school; for the purpose of making sure that all work done with the staff is aligned with the mission of the school and progress is measured objectively over the course of the academic year.
 - The Director of Professional Development will meet with all of the other Directors and plan all programs for Professional Development based on the needs of each department. The Director of Instruction, in collaboration with the Director of Professional Development will work with staff to develop personal goals. Supervision templates will be developed and used on a regular basis to ensure that staff are working towards the completion of the goals that have been set. Incentives will also be built into this system.
- **Introduce common planning time for all teachers and teaching assistants to maximize the impact of instruction**
 - The schedule for the 2008-09 school year will include common planning time for teachers and teaching assistants, as it did in years 2 and 3. In year 4, the Principal decided against building such planning time into the schedule, even though it was requested. It is obviously an important aspect of the school, because of our collaborative model those working with a particular group of students, need to be able to have some common planning time. This planning time will be spent sharing lesson plans, understanding IEP implementation, and collaborating on behavior management systems that are to be used in the classrooms.
 - Grade team meetings will also be reinstated for the 2008-09 school year. (In collaboration with the clinical director, the Principal decided against having grade team meetings for the 2007-2008 school year. This strategy proved ineffective.) Once reinstated these meetings will allow all staff members working on an IEP to collaborate.
- **Introduce more opportunities for peer observation and intervisitation to support the promotion of professional skills.**
 - This is an excellent suggestion and one that OCS tried to begin this year. The Co-Directors offered an incentive program: any teacher who planned differentiated lessons which included the analysis and use of individualized education plans of students within their classrooms, could earn a monetary incentive in exchange for the video and the sharing of the lesson. The directive to the Principal had been to video model lessons and then set up conference times for other staff to observe, discuss, and learn from watching others teach. The Principal had also been asked to periodically free up teachers who needed to observe veteran and/or model teachers,

allowing them to observe the delivery of differentiated instruction. While the Principal shared the videos with the teacher who was videotaped, the Principal did not share them with other staff so that they would have the opportunity to learn from the video. Going forward, OCS is developing forms which staff will use when they go in to observe the delivery of lessons by other teachers to ensure observations are effective. The forms will have a focus, based on the PD that is being conducted at the time; so that the observation is specifically beneficial to the teacher, based on the kind of PD that he/she is involved in at that particular time. The teacher will then be able to debrief with the Director of Instruction and the teacher who was doing the modeling. The incentives for model lessons based on specific strategies that are being addressed, such as the use of the constructs of Schools Attuned, will continue and the Director of Instruction will make sure that others have the opportunity to observe the video with a discussion about why the lesson was good.

- **Start to analyze data to look for differences between groups and cohorts**
 - The Director of Assessment and Accountability analyzes available data from the ELA and Math tests, the Degrees of Reading Power, The Test of Silent Word Reading Fluency, and the Scantron Performance Series in reading and math for differences among grade-level cohorts, between general education and special education students, and between genders. In addition, the Scantron Performance series allows ELA and math teachers to group students within their classes by the students' attainment of specific state benchmarks. All Language Arts measures have been used to find effective placement for Language Arts groupings.
 - The Director of Assessment and Accountability has also started to analyze data looking for needs, and strengths between general education and special education students, within language arts groups which can provide information about specific teachers' strategies, methodologies, interventions and skill level). During curriculum meetings, the Director of Assessment and Accountability shares information with staff, instructing them on what formative testing is; how it can and should be used; and how it will inform the planning of their lessons.
 - The Director of Assessment and Accountability will continue to analyze data to acknowledge difference in groups and cohorts.

Part 3: Main findings: Overall Evaluation (p. 5)

- **Paragraph 1:** The Therapeutic Crisis Intervention (TCI) behavior management system, not the Positive Behavior Intervention Supports (PBIS), is the center of OCS' program. TCI helps students take more responsibility for their behavior in school, because through this system, the students learn about themselves. PBIS is a supplement to the TCI program as it offers a "concrete end" through a positive reward system that follows the students' understanding of themselves. The most challenged students would not respond to PBIS alone, because they are in need of more intensive relationship building.
- We believe the school has made growth throughout its history.
 - We suggest paragraph 1, second sentence should read: In taking on this challenge, the school has grown tremendously in its efforts over the last four years of operation.

- Unfortunately, we do not believe the Principal provided the appropriate oversight professional development of our teaching staff as pointed out by your fifth bullet of where the school needs to improve.
 - We suggest paragraph 1, third and fourth sentences should read: The appointment of a highly effective Director of Assessment and Accountability, who has helped guide the school towards a more data-driven culture, has helped the school move forward. The school has successfully implemented the Positive Behavior Intervention System (PBIS), making the efforts of the school’s behavior team and safe space staff more anchored in data-based decision making.
 - We suggest paragraph 2, first sentence should read: Through very thorough work with teachers and teaching assistants by every member of the OCS leadership team, the school has begun to establish a culture of professional growth where mutual trust drives improvement.
- We believe the school leadership has a clear vision for the school’s future.
 - We suggest paragraph 2, third sentence should read: With a data-driven culture beginning to take root, and a committed staff, the school leadership has a clear vision for the school’s future, including areas in need of improvement.
- The principal specifically eliminated common prep periods when the schedule was done last August, claiming that it was not possible because of the size of the school to incorporate this piece. The school leadership has decided to reinstitute common prep periods.
 - We suggest paragraph 2, fourth sentence should read: Among these improvements identified by the school’s leadership and our review team.
- We believe the last sentence of paragraph 2, should be deleted as the management structure of the school seems to be misconstrued. In the future, we suggest the entire leadership team be interviewed as the Co-Directors, the Director of Professional Development, and the Director of Discipline (also known as the Administrative Director) were never interviewed for this report.
- We believe the report does not specifically provide where the Board has not provided appropriate oversight.
 - We suggest paragraph 3, first sentence should read: OCS Board has provided excellent oversight to the school’s leadership.

Part 3: Main findings: Quality Statement 3 – (p. 8)

- Paragraph 2: This review team states, “There is a need to develop more effective differentiation of instruction. The principal and the clinical director provide advice to teachers on the best way in which to deliver the individual education plans...” This is inaccurate. The Director of Professional Development has created and overseen differentiated lessons that takes place at OCS. The Director of Professional Development was not interviewed or spoken with by DOE staff on April 8th. The Director of Professional Development was able to plan the entire staff development day and ongoing prep periods in teaching staff about strategies for differentiation. The use of the *Schools Attuned* program provides information and strategies and is the backbone of the individual education plans and also helps teachers to understand deeply how to differentiate instruction.
 - We suggest the paragraph be written to appropriately reflect the contributions of our Director of Professional Development.

Part 3: Main findings - Quality Statement 6 (p. 10)

- Paragraph 1: We believe that school-based staff are clear as to the role of the Co-Directors as weekly team meetings were held in addition to individual meetings with each director and the Principal. It is puzzling as to why the review team came away from April 8th visit with the sense that the reporting structure was unclear. A possibility as to why the review team was unclear is because one of the Co-Directors, the Director of Professional Development, and the Director of Discipline (also known as the Administrative Director) were never interviewed.

Part 3: Main findings - Quality Statement 6 (p. 9)

- Paragraph 2: The OCS board provides complete oversight to the school as well as holds the school leadership accountable. Discussions are ongoing, at full board meetings and during committee meetings. The Board of Trustees also visit the school and classrooms regularly and spend time with the Co-Directors in conversation about their visits.

Part 3: Main findings - Quality Statement 7 (p. 10)

- Paragraph 2: The report states that “cash flow projection is not prepared in a methodical manner and is unclear on the amount of cash that will be available from one month to another.” The Co-Director is given weekly cash flow projections as well as a budget-to-actual and statement of activities. The board is kept informed of financial activity via monthly board meetings. OCS is projected to have a surplus for 2008 as a whole, and most likely will have a surplus in 2009.

