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DEPARTMENT OF EDUCATION
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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

DAVID C. HESPE
Commissioner

February 10, 2015

Mr. Joseph H. Orlando, Clerk
Appellate Division
P.O. Box 006
Trenton, New Jersey 08625-0006

**Re: Mo'Neke Ragsdale, Carmen Valez, Gary Frazier & Save Camden Schools of New Jersey v.
David Hespe, Acting Commissioner of Education & New Jersey Department of Education
Docket No. A-5871-13T4**

Dear Mr. Orlando:

I am the Commissioner of the New Jersey Department of Education. Pursuant to New Jersey Court Rule 2:5-1(b), please accept this Amplification of Reasons for the July 7, 2014 decision to approve the renaissance school project application filed by the Mastery Charter School organization ("Mastery"). Mastery was notified of the approval of its application by way of a short, congratulatory letter. This Amplification is intended to supplement the approval letter and provide a more detailed explanation of the bases for the decision to approve the application of Mastery in light of the appeal filed by several parents of students in the Camden City School District ("CCSD").

The Urban Hope Act was enacted in 2012 to allow struggling New Jersey school districts with high concentrations of "at-risk" students to partner with nonprofit entities to create "renaissance schools." These renaissance school projects are intended to improve student achievement, increase graduation rates and enhance student readiness for postsecondary education and gainful employment. See N.J.S.A. 18A:36C-2. In order to ensure proper implementation of these renaissance school projects, the Act sets forth a rigorous application and approval process.

First, the renaissance school district must find and partner with a nonprofit entity using a process that is open, fair and subject to public input and comment. N.J.S.A. 18A:36C-4(b)(15). CCSD publicly advertised a formal "Request for Proposals" on December 2, 2013 with a deadline for receipt of proposals of January 3, 2014. CCSD received seven (7) responses to its Request for Proposals. As part of its selection and scoring process, CCSD convened a selection committee and scored each proposal on criteria including record of success in fostering student growth, improving academic performance of at-risk students and evidence of financial stability. Of the responses received, the committee determined that the two highest scoring proposals, from Mastery Charter Schools and Uncommon Schools, should be recommended for selection by the State District Superintendent. Based on my review, I was satisfied that the district's RFP process was fair and carefully constructed to screen for the highest quality applicants.

CCSD then held a series of public meetings on February 19, 20 and 22, 2014, to educate the community and receive public input on the proposed renaissance school projects. Following these meetings on February 25, 2014, the CCSD Advisory Board and the State District Superintendent of the CCSD approved separate resolutions supporting the Mastery Renaissance School Project Application. Pursuant to N.J.A.C. 6A:31-3.1, on April 7, 2014, the CCSD and Mastery submitted Part I, and on June 16, 2014, Mastery submitted Part II of the application to my office for approval of the renaissance school project. I carefully considered the application, reviewing whether it complied with the required elements set forth in N.J.A.C. 6A:31-3.1, and determining whether it was likely to achieve the statutory goals. Based on my analysis of all of these factors, I approved the proposed project on July 7, 2014.

Mastery's proposed project consisted of an urban campus with a network of up to six (6) schools to open in multiple phases, eventually serving up to 4,654 students in grades Pre-K through 12. The Application stated that Phase I of the project would involve opening a new elementary facility in the Cramer Hill neighborhood to serve up to 525 students grades K-6. In Phase II of the project, Mastery will develop up to five (5) additional schools. Each of these schools will be located within eligible distances from the initial building, in or near North Camden, Cramer Hill and East Camden, so that the project forms an urban campus area as defined in N.J.S.A. 18A:36C-3.

As required by the Urban Hope Act, N.J.S.A. 18A:36C-1 et seq., the Commissioner must consider many factors in rendering a decision with respect to a renaissance school project application. See N.J.S.A. 18A:46C-5. Above all, the Commissioner ultimately considers whether the proposed renaissance school project will create quality educational opportunities for the students in the subject district. It is with this central question in mind that I reviewed Mastery's application to open a renaissance school project in Camden.

**Likelihood that Mastery's Proposed Project will
Improve Academic Achievement in the District**

Central to my review of the application is the determination of whether the proposed project is likely to improve academic achievement in the district. The Mastery proposed renaissance project is designed to offer a high-quality, rigorous curriculum based on practices and approaches that have been effective in producing significant academic gains at other Mastery Schools. The Mastery renaissance school project will be modeled after Mastery's successful charter schools in Philadelphia and will seek to fulfill its mission of closing the achievement gap in communities it serves. Like its other schools, the renaissance school project fosters an environment of high expectations and data driven instruction and management. Mastery will maintain a school-wide Response to Instruction & Intervention framework that integrates assessment, instruction and intervention within a flexible school-wide, multi-level system. I carefully reviewed the proposed educational plan, and was satisfied that it aligned with the needs of the target populations, and that Mastery demonstrated the organizational and leadership capacity to successfully carry out its proposal.

I am also familiar with the work of the Mastery organization as it has a demonstrated record of academic success in challenging urban environments such as Philadelphia. Founded in 2001, Mastery Charter Schools manages twelve (12) charters and serves over 9,000 students in Philadelphia. Nine (9) of Mastery's schools are turnaround schools from formerly failing School District of Philadelphia schools that ranked in the bottom 10-20% for achievement of all public schools in Philadelphia. These turnaround schools required that Mastery maintain the existing catchment areas, existing students and adopt district enrollment rules. Of the nine turnaround schools, three (3) of the middle schools now rank in the top 10% of public and charter schools in Pennsylvania. These middle schools, which opened between 2005 and 2007,

also achieved an average of more than 40 percentage point gains per grade and subject within four years of operation on Pennsylvania assessment tests. In 2010, Mastery opened its first three elementary turnaround schools in Philadelphia. These elementary schools gained an average 24 percentage points in Math and 16 percentage point gains in Reading according to the Pennsylvania System of School Assessment.

The compelling record presented in Mastery's application appendix supports its excellent reputation with examples of proven success. In particular, Mastery provided references from the Deputy Superintendent of the Philadelphia School District attesting to Mastery's success and growth in the district since 2001. Mastery also included letters of support from other education and child service organizations. Among these letters of support was a narrative and letter from Camelot Education, an alternative education vendor with a three-year professional relationship with Mastery, and a narrative and letter from CORA Services, an early intervention organization for "at-risk" children that has contracted with Mastery since 2008 in its Philadelphia charter schools. All the references gave Mastery high praise for its comprehensive programs and exceptional oversight in addressing student needs. In addition, Mastery provided data from its Pennsylvania charter schools to demonstrate the student growth and academic success in Mastery programs. Given Mastery's well-established record of success, and a review of the academic programs offered by this candidate, I was satisfied with the district's selection and I am optimistic that the Mastery renaissance project will improve academic achievement in CCSD. See N.J.S.A. 18A:36C-5(a).

CCSD Support for Mastery's Application and Evidence of Public Meetings

I also considered the strength of public support for this application. As noted, the application process requires that, pursuant to N.J.S.A. 18A:36C-4(b)(1), the district conduct several public meetings and receive public feedback on Mastery's proposed renaissance school project. Thereafter, the district is tasked with voting on resolutions approving or disapproving the project and submitting those resolutions as part of the Mastery application to my office. The application reflects that in February 2014, a series of public meetings were held throughout the city of Camden in order to receive public input regarding the proposed project. In addition, before passing the resolutions in support, Mastery made a presentation of its proposed renaissance school project to CCSD's Advisory Board of Education. Thereafter, as is required by statute, I relied on the resolutions as a demonstration of the school district's desire to move forward with the Mastery Renaissance School Project. The City of Camden Mayor's Office supported the application, noting that the sites proposed for the schools were particularly critical as the schools would "serve as an anchor in the community and meet the needs of hundreds of Camden families" as well as being key "to the growth and revitalization of the City of Camden." Prior to making its determination, I also considered additional feedback received from New Jersey stakeholder organizations such as Save Our Schools NJ and Education Law Center. Based on all of this information, I was satisfied that there was substantial support for the renaissance school project from the school district, state board and parents.

Mastery Facilities Plan

I also considered the viability of Mastery's facilities plans and consulted CCSD to determine whether the locations and facilities for Mastery's proposed schools would be suitable. At the time it submitted Part I of the application, Mastery was still in the process of investigating and purchasing properties upon which to build a permanent facility. In Part II of its application, Mastery submitted a schematic plan for the Cramer Hill facility, including floor plans for each of the school's three stories. Mastery stated that it planned to open a temporary facility for the 2014-15 school year. I was satisfied with the schematic plan and the proposed plan to establish temporary facilities at the former Pyne Poynt Middle School in North Camden and the former Washington Elementary School building in Cramer Hill. Enrollment for the temporary facilities would be based on the enrollment process for the permanent facility

outlined in the application. I concluded that the use of temporary facilities would create an overall benefit by addressing the urgent and critical need to find quality classroom placements for Camden students. The decision to approve the use of temporary facilities was also informed by legislation (S2264) pending at the time the application was reviewed. S2264 proposed, in relevant part, to extend the application period for certain Urban Hope projects and permit reconstructed and temporary facilities as part of the projects. By the time Mastery's application was approved in July 2014, the bill had passed in both the Senate and the Assembly. On August 11, 2014, the Governor conditionally vetoed the bill on grounds unrelated to the issue of temporary facilities. The Legislature concurred with Governor's recommendation and the amended bill was signed by the Governor, thereby clarifying that the use of temporary facilities in renaissance projects is permitted.

Mastery ultimately determined that it would begin the first phase of this project by opening an elementary school in the Cramer Hill neighborhood in the 2016-17 school year. The school will be adjacent to the Salvation Army Kroc Center and two blocks from a public park and baseball fields. Based on my review of the facilities plan materials, including the use of temporary facilities, and NJDOE's discussions with the school district and Mayor's Office regarding the use of city land for the project, I determined that the facilities plan was viable and of sufficient quality.

Mastery Recruitment and Enrollment Process

I also reviewed the enrollment process delineated in the Mastery application and analyzed the entire proposal to ascertain any potential segregative impact of the project. Without any recruitment or enrollment data at the application stage, I was limited to a review of the proposed enrollment policies articulated in the application to determine whether such processes were likely to result in segregation. Mastery's application demonstrated that the initial elementary school facility will be built on city owned land and therefore, pursuant to N.J.S.A. 18A:36C-8(b), Mastery will give first enrollment priority to students who live within the attendance area and apply to attend the renaissance school. Any additional seats will be filled by a lottery. The first lottery will include students who reside in the renaissance school project district but outside the attendance area. If necessary, a second lottery will be conducted which may include students who reside outside the renaissance school district. In addition, pursuant to N.J.A.C. 6A:31-4.3, Mastery will maintain a wait list of eligible students who can fill seats as needed. As indicated in the operating agreement between CCSD and Mastery, and as required by N.J.S.A. 18A:36C-8(b)(2), Mastery will not discriminate in its enrollment practices on the basis of intellectual or athletic ability, measures of achievement or aptitude, status as a handicapped person, proficiency in the English language, or upon any other basis that would be illegal if employed by a school district.

I was satisfied with Mastery's proposed recruitment and enrollment policies. I am fully aware of the obligation to monitor Mastery's progress and to combat any unforeseen segregative effects that might become apparent after students are enrolled; and in the event that Mastery must fill remaining seats through a lottery process, I will examine the lottery process to ensure that it is conducted in a non-discriminatory fashion and will require appropriate remediation if necessary.

Conclusion

Based on all the information submitted, I made a reasoned determination that Mastery's application should be approved. I determined that the Mastery renaissance school project will establish a culture of high expectations for students by building relationships between students and staff, establishing consistent, school-wide behavior systems, creating community-based school rituals and fostering a college-focused environment. The proposed school will be focused on student achievement and will use a

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comprehensive data tracking and reporting system to enable staff to focus on the areas of greatest student need.

Mastery complied with all the statutory application requirements and its application addressed the needs of the target student population, presented a thorough framework for meeting the needs of the student population and demonstrated quality organizational and leadership capacity in preparation for learning and teaching. I also considered the organization's demonstrated record of academic success in other urban areas.

Based on the foregoing, I determined that the proposed Mastery Renaissance School Project has a high probability of success, and approved its application on July 7, 2014.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dach", with a long horizontal line extending to the right.

David C. Hespe
Commissioner



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Dear Mr. Orlando:

I am the Commissioner of the New Jersey Department of Education. Pursuant to New Jersey Court Rule 2:5-1(b), please accept this Amplification of Reasons for the July 7, 2014 decision to approve the renaissance school project application filed by the Uncommon Schools Organization/Camden Prep ("Uncommon Schools"). Uncommon Schools was notified of the approval of its application by way of a short, congratulatory letter. This Amplification is intended to supplement the approval letter and provide a more detailed explanation of the bases for the decision to approve the application of Uncommon Schools in light of the appeal filed by several parents of students in the Camden City School District ("CCSD").

The Urban Hope Act was enacted in 2012 to allow struggling New Jersey school districts with high concentrations of "at-risk" students to partner with nonprofit entities to create "renaissance schools." These renaissance school projects are intended to improve student achievement, increase graduation rates and enhance student readiness for postsecondary education and gainful employment. See N.J.S.A. 18A:36C-2. In order to ensure proper implementation of these renaissance school projects, the Act sets forth a rigorous application and approval process.

First, the renaissance school district must find and partner with a nonprofit entity using a process that is open, fair and subject to public input and comment. N.J.S.A. 18A:36C-4(b)(15). CCSD publicly advertised a formal "Request for Proposals" on December 2, 2013 with a deadline for receipt of proposals of January 3, 2014. CCSD received seven (7) responses to its Request for Proposals. As part of its selection and scoring process, CCSD convened a selection committee and scored each proposal on criteria including record of success in fostering student growth, improving academic performance of at-risk students and evidence of financial stability. Of the responses received, the selection committee determined that the two highest scoring proposals, from Mastery Charter Schools and Uncommon Schools, should be recommended for selection by the State District Superintendent. Based on my review, I was satisfied that the district's RFP process was fair and carefully constructed to screen for the highest quality applicants.

CCSD then held a series of public meetings on February 19, 20 and 22, 2014, to educate the community and receive public input on the proposed renaissance school projects. Following these meetings, on February 25, 2014, the CCSD Advisory Board and the State District Superintendent of the CCSD

approved separate resolutions supporting the Uncommon Schools Renaissance School Project Application. Pursuant to N.J.A.C. 6A:31-3.1, on April 7, 2014, the CCSD and Uncommon Schools submitted Part 1, and on June 16, 2014 Uncommon Schools submitted Part 2 of the application for approval of the renaissance school project to my office. I carefully considered the application, reviewing whether it complied with the required elements set forth at N.J.A.C. 6A:31-3.1, and determining whether it was likely to achieve the statutory goals. Based on the analysis of all of these factors, I approved the proposed project on July 7, 2014.

Uncommon Schools outlined a broad proposal to open a network of up to five (5) schools in multiple phases, eventually serving up to 2,260 students in grades K-12. The Application stated that Phase I of the project would involve opening two schools—an elementary school during the 2014-2015 school year and subsequently, a middle (grades 5-8) school. Both schools would follow a scaled growth model, adding one grade level per year until they reach full capacity of approximately 75-90 students. Phase II of the proposed project calls for construction of three additional schools—second elementary and middle schools, and a high school. Each of the schools contemplated as part of Phase II will be located within eligible distances from the initial Phase I building, so that the project forms an urban campus area as defined in N.J.S.A. 18A:36C-3.

As required by the Urban Hope Act, N.J.S.A. 18A:36C-1 et seq., the Commissioner must consider many factors in rendering a decision with respect to a renaissance school project application. See N.J.S.A. 18A:46C-5. Above all, the Commissioner considers whether the proposed renaissance school project will create quality educational opportunities for the students in the subject district. It is with this central question in mind that I reviewed Uncommon Schools' application to open a renaissance school project in Camden.

**Likelihood that the Uncommon Schools Proposed Renaissance Project will
Improve Academic Achievement in the District**

Central to my review of the application is the determination of whether the proposed project is likely to improve academic achievement in the district. The Uncommon Schools proposed renaissance project is designed to offer a high-quality, rigorous college preparatory curriculum based on practices and approaches that have been effective in producing significant academic gains at other Uncommon Schools. It has a college preparatory mission, high standards for academics and character, and a highly structured learning environment. And as is the practice in other Uncommon Schools, this project proposed a longer school day and longer school year, as well as a focus on accountability and data-driven instruction. I carefully reviewed the proposed educational plan, and was satisfied that it aligned with the needs of the target populations, and that Uncommon Schools demonstrated the organizational and leadership capacity to successfully carry out its proposal.

I am also familiar with the work of Uncommon Schools as it operates successful charter schools in New Jersey and in other states. The Uncommon Schools organization has a demonstrated track record of academic success in challenging urban environments including Newark, New Jersey, Boston and New York City. The compelling record presented in Uncommon Schools' application appendix supports its excellent reputation with examples of proven success. In particular, Uncommon Schools provided statistical evidence of success by students who attend the organization's North Star schools in Newark, New Jersey. Across eight North Star elementary and middle schools in Newark, 77% of North Star's 3rd-8th grade students scored Advanced or Proficient on the 2013 New Jersey State English/Language Arts (ELA) exam. 11

percentage points above the statewide average. On the 2013 New Jersey State Math exam, 88% of North Star's 3rd-8th grade students scored Advanced or Proficient, 13 percentage points above the statewide average. And 96% of North Star 11th grade students scored Advanced or Proficient on the 2013 New Jersey HSPA Math Exam, and 97% of students scored Advanced or Proficient on the 2013 New Jersey HSPA ELA Exam. In addition 100% of North Star College Preparatory High School's 2013 graduates were accepted to a four-year college, and 79% of North Star graduates have completed or remain enrolled in four-year colleges. Given Uncommon Schools' well-established record of success, and a review of the academic programs offered by this candidate, I was satisfied with the district's selection and I am optimistic that the Uncommon Schools renaissance project will improve academic achievement in CCSD. See N.J.S.A. 18A:36C-5(a).

CCSD Support for Uncommon Schools' Application and Evidence of Public Meetings

I also considered the strength of public support for this application. As noted, the application process requires that, pursuant to N.J.S.A. 18A:36C-4(b)(1), the district conduct several public meetings and receive public feedback on Uncommon Schools' proposed renaissance school project. Thereafter, the district is tasked with voting on resolutions approving or disapproving the project and submitting those resolutions as part of the Uncommon Schools application to my office. The application reflects that in February 2014, a series of public meetings were held throughout the city of Camden in order to receive public input regarding the proposed project. In addition, before passing the resolutions in support, Uncommon Schools made a presentation of its proposed renaissance school project to CCSD's Advisory Board of Education. Thereafter, as is required by statute, I relied on the resolutions as a demonstration of the school district's desire to move forward with the Uncommon Schools Renaissance School Project. The City of Camden Mayor's Office supported the application, noting that the sites proposed for the schools were particularly critical as the schools would "serve as an anchor in the community and meet the needs of hundreds of Camden families" as well as being key "to the growth and revitalization of the City of Camden." Prior to making its determination, I also considered additional feedback received from New Jersey stakeholder organizations such as Save Our Schools NJ and Education Law Center. Based on all of this information, I was satisfied that there was substantial support for the renaissance school project from the school district, state board and parents.

Uncommon Schools Facilities Plan

I also considered the viability of Uncommon Schools' facilities plan and consulted CCSD to determine whether the location and facility for the proposed school would be suitable. At the time it submitted Part I of the application, Uncommon Schools was still in the process of investigating and purchasing properties upon which to build a permanent facility. In Part II of its application, Uncommon Schools submitted a schematic site plan for the Pre-K through Grade 8 building in Whitman Park as well as a schematic plan for each of the three floors of the proposed building. Uncommon Schools stated that it planned to open a temporary facility for the 2014-15 school year. I was satisfied with the schematic plan and the proposed plan to establish a temporary facility at a pre-existing school building in Camden. Enrollment for the temporary facility would be based on the enrollment process for the permanent facility outlined in the application. I concluded that the use of temporary facilities would create an overall benefit by addressing the urgent and critical need to find quality classroom placements for Camden students. My decision to approve the use of temporary facilities was also informed by proposed legislation (S2264) pending at the time the application was reviewed. S2264 proposed, in relevant part, to extend the application period for certain Urban Hope projects and permit reconstructed and temporary facilities as part of the projects. By the time Uncommon Schools' application was approved in July 2014, the bill had passed in both the Senate and the Assembly. On August 11, 2014, the Governor conditionally vetoed the bill on

grounds unrelated to the issue of temporary facilities. The Legislature concurred with the Governor's recommendation and the amended bill was signed by the Governor, thereby clarifying that the use of temporary facilities in renaissance projects is permitted.

Uncommon Schools ultimately determined that it would begin the first phase of its project by opening an elementary school, beginning with kindergarten in the 2014-2015 school year in the Whitman Park neighborhood, where there is currently no elementary school option, and it would subsequently open a middle school grades 5-8. Based on my review of the facilities plan materials, including the use of temporary facilities, and NJDOE's discussions with the school district and the Mayor's Office regarding the potential use of city land, I determined that the facilities plan was viable and of sufficient quality.

Uncommon Schools Recruitment and Enrollment Process

I also reviewed the enrollment process delineated in Uncommon Schools' application and analyzed the entire proposal to ascertain any potential segregative impact of the project. Without any recruitment or enrollment data at the application stage of the process, I was limited to a review of the proposed enrollment policies articulated in the application to determine whether such processes were likely to result in segregation. The application demonstrated that the initial elementary school facility will be built on privately owned land and therefore, pursuant to N.J.S.A. 18A:36C-8(b), Uncommon Schools will give first enrollment priority to students who live within the attendance area and apply to attend the renaissance school. In the event that there are more applicants than seats, or if seats remain after all applicants from the catchment area are admitted, a lottery will be held. In addition, pursuant to N.J.A.C. 6A:31-4.3, Uncommon Schools will maintain a waiting list for students and give preference in the following order: siblings of current students, students in the attendance area, Camden students outside the attendance area and out-of-district students attending school in Camden. As indicated in the operating agreement between CCSD and Uncommon Schools, and as required by N.J.S.A. 18A:36C-8(b)(2), Uncommon Schools will not discriminate in its enrollment practices on the basis of intellectual or athletic ability, measures of achievement or aptitude, status as a handicapped person, proficiency in the English language, or upon any other basis that would be illegal if employed by a school district.

I was satisfied with Uncommon Schools' proposed recruitment and enrollment policies. Further, I am fully aware of the obligation to monitor Uncommon Schools' progress and to combat any unforeseen segregative effects which might become apparent after students are enrolled; and in the event that Uncommon Schools must fill remaining seats through a lottery process, my office will examine the lottery process to ensure that it is conducted in a non-discriminatory fashion and will require appropriate remediation if necessary.

Conclusion

Based on all of the information submitted, I made a reasoned determination that Uncommon Schools' application should be approved. I determined that the proposed Uncommon Schools renaissance school project will be designed to offer a high-quality, rigorous college preparatory curriculum to students, based partially on practices and approaches that have been effective in producing significant academic gains at other Uncommon schools.

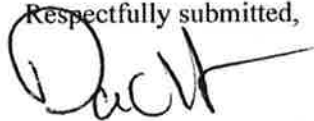
Uncommon Schools complied with all the statutory application requirements and its application addressed the needs of the target student population, presented a thorough framework for meeting the needs of the student population and demonstrated quality organizational and leadership capacity in

Mr. Joseph H. Orlando
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Page Five

preparation for learning and teaching. I also considered the organization's demonstrated record of academic success in Newark and other urban areas.

Based on the foregoing, I determined that the proposed Uncommon Schools Renaissance School Project has a high probability of success, and approved its application on July 7, 2014.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. Hespe", with a long horizontal stroke extending to the right.

David C. Hespe
Commissioner