



Charter Schools Institute
The State University of New York

Summary of Findings and Recommendations

*Application to Establish the Boys Preparatory
Charter School of New York*

May 3, 2010

Executive Summary

The application to establish the Boys Preparatory Charter School of New York (“Boys Prep”) application, to be located in either CSD 7 or 8 (Bronx) in New York City, was submitted to the Charter Schools Institute by lead applicant Miriam Raccah on January 11, 2010. Boys Prep would open in August 2011 in the South Bronx with 132 male students in Kindergarten and 1st grade, growing to include 396 students in Kindergarten through 5th grade during its charter term. In year one, Boys Prep would have three classrooms of approximately 22 students at the Kindergarten and 1st grade levels. The school would continue to add students each year in Kindergarten, maintaining a planned structure of three classes per grade level. The mission of Boys Prep would be to prepare boys to graduate from college and succeed in life. It is anticipated that the school would ultimately serve male students in Kindergarten through eighth grade, providing a comprehensive primary education. This application is a proposed replication of the Girls Preparatory Charter School of New York (“Girls Prep”) and the Girls Preparatory Charter School of the Bronx (“Girls Prep Bronx”), single-sex schools authorized by the Board of Trustees of the State University of New York that are located on the Lower East Side of Manhattan and in the Bronx, respectively. While Girls Prep Bronx is in its first year of operation, Girls Prep was just awarded a full-term, five year charter renewal by the SUNY Trustees for meeting the goals of its academic accountability plan.

Like the Girls Preparatory charter schools, Boys Prep would contract with Public Preparatory Network, Inc. (“Public Prep”), a recently formed not-for-profit charter management organization that was launched by former staff and board members of the Girls Preparatory schools.

The Institute recommends that the SUNY Trustees approve the charter application for the Boys Preparatory Charter School of New York.

Background and Description

The Institute conducted a rigorous review of the application including an extensive staff review as well as a review by a panel of nationally renowned experts in fields such as education (charter and traditional schools), school administration, charter and traditional school policy, finance, and curriculum. The application has also been subject to a fiscal soundness review conducted by the Institute’s school finance expert. Pursuant to its review protocols, the Institute has met with the applicant and the other members of the founding team. The Institute has required the applicant to revise, clarify and otherwise amend the applications as needed. In addition, the Chair of the SUNY Trustees’ Charter Schools Committee had an opportunity to question the interview applicant and founding board members.

To achieve its mission of preparing boys to graduate from college and succeed in life, Boys Prep would replicate the programs in place at Girls Prep and Girls Prep Bronx. Girls Prep Bronx is in its first year of operation and does not yet enroll students in tested grades. Girls Prep is in its fifth year of operation and was just awarded a full-term renewal of five years by the SUNY Trustees. That school’s State assessment results were impressive with 100 percent of students scoring proficient or better on the State’s mathematics assessment (versus 88 percent for the district) and 96 percent scoring proficient or better on the English language arts assessment (versus 70 percent for the district).

The key elements of the Girls Prep model are:

- A research-based curriculum with a strong focus on literacy;
- High expectations for academic excellence;

- Extensive professional development of teachers and clear career paths for teachers and leaders;
- School uniforms for students and a dress code for teachers;
- Clearly articulated and consistently upheld behavior standards;
- A focus on ethics and personal responsibility; and
- Differentiating instruction in order to teach to individual learning styles.

Boys Prep would provide a rigorous back-to-basics education, preparing students to achieve academic excellence. The school would employ the curriculum currently in place at Girls Prep, but would provide instruction through methods and strategies that address the unique ways that boys learn, including more hands-on activities and incorporating more kinesthetic elements. In addition, the school intends to engage male members of the school's community to provide academic and character development support to the boys and serve as role models.

In mathematics, Boys Prep instruction would include a morning meeting and daily mathematics lessons, as well as one additional mathematics period each week for review and/or extension. The framework of the curriculum would be Saxon Math, supplemented by Exemplars (a problem-solving program used twice each month) and Stern (a manipulatives-based number sense and arithmetic program). In literacy, Boys Prep teachers would use a balanced literacy framework to help students become competent readers. This approach includes interactive read-alouds, shared reading, independent reading, literacy center activities, word and language concept study, and guided reading. Reading instruction takes place throughout the day in all subject areas. The writing curriculum for the proposed charter school will be organized around theme-based units that introduce or reinforce different literacy competencies, genre-based, and closely aligned with State English language arts standards. Boys Prep would follow the Scott Foresman curriculum for science and social studies and incorporate community history and celebrate students' cultural heritage. The proposed charter school's curriculum would also include visual arts, music, foreign language and physical education.

Boys Prep would hire a balance of experienced teachers and talented individuals new to the teaching profession and would treat all the teachers as experienced professionals, compensating them for performance. Each Kindergarten through 2nd grade classroom would be staffed by two teachers: a certified lead teacher with more than three years teaching experience; and a Public Prep fellow that has completed a two-year mentorship period (during which they receive a fully subsidized master's degree and additional professional development through Public Prep). The school would provide a clear career path from teaching fellow to lead teacher to school principal. In support of this practice, the school would offer extensive professional development to all teachers throughout the school year with extra time devoted during the summer months.

Boys Prep plans to hold all staff accountable for measurable outcomes. Academically, the school would work to prepare students to exceed the State's learning standards. Boys Prep would administer the TerraNova Comprehensive Tests of Basic Skills together with internal assessments every six to eight weeks to track student progress and inform instruction.

Two members of the board of trustees for Boys Prep would also serve on the board of the original school, Girls Prep. In addition, two members of the proposed school's board would also be board members of the school's proposed management organization, Public Prep. Boys Prep's day-to-day operations will be managed by the school principal, who will serve as the instructional leader, and

the business and operations manager, who would address student data, purchasing, and bookkeeping. The school's board intends to contract with Public Prep to manage the school. The Chief Executive Officer of Public Prep would report to the board of Boys Prep. If approved, Boys Prep will be the third school managed by Public Prep. Public Prep was created and is managed by the same group who opened Public Prep's other two schools, which are both authorized by the SUNY Trustees as noted above: Girls Prep and Girls Prep Bronx (formerly Girls Preparatory Charter School of East Harlem). Boys Prep will pay Public Prep a fee of approximately 10% of its per pupil revenue, plus any additional reimbursable expenses. (As with all management agreements, the Institute will review the contract pursuant to the charter and on behalf of the SUNY Trustees).

The Boys Prep bylaws indicate that board membership can range from five to 25 members. The proposed initial members of the board of trustees are set forth below:

1. **Miriam Lewis Raccah** (Lead Applicant) – Chief Executive Officer, Public Preparatory Network, Inc.; Executive Director of the Girls Preparatory Charter School of East Harlem and the Girls Preparatory Charter School of New York; Trustee of Girls Prep. M.B.A./New York University.
2. **Kim Richardson** (Proposed Chairperson) – Public Relations Consultant; formerly Managing Director at Weber Shandwick and Director of Communication at the Efficacy Institute (a not-for-profit education reform agency); Trustee of Girls Prep.
3. **Philip Brandes** – Corporate and Securities Practice Leader, Mayer Brown LLP; experience advising private equity sponsors and pharmaceutical companies.
4. **Lauren Frank** – Director of marketing, investor relations and operations for Value Insight Partners (hedge funds); formerly Director of Business and Strategy for the WPP Group and WPP Digital; Trustee of Girls Prep. M.B.A., Harvard University.
5. **Bryan Lawrence** – Founder, Oakcliff Capital; formerly Managing Director of Lazard Freres; Co-founder and board chair of Girls Preparatory Charter School of New York; Director of Teaching Matters; Director of Jefferson Awards for Public Service; Trustee of Girls Prep Bronx. M.B.A./Harvard Business School.
6. **Laura Weil** – Chief Operating Officer and Senior Executive Vice President, Ann Taylor Corporation; Board member of Carnival Corporation & PLC and Ultra Stores, Inc.; Trustee of Girls Prep. M.B.A./Columbia University.
7. **Vacant** - Hold one seat for the president of the school's parent association.

As part of the legal review of the application, the Institute examined the male-only admission policy of the school. The Charter Schools Act, specifically New York Education Law subdivision 2854(2)(a), allows single-sex charter schools (“nothing in this article shall be construed to prevent the establishment of a single-sex charter school”). However, New York charter schools must also follow applicable federal law, including Title IX of the Education Amendments of 1972 and regulations promulgated thereunder, which prohibit discrimination on the basis of sex in educational programs. The Institute's view that single-sex secondary education programs are not prohibited by Title IX so long as comparable facilities are available to both genders is supported by non-regulatory guidance of the U.S. Department of Education, Office of Civil Rights from May of 2000. The

Institute finds that comparable single-sex educational facilities are available for girls in the New York City School District and specifically in the Bronx including Girls Prep Bronx and Girls Prep (both based on a parallel educational program), and Excellence Girls Charter School of Bedford Stuyvesant (authorized by the SUNY Trustees). In addition, the curriculum of Boys Prep will be founded on the identical learning standards taught in New York City public schools and indeed in schools across all of New York State. Based on the foregoing, and the fact that New York City has other female-only education programs, the Institute finds that comparable facilities and programs for females do exist in the New York City School District at the elementary and middle school level. Thus, the application describes a school that complies with federal law.

The second federal issue raised by the School’s proposed admission policy and examined by the Institute is the Equal Protection Clause of the 14th Amendment of the United States Constitution, which the United States Supreme Court has interpreted to prohibit gender based discrimination in the provision of governmental services. The Supreme Court visited single-sex admission at the college level in 1996 in the case of *United States v. Virginia*, 518 U.S. 515 (1996). In order to be permissible, gender separation in education must serve "important governmental objectives" and be "substantially related to the achievement of those objectives." The school meets this justification requirement by serving the needs of elementary and, (if renewed), middle school aged male students in New York City, who may have difficulty or not excel in the New York City School District as referenced by the applicants. The proposed school’s goal of promoting equal educational opportunity for males, the delivery of an above-average educational program for boys at Boys Prep, the school’s replication model based on the Girls Prep schools, and the applicant’s desire to close the urban achievement gap for boys all serve as important governmental objectives, and its single-sex admission policy is substantially related to that objective and not based on invidious discrimination against females. Lastly, the addition of a single-sex elementary school for males in New York City will promote public school diversity and choice, which not only is an objective of the Charter Schools Act, but also an important governmental objective itself.

Although Boys Prep has yet to identify a facility, the founding team has looked at several public school buildings in the South Bronx and is currently in conversations with the New York City Department of Education (NYCDOE) regarding the identification of public school space.

The fiscal impact of Boys Prep on the district of residence, the New York City School District, is summarized below.

Number of Students	Per Pupil Aid Rate Assumed	Per Pupil Aid Revenue Only	Total Dollars to Charter School from NYC (includes SPED)	Total Budget for New York City (in billions)	(%) of Total NYC Ed. Budget
132 (2011-12 school year – year 1)	\$12,819	\$1,692,079	\$1,826,160	\$18.821	0.010%
396 (2015-16 school year – year 5)	\$14,428	\$5,713,349	\$6,580,709	\$20.308	0.032%

The school’s calculations assume that there will be an annual increase in per pupil aid of 3% over the span of the charter period. In measuring the fiscal impact on the district, the Institute utilized budgetary information made available by the New York City School District in their latest Financial

Status Report (FSR), February 2010, published on the NYCDOE website. There was no information available for 2015-16 so a 3% increase in spending was assumed for that year, which was the average increase for the last two fiscal years provided in the report. It should be noted that the school district estimate is subject to unpredictable increases and decreases in any given year. The Institute's calculations of the total dollars provided to the charter school from the district does include SPED funding. It does not account for federal Title I funds, other federal grants and/or funds provided and to be received by the school since the school's main funding stream comes from per pupil aid. However, the school has included in the application calculations accounting for federal Title I funds, other federal grants and/or funds provided by the district and to be received by the school.

The applicant made an assessment, and the Institute concurs, that the fiscal impact of the proposed school on both the New York City School District and nonpublic schools in the same geographic area would be negligible.

The Institute has notified the school district as well as public and private schools in the same geographic area of the proposed school and, at the time of printing this document, has received no comment from these entities.

As indicators of community and interest in the establishment of Boys Prep, the applicant collected approximately 220 signatures from parents/guardians interested in creating another educational option. In addition, further evidence of demand is reflected by the six students applying for each seat at the Girls Prep schools – lower east side and in the Bronx even though the demand is female. The applicant and founding team also related that male siblings of female students have expressed an interest in having schools for boys. Students from all five boroughs currently attend the Girls Prep charter schools. Finally, the application included letters of support from a variety of community organizations, including the Metropolitan Center for Urban Education at New York University, the Police Athletic League/New South Bronx Center, the Campaign for Black Male Achievement/Open Society Institute, Councilwoman Helen Diane Foster/District 16, and State Assemblyman/District 79 Michael Benjamin.

Findings

Based on the comprehensive review of the application, discussion with national experts and interviews of the applicant and the proposed board of trustees, the Institute makes the following findings.

1. The charter school described in the application meets the requirements of Article 56 of the Education Law (as amended) and other applicable laws, rules, and regulations as reflected in (among other things):
 - the inclusion of appropriate policies and procedures for the provision of services and programs for students with disabilities and English language learners;
 - the required policies for addressing the issues related to student discipline, complaints, personnel matters, health services, Freedom of Information Law (FOIL), and the Open Meetings Law;
 - a single-sex admissions policy that complies with the Charter Schools Act, federal law and the U.S. Constitution;
 - the inclusion of the proposed by-laws for the operation of the school's board of trustees; and

- the inclusion of an analysis of the projected fiscal and programmatic impact on surrounding public and private schools.
2. The applicant has demonstrated the ability to operate the school in an educationally and fiscally sound matter as reflected in (among other things):
- the provision of an educational program that meets or exceeds the State performance standards;
 - the articulation of a culture of self-evaluation and accountability at both the administrative and board level;
 - the student achievement goals articulated by the applicant;
 - an appropriate roster of educational personnel;
 - a sound mission statement;
 - a comprehensive assessment plan;
 - the provision of sound start-up, first-year, and five-year budget plans;
 - a plan to acquire comprehensive general liability insurance to include any vehicles, employees, and property;
 - evidence of adequate community support for, and interest in, the charter school sufficient to allow the school to reach its anticipated enrollment; and
 - the inclusion of descriptions of programmatic and independent fiscal audits, with fiscal audits occurring at least, annually.
3. Granting the application 1) is likely to improve student learning and achievement and materially further the purposes of the Charter Schools Act (as amended), and 2) would have a significant educational benefit to the students expected to attend the proposed charter school. This finding is reflected by (among other things):
- the inclusion of a curriculum crosswalk document that specifies how the proposed curriculum will ensure that students will meet or exceed the performance standards of the Board of Regents;
 - a comprehensive plan to assess student achievement through the use of State tests, externally-verifiable standardized tests and other diagnostic assessments;
 - the articulation of strategies to amend and differentiate instruction where assessment data indicates such need;
 - staffing of kindergarten through second grade classes with two teachers;
 - the inclusion of increased opportunities for experiential and kinesthetic learning;
 - the inclusion of significant opportunities for professional development of the school's instructional staff throughout the year;
 - an academic program that focuses on the core subjects of English language arts,

mathematics, history/social studies and science, as well as visual arts, music, foreign language and athletics;

- the inclusion of regularly scheduled time for teachers to provide one-on-one and/or small group instruction to students; and,
- a commitment to providing an educational program focused on outcomes, not inputs.

Conclusion and Recommendations

Based on its review and findings, the Charter Schools Institute recommends that the SUNY Board of Trustees approve the application to establish the Boys Preparatory Charter School of New York to open in the South Bronx in the fall of 2011.

Boys Preparatory Charter School of New York

Basic Identification Information

Lead Applicant(s):	Miriam Raccah
Management Co.:	Public Preparatory Network, Inc.
Other Partners:	None
Location (District):	New York City, CSD 7 or 8
Student Pop./Grades:	Opening with 132 students in K and 1 st grades; growing to 396 students in K through 5 th grades
Opening Date:	August 2011

School District of Proposed Location Profile

New York City School District 7			
Enrollment (2008-09):		18,550	
Percent (2008-09):			
White:		1	
African-American:		29	
Hispanic:		69	
Asian, Other:		1	
Percent Participating in Federal Lunch Program (2008-09):		89	
Percent Proficient on State Exams (2008-09):			
English Language Arts		Mathematics	
Grade	Percent Proficient	Grade	Percent Proficient
3	53	3	84
4	50	4	73
5	58	5	71
6	53	6	61
7	56	7	69
8	37	8	59

School District of Proposed Location Profile

New York City School District 8	
Enrollment (2008-09):	31,160
Percent (2008-09):	
White:	6
African-American:	27
Hispanic:	62
Asian, Other:	3
Percent Participating in Federal Lunch Program (2008-09):	85

New York City School District 8 (continued)			
Percent Proficient on State Exams (2008-09):			
English Language Arts		Mathematics	
Grade	Percent Proficient	Grade	Percent Proficient
3	66	3	91
4	65	4	82
5	71	5	81
6	65	6	65
7	63	7	72
8	48	8	64

Source: Demographic data is from the New York State Accountability and Overview Report 2008-09; test data are from the 2008-09 results released on the State Education Department website.