Part 4: School Quality Criteria Summary

The following responses are written in response to bullets that received a mark in the “Underdeveloped with Proficient Features”

1.5 a measurement of performance and progress based on the school’s own past performance, and among students, classrooms, grades and subject areas?

Almost two years of continuous data on student progress is available in reading comprehension and fluency/sight word recognition. This data has been analyzed by student, classroom, grade, and subject area. At the end of the 2007-08 school year, OCS will have data from the Scantron Performance Series measuring gains on specific state benchmarks in math and reading.

1.6 a measurement of performance and progress that demonstrates that the charter school is at least meeting the state’s student performance standards for all other schools?

This comment is unclear. We use several different measurements of performance and progress in subject areas that are easily aligned with the state’s student performance standards for all other schools.

2.4 Plan and set goals: share whole school goals with all members of the school community to rigorously improve the performance and progress of students?

- All charter goals will be shared with the whole staff during the first week of professional development;
- All curriculum teams and head of departments will submit curriculum outlines and goals to the Director of Instruction who will then share with all other curriculum areas;
- The Director of Discipline will present an overview of the goals for students with regard to behavior during the first week of professional development for all staff; and
- The Director of Professional Development will present goals to the entire staff for all staff development workshops that will be held during the course of the year; after planning with other directors and staff.

3.2 Align instructional strategy to goals: provide a broad and engaging curriculum, including the arts, to enhance learning both within and outside the school day?

The curriculum is engaging. OCS provides all students with music, art, theater arts, and computer/technology classes. The afterschool program includes homework help, test prep, and a variety of club offerings based on students' interests.

3.8 Ensure that the high school meets the defined graduation standards as determined by the NYCDOE (where applicable)?

Every high school student is being tracked according to state graduation standards. Credit recovery will be instituted for those students in danger of failing to meet graduation requirements.

4.4 Align capacity building to goals: develop effective procedures for the induction and support of teachers who are new to the profession or the school?

- OCS is reviewing the full week of professional development that is required for all staff before the students arrive for the school year. In addition, OCS will be adding a three day intensive training in our behavior management system for any new staff and staff who need a refresher in this program, before this full week of professional development.
- All TCI trainers will be taking a refresher course this summer.
- A mentor system will be implemented; pairing a new teacher with an OCS veteran teacher who will be able to meet on a biweekly basis.
- Weekly luncheons with the Co-Director (now the Chief Development Officer) will continue for any staff wishing to attend to discuss any topics that are brought to the table.
- New teacher meetings will be re-established during the coming academic year.

5.2 The school's plans for improving teacher outcomes include interim goals that are objectively measurable and have suitable time frames for measuring success and making adjustments?

Now that long range and middle range measures have been put in place over the course of the 2007-08 school year, OCS is in the process of collaboratively developing measurable objectives and interim goals. These goals will be in place for the coming school year.

6.3 Monitor effectiveness: publish a schedule of regular board meetings that is easily accessible to the general public?

- Board meetings are posted every month in the Amsterdam News, on our website, and sent out in our Parent Newsletters.

6.9 Monitor effectiveness: provide ongoing training for board members so that they are able to fulfill the duties of their positions?

- Each new Board member is apprised of our governing documents including the application, charter and policies.
- Each new Board member receives a packet that includes summary materials about programs and initiatives particular to OCS as well as literature on how to participate as a Board member. The Chairman of the Board explicitly explains to any new member, along with other Board members, how the OCS Board functions and there are ongoing meetings that support new Board members so that they can fulfill their duties.
- The Board will continue to look for opportunities for Board training with the assistance of the NYC Center for Charter School Excellence.
- The Board chairman (along with the other members when necessary) is vigilant about attendance and is continually working on bringing exceptional new people to the Board.

8.3 Integration of parents and the community: ensure that parents are informed of the time and location of Board meetings that are open to the public?

- See 6.3

8.5 Integration of parents and the community: ensure parents are aware of appeals procedures should a conflict arise with any aspect of the school?

The OCS Code of Conduct and Discipline Policy has been revised, based on information provided to the school from the State oversight team and is included in the new parent handbook that will be distributed for the 2008-09 school year.

Exhibit A

