



Charter Schools Institute  
*The State University of New York*

## **Summary of Findings and Recommendations**

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*Proposals to establish:  
Brooklyn Success Academy Charter School 2,  
Brooklyn Success Academy Charter School 3 and  
Brooklyn Success Academy Charter School 4*

June 5, 2011

## **Executive Summary**

The proposals to establish the Brooklyn Success Academy Charter School 2 (“Brooklyn Success 2”), Brooklyn Success Academy Charter School 3 (“Brooklyn Success 3”) and Brooklyn Success Academy Charter School 4 (“Brooklyn Success 4”) were submitted to the Charter Schools Institute (the “Institute”) by lead applicant Eva Moskowitz on February 28, 2011 in response to the Institute’s Request for Proposals (“RFP”) that was released on behalf of the Board of Trustees of the State University of New York (the “SUNY Trustees”) on January 3, 2011.

Brooklyn Success 2, 3 and 4 each intend to seek facility space provided by the New York City Department of Education (“NYCDOE”) located in New York City Community School Districts (“CSDs”) 13 or 14 (Brooklyn). The schools would open in the fall of 2012 with 188 students in Kindergarten and 1<sup>st</sup> grade and would add one grade each year thereafter through the initial charter period. Each of the schools would each reach their enrollment capacity of 689 students in Kindergarten through 5<sup>th</sup> grade in the final year of the proposed charter period and envision ultimately expanding through the 8<sup>th</sup> grade in a subsequent charter period, if granted. The schools would admit new students through the 3<sup>rd</sup> grade only if seats are available, otherwise known as “backfilling.”

Brooklyn Success 2, 3 and 4 would replicate the successful model of the original Harlem Success Academy Charter School (authorized by the Board of Regents) and the eight schools authorized by the SUNY Trustees based on that model as set forth in the chart below. Student performance data for the original school is listed below.

The same board of trustees is proposed to oversee all three schools. The board would contract with Success Charter Network, Inc., a New York based non-profit organization, for overall charter management services, which currently manages the nine charter schools listed in the chart below.

Consistent with the May 2010 amendments to the New York Charter Schools Act (the “Act”), the Institute finds: 1) that the proposals for Brooklyn Success 2, 3 and 4 rigorously demonstrate the criteria detailed in the Institute’s RFP including the mandatory criteria set forth in Education Law subdivision 2852(9)(b)(i); 2) that the proposed schools have conducted thorough and meaningful public review processes to solicit community input regarding the proposal in accordance with the requirements in the RFP, which are in conformity with Education Law subdivision 2852(9)(b)(ii); 3) the proposals are ones that best satisfy the objectives contained within the RFP based on the content of the proposals and their supporting documentation, and are therefore qualified within the meaning of Education Law subdivision 2852(9-a)(d); and 4) the Institute has scored each proposal pursuant to Education Law subdivision 2852(9-a)(c), and there are enough charters to be issued by the SUNY Trustees pursuant to the January 2011 RFP to accommodate the proposals and all other RFP applicants that the Institute is recommending for approval.

Based on the foregoing:

The Institute recommends that the SUNY Trustees approve the charter proposals for the Brooklyn Success Academy Charter School 2, Brooklyn Success Academy Charter School 3 and Brooklyn Success Academy Charter School 4.

## **Background and Description**

While SUNY may still award a small number of charters pursuant to its traditional application process, amendments to the Act effective May 2010 made additional charters to form new charter school education corporations available only through an RFP process. The Institute received 25 total proposals to create new charter schools in response to the RFP it issued on January 3, 2011. The

current review cycle could legally result in a maximum of 63 new charters approved by the SUNY Trustees, per Education Law subdivision 2852(9), 30 of which reflect charters that were available but not awarded in response to the August 2010 RFP. Two of the current 25 proposals were submitted in response to the expedited timeline provided for in the January 2011 RFP and subsequently approved by the SUNY Trustees at their March 2011 meeting, leaving 61 possible charters to be approved.

The Institute conducted a rigorous evaluation of the Brooklyn Success 2, 3 and 4 proposals including academic, fiscal and legal soundness reviews. Pursuant to its protocols, the Institute has met with the applicant, members of the proposed boards of trustees which would oversee the schools, other members of the founding team and representative of the Success Charter Network. In addition, members of SUNY Trustees' Education, College Readiness and Success Committee had an opportunity to interview the lead applicant and members of the founding board.

The mission of Brooklyn Success 2, 3 and 4 would be to "provide children in New York City with an exceptionally high quality education that gives them the knowledge, skills, character, and disposition to meet and exceed New York State standards and the resources to lead and succeed in school, college, and a competitive global economy."

Key elements of the academic program for Brooklyn Success 2, 3 and 4 follow:

- relentless focus on student achievement;
- research-based and results driven curriculum;
- 100 minutes of daily reading instruction, 30 minutes of daily writing instruction, 80 minutes of daily mathematics, and daily exploratory-based science instruction totaling four and a half hours each week for each student;
- the effective use of student performance data to improve student learning;
- a longer school day and year;
- intensive intervention programs for struggling students and enrichment programs for high-performing students;
- school leaders with the power to lead;
- highly qualified, highly trained staff;
- strong school culture; and
- strong support for students with disabilities and English language learners.

The schools would feature an extended school year and school day. The first day of the 2012-2013 school year would be on or around August 17, 2012 and the last day will be on or around June 20, 2013; subsequent years would follow a similar ten-month calendar. Breakfast would be served from 7:15 a.m. to 7:45a.m.; instruction would start promptly at 7:45 a.m. The school day would conclude at 4:00 p.m. for Kindergarten, 4:30 p.m. for 1<sup>st</sup> - 4<sup>th</sup> grades and 5:30 p.m. for 5<sup>th</sup> grade.

The school's board would contract with Success Charter Network that would provide a wide range of educational and administrative services to the school including: school start-up, financial, recruitment, and public relations services; curriculum development and monitoring; school leadership training; professional development; enrollment management; information technology; comprehensive school evaluation and external affairs. Success Charter Network would receive a fee from the school based on a flat-rate per student enrolled in the school to be determined through negotiations between the schools' board and the Success Charter Network. A draft term sheet between the parties indicates

that it will be approximately \$1,244 per student, or just shy of ten percent of the NYCDOE's per pupil expenditure. The Institute will review the contract pursuant to the charter agreement on behalf of the SUNY Trustees prior to the contract's final approval. The chart below illustrates the operational stage of each of the school's currently managed by the Success Charter Network.

School Name	Authorizer	Location	Year Opened	Grades Served 2010-11
Harlem Success Academy Charter School	New York State Regents	CSD 3	2007-08	K – 4
Harlem Success Academy Charter School 2	SUNY Trustees	CSD 5	2008-09	K – 3
Harlem Success Academy Charter School 3	SUNY Trustees	CSD 4	2008-09	K – 3
Harlem Success Academy Charter School 4	SUNY Trustees	CSD 3	2008-09	K – 3
Harlem Success Academy Charter School 5	SUNY Trustees	CSD 5	2010-11	K – 1
Bronx Success Academy Charter School 1	SUNY Trustees	CSD 7	2010-11	K – 1
Bronx Success Academy Charter School 2	SUNY Trustees	CSD 8	2010-11	K – 1
Upper West Success Academy Charter School	SUNY Trustees	CSD 2	To open August 2011	N/A
Brooklyn Success Academy Charter School 1	SUNY Trustees	CSD 14	To open August 2011	N/A

Of the schools listed above, state testing data is available for Harlem Success Academy Charter School for 2008-09 and 2009-10. The school achieved very strong results on both the English language arts and mathematics exams as illustrated below.

The other operating schools have either not yet served grade 3, the year in which state testing begins, or have administered the exams for the first time this year and results are not yet available. However, internal assessment results were presented by the applicant for the remaining schools and reviewed by the Institute. Such data were strong and taken into consideration as part of the Institute's review process.

In addition, all operating schools managed by Success Charter Network authorized by the SUNY Trustees are regularly visited and evaluated by the Institute using the SUNY Renewal Benchmarks as the criteria for such evaluation. All of these schools have received positive evaluations with effective systems in place to support the educational program as presented in each school's original application. This evidence, along with information obtained during the Institute's review of the proposals that focused on the capacity of Success Charter Network to manage additional schools, suggests that the proposed schools are likely to also result in an effective program thereby improving student learning.

<b>Harlem Success Academy Charter School: 2008-09</b>						
	<b>Testing Grades</b>	<b>School Percent Proficient</b>	<b>District Percent Proficient</b>	<b>Percent Free Lunch</b>	<b>Effect Size<sup>1</sup></b>	<b>Percentile</b>
ELA	3	95	71.8	49.2	1.91	97.5
Math	3	100	91.7	49.2	1.29	99

In 2008-09, 95 percent of Harlem Success Academy Charter School's 3<sup>rd</sup> grade students were proficient on the state ELA exam, while all of its 3<sup>rd</sup> grade students were proficient in mathematics. The school outperformed the district of location by 23.2 percentage points in ELA and 8.3 percentage points in mathematics. Compared to similar schools statewide, controlling for the percentage of students that qualify for the federal free-lunch program, the school performed higher than similar schools statewide to a large degree in both ELA and math, demonstrating Effect Sizes of 1.91 and 1.29, respectively.

<b>Harlem Success Academy Charter School: 2009-10</b>							
	<b>Testing Grades</b>	<b>School Percent Proficient</b>	<b>District Percent Proficient</b>	<b>Time Adjusted Percent Proficient<sup>2</sup></b>	<b>Percent Free Lunch</b>	<b>Effect Size</b>	<b>Percentile</b>
ELA	3-4	87.5	54.9	96.7	63.4	2.86	98
Math	3-4	95.0	59.6	100	63.4	2.5	99

In 2009-10, 87.5 percent of Harlem Success Academy Charter School's 3<sup>rd</sup> and 4<sup>th</sup> grade students were proficient on the state ELA exam, while 95 percent were proficient in mathematics. Using the 2008-09 cut scores adjusting for the timing of the exams, 96.7 and 100 percent of the school's 3<sup>rd</sup> and 4<sup>th</sup> grades were proficient on the ELA and math exams, respectively.

The school outperformed the district of location by 32.6 percentage points in ELA and 35.4 percentage points in mathematics. Compared to similar schools statewide, controlling for the percentage of students that qualify for the federal free-lunch program, the school performed at a higher level than similar schools statewide to a large degree in both ELA and math, demonstrating an Effect Size of 2.86 and 2.5, respectively.

<sup>1</sup> Effect Size is a statistical measure calculated by dividing the difference between the actual and predicted outcome by the standard deviation. It reflects the difference between a school's attained and expected performance in each tested grade, relative to other schools with similar free-lunch statistics and tested grades. (The Effect Size for all grades is weighted by the number of students tested in each grade.) The school's overall performance rating is based on the following Effect Size ranges: Above 0.79 - Higher than expected to a large degree; 0.50 to 0.79 - Higher than expected to a medium degree; 0.30 to 0.49 - Higher than expected to a small degree; 0.01 to 0.29 - Slightly higher than expected; -0.29 to -0.01 - Slightly lower than expected; -0.30 to -0.49 - Lower than expected to a small degree; -0.50 to -0.79 - Lower than expected to a medium degree; Below -0.79 - Lower than expected to a large degree.

<sup>2</sup> In 2009-10, the State Education Department (SED) raised its achievement standard, by increasing the scaled score cut off for proficiency or Level 3 performance on the English language arts and mathematics exams. In order to maintain a consistent standard for determining meeting the absolute and growth measures, the Institute requested that the school report 2009-10 results on these measures using a 650 scaled score cut-off, as SED had used a 650 cut-off in the previous few years. SED then refined the cut score for its own NCLB accountability system. While following the same principle of maintaining year-to-year consistency in cut scores, the state has also taken into account when the two exams were administered in 2010 compared to previous years. As the exams were administered later in the year, students had more learning opportunities prior to the exam. As such, SED set the cut scores slightly higher than 650 in each grade. For the purpose of evaluating the goals' three absolute and growth measures, the Institute has adapted SED's "time-adjusted" cut-offs. In developing the performance summaries for 2009-10, the "time-adjusted" cut offs are used where possible (the absolute and growth measures), while the previously released cut offs are used for all other measures.

The proposed curriculum of Brooklyn Success 2, 3 and 4 would follow the Success Charter Network’s program that embraces whole-child education. Because of the extended school year and school day, the model is able to offer a variety of subjects including the Success Charter Network developed THINK Literacy, TERC Investigations mathematics, discovery-based Science program, project based social studies and geography programs, fine arts, chess, sports, and a variety of other programs including music, yoga, ballroom dancing, and theater. Every eight weeks students would be formally assessed using the Fountas and Pinnell reading assessments. The results would be immediately reviewed and utilized by teachers to create action plans for all students. In addition to its academic curriculum, the schools intend to teach a set of core values to their students including Agency, Curiosity, Try and Try, Integrity, Others, and No Shortcuts (ACTION). The goal is to ensure that graduates are not only intellectual individuals but also good citizens.

Using a modified Response to Intervention system, students’ learning needs would be assessed and students placed into or graduated out of Tier I (in-class differentiation), Tier II (pullout and push-ins with a Special Education teacher), or Tier III (special education services in accordance with federal law and the district Committee on Special Education). Strategies and specific goals would be set for each of the eight weeks in the aforementioned assessment cycle. The school’s admissions policy would provide an at-risk school design factor to applicants that are deemed English Language Learners (“ELLs”).

Each year, teachers would receive approximately 400 hours of quality professional development, beginning with an intensive 4 week program before school starts, which would continue every Wednesday for 3 hours throughout the school year and include 8 professional development days. In addition, teachers would be given opportunities to observe excellent teachers at other schools (both inside and outside of the Success Charter Network), visit other high-performing schools, and attend workshops designed to master effective teaching techniques. Teachers and school leaders would also be sent to outside conferences, such as the Teachers’ College Conferences, the National Council of Math Conference, the National Science Teacher Association Conference, the DMI Math Conference, and the Understanding by Design Conference.

Each school would have a principal focused solely on teaching and learning and a business manager focused on the operational and financial aspects of the school. A student achievement coordinator would assist the principal in special education and test administration, while an operations manager would focus on facilities and supply management. A community relations coordinator would focus on parent involvement and communication. In subsequent years, each school leadership team would expand to include an assistant principal, dean of students, and testing coordinator.

The by-laws of Brooklyn Success 2, 3 and 4 each indicate that the school board would consist of not less than five voting members. The proposed initial members that would serve on each of the proposed boards of trustees are set forth below.

1. **Dan Loeb** – Chief Executive Officer, Third Point LLC; Trustee, Prep for Prep, Students First, Third Way, Museum of Contemporary Art in Los Angeles; Benefactor, Jewish Enrichment Center, Columbia University; Member, Brookings Institute, Equality Now, Washington Institute for Near East Policy.
2. **Isela Bahena** – Director on the Energy and Infrastructure team of TIAA-CREF. Ms. Bahena notes she was an English language learner and is public school graduate.
3. **Sheila Lopez** – Attorney, Davis Polk; former Education Policy Analyst for the New York City Council; founder of Harlem Success Academy Charter School; J.D. Harvard Law School. Ms. Lopez notes she was an English language learner.

4. **Howard Shinker** – Founder and Managing Partner of Bow Street LLC, Brooklyn resident. B.A. in Economