



Charter Schools Institute  
*The State University of New York*

# Summary of Findings and Recommendations

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*Application to establish the  
Carl C. Icahn Charter School Far Rockaway*

October 1, 2007

## **Executive Summary**

The Carl C. Icahn Charter School Far Rockaway East submitted an application in September 2005 to open a charter school in September 2007 with 108 Kindergarten, first and second grade students in its first year, growing to serve 216 students in Kindergarten through fifth grades during the term of its charter. At the time the Charter Schools Institute (the “Institute”) recommended the application for approval in January of 2006, the Board of Trustees of the State University of New York (the “State University Trustees”) had authorized the issuance of the 50 charters allotted to it under subdivision 2852(9) of the Education Law. Therefore, the application to establish the Carl C. Icahn Charter School Far Rockaway East was placed on a “Waiting List” for approval if and when the cap on the number of charter schools allowed in New York as per the New York State Charter Schools Act of 1998 (as amended, the “Act”) was lifted, or the State University Trustees was otherwise able to approve charters for issuance. It was established that whenever the application was to be re-considered by the State University Trustees for approval, the application would again undergo re-review and be subject to the possibility of any necessary revision of the information contained in the application.

Changes in the Charter Schools Act adopted on April 1, 2007, included awarding the State University Trustees an additional 50 charters to issue, effective July 1, 2007. The Institute has re-reviewed the application to establish the Carl C. Icahn Charter School Far Rockaway (revised name) accordingly. Due to the delay in approval, the school will no longer have a planning year (however, it should be noted that the applicants have continued to prepare for the opening of the school since the time it was put on the Waiting List) and the school plans to open in September of 2008 with 108 Kindergarten through second grade students and grow to be a Kindergarten through sixth grade school of 252 students. The mission of the proposed charter school remains the same, to provide students with a rigorous academic program offered in an extended day and year settings. The program is designed to graduate students who will be armed with the skills and knowledge to participate successfully in the most rigorous academic environments, and will have a sense of personal and community responsibility. Ultimately, the founders plan to expand the School to also serve students through the eighth grade.

The Institute recommends that the State University Trustees approve the charter application for the Carl C. Icahn Charter School Far Rockaway (the “School”).

## **Background and Description**

An application to establish the Carl C. Icahn Charter School Far Rockaway East was submitted to the Institute on September 30, 2005. The Institute conducted a rigorous review, including an extensive staff review as well as review by a panel of nationally renowned experts in the charter school arena. Pursuant to its review protocols, the Institute has met with the lead applicant and founding team, and has required the applicant to revise, clarify and otherwise amend the application in numerous respects. In addition, Trustee Santiago had an opportunity to question the applicant and founding board members.

Based on its review, the Institute found the application to be strong and merited approval. However, at the time approval was recommended, the State University Trustees had awarded the 50 charters allotted to it under the Act and the application was placed on a “Waiting List.” With

the lifting of the cap on new charters in the state as described in the Act, the Institute re-reviewed the application and has worked with the applicant to ensure that all aspects of the application are current, and compliant with the recent revisions in the Act, making revisions where warranted.

The School would open with 108 students in the Kindergarten through second grades. The School would grow to include 252 students in Kindergarten through sixth grade during the term of its first charter, and if renewed, through the eighth grade by the end of its second charter. Ultimately, the founding team envisions a rigorous school program based on Core Knowledge, providing students with the skills for future academic success, and instilling in them a sense of personal and community responsibility.

To achieve its mission, the design of the educational program of the School is based on the success of the existing Carl C. Icahn Charter School located in the Bronx, also authorized by the State University Trustees. The primary design elements include: 1) small class sizes; 2) extended day; 3) extended year; 4) individual attention; 5) a Targeted Assistance Program to assist students in the areas of mathematics and literacy; 6) Saturday Academies for remedial work and state test preparation; 7) energetic staff development; 8) student mentoring; 9) Core Knowledge curriculum; and 10) a nurturing environment.

The curriculum for the School is based on E. D. Hirsch's Core Knowledge. The application includes references to the pertinent research that supports the use of this curriculum with at-risk students. The principal of the original Icahn school, who has extensive experience training teachers in the implementation of Core Knowledge, will be involved in training the principal and teachers of the new school on this curriculum.

The School intends to partner with the not-for-profit Foundation for a Greater Opportunity, whose mission is to help charter schools. The Foundation built the first Carl C. Icahn Charter School, including advancing the school start-up costs and the shortfall from the first years' expenses over revenues. The Foundation has a similar relationship with the Carl C. Icahn Charter School Bronx North that just opened this fall, also authorized by the State University Trustees. The intention is to replicate this relationship with the additional school. A subsidiary of the Foundation for a Greater Opportunity, Greater Opportunity, L.L.C., was created to oversee the building of schools, and will serve in that capacity to build the School.

*The above-model, which is in use in the original Carl C. Icahn Charter School, has resulted in high achievement. Over 80% of the students have achieved proficiency or higher on the state assessment in English language arts in both the 2005-06 and 2006-07 school years. In mathematics for the same timeframe, students have scored at slightly above 97% each year.*

The applicant and proposed trustees have modified the organizational structure to provide for support for the school's principal and staff through the use of personnel from the original Carl C. Icahn Charter School. In particular, the original Icahn Charter School's principal and assistant principal for operations will train the principals and business managers of the Far Rockaway and any future Icahn schools. The Carl C. Icahn Charter School Far Rockaway principal will serve as the school leader and report directly to the School's board of trustees. The School principal will implement the mission and the policies set by the School's board of trustees, hire and

supervise all school-based staff, and observe, evaluate, and provide professional development to teachers as the instructional leader of the School.

The applicant has utilized the same individuals that serve as the core of the other Icahn charter school boards, whose backgrounds and expertise reflect a variety of talents and skills, to serve on the proposed board of trustees. Based on conversations with the proposed trustees, they appear to clearly understand the roles and responsibilities of a board of trustees and have the ability to ensure the appropriate and effective operation of the proposed charter school. They also understand the potential for conflicts of interest inherent in the “one board” design and understand the duty of loyalty each member has to each school board. The proposed initial members of the board of trustees are set forth below.

1. Julie C. Goodyear – Lead Applicant; Executive Director of the Foundation for a Greater Opportunity and the Icahn Scholars Program; former Associate Director of Admissions at Choate Rosemary Hall, an independent school in Wallingford, Connecticut.
2. Carl C. Icahn – Chair and a Director of American Railcar Industries, Inc; Chair, Board of American Property Investors, Inc.; Chair and a Director of XO Communications, Inc.; and a Director of Blockbuster, Inc.
3. Gail Golden – Vice Chair of Lowestfare.com, L.L.C. (formerly president); CEO and President of Global Travel Marketing; Director and Secretary of the Foundation for a Greater Opportunity; and Vice President of Administration of Icahn Associates, Corp.
4. Seymour Fliegel – President, CEI-PEA; former teacher and principal; former Superintendent of CSD 28 in Queens; and member of the board of the Foundation for a Greater Opportunity.
5. Karen Mandelbaum – Board member of the Women’s Division of the Albert Einstein Medical School; committee member of the Friends of Israel Museum.
6. Robert Sancho – Vice President of Development and External Affairs at Bronx-Lebanon Hospital Center in the Bronx; former Spanish teacher at JHS 98 and Deputy Superintendent for CSD 4.
7. Edward J. Shanahan – President/Headmaster of Choate Rosemary Hall; President of the Board of the Foundation for a Greater Opportunity; formerly Dean of the College at Dartmouth College and Dean of Students at Wesleyan University.
8. One seat will be held for an officer from the School’s Parent Teacher Association.

The School will be located in Far Rockaway. A specific facility has not been identified at this time. However, a site at the corner of Shore Front Parkway and Beach 35<sup>th</sup> Street is currently under consideration. The applicants are actively pursuing options, including working with Civic Builders, the New York City Department of Education (the “NYCDOE”) and the real estate division of Icahn Associates. Ideally, the applicant would go into partnership with NYCDOE to

share the costs of building a facility. The founding group will continue to pursue available space until a space is identified.

The fiscal impact of the School on its district of residence, the New York City School District, will be negligible and is summarized below.

<b>Number of Students</b>	<b>Per Pupil Aid</b>	<b>Total Dollars to Charter School from NYCDOE</b>
108 (Year 1 – 2008-2009)	\$11,023	\$ 1,190,484
252 (Year 5 – 2012-2013)	\$1111,023	\$ 2,777,796

Using the figures above for total funds to be transferred from the New York City School District to the proposed charter school, the year one figure of \$1,190,484 represents 0.007% of an estimated budget of \$16.5 billion for the New York City Schools. In year five, the figure above represents 0.017% of the estimated budget. The calculations conservatively assume that there will be no increase in per pupil aid or the overall budget of the New York City School District over the life of the proposed charter. The Institute’s calculations do not account for special education, federal Title I funds or other grants or funds provided by the district and to be received by the School. The applicant made an assessment that the fiscal impact of the proposed school on nonpublic schools in the same geographic area would be negligible.

The Institute has notified the NYCDOE as well as public and private schools in the geographic area of the proposed school and has received no comment from these entities. (Copies of the notification letters are on file in the Albany office of the Institute).

The applicant used the waiting list of the original Carl C. Icahn Charter School that contained the names of over 735 children, along with that of the new Bronx North school which contained 175 names, as evidence of community support and interest based on the performance of the original school. The applicant holds that when a building is identified in Far Rockaway there will be sufficient demand to ensure that the proposed school will achieve its projected student enrollment targets. The applicant also indicates that the NYCDOE identified this area as in need of new schools. In addition, the applicant submitted two letters of support from two community based organizations, the Ocean Bay Community Development Corporation and the Rockaway Community Corporation Head Start Center.

### **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;
  - 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 use of a model that has proven highly successful at the current Carl C. Icahn Charter School, also located in the Bronx;
  - 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 for programmatic and independent fiscal audits, with fiscal audits occurring at least, annually.

3. Granting the application is likely to improve student learning and achievement and materially further the purposes of the Charter Schools Act (as amended). 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 staffing of classes with high-quality teachers to allow for more concentrated and focused instruction;
  - the inclusion of significant opportunities for professional development of the school's instructional staff throughout the year;
  - extended daily blocks of time scheduled for literacy and numeracy;
  - the variety of structures in place to provide in depth support for students most at-risk of academic failure; 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 Board of Trustees of the State University of New York approve the application for the Carl C. Icahn Charter School Far Rockaway to open in Far Rockaway, New York, in September of 2008.

# Carl C. Icahn Charter School Far Rockaway

Far Rockaway, New York

## Basic Identification Information

Lead Applicant(s): Julie C. Goodyear and Gail Golden  
 Management Co: None  
 Other Partners: Foundation for a Greater Opportunity, LLC  
 Location (District): Far Rockaway (District 27)  
 Student Pop./Grades: 108 K-2<sup>nd</sup> grade students; expanding to 252 students grades K – 6  
 Opening Date: September 2008

## School District of Proposed Location Profile<sup>1</sup>

Public School Enrollment (2005-2006):	44693	
Percentages (2005-2006)	White: 10%	
	Black: 34%	
	Hispanic: 34%	
	Asian, Other: 23%	
Percentage of Public School Student Participating in Federal Lunch Program (2005-06):	84%	
Test Scores (ELA/2007 and Math/2007) -- Percentages of Public School Students Failing to Meet the Regents Performance Standards:	<u>ELA</u>	<u>Mathematics</u>
	3 <sup>rd</sup> – 38.5	14.2
	4 <sup>th</sup> – 40.7	19.7
	5 <sup>th</sup> – 36.8	19.9
	6 <sup>th</sup> – 44.1	26.4
	7 <sup>th</sup> – 53.6	38.8
	8 <sup>th</sup> – 55.3	49.6
	Avg. 45.1	28.4

Source: demographic data is from the New York State Accountability and Overview Report 2005 – 06; test data are from the 2006-07 results released on the State Education Department website.

<sup>1</sup> New York City District 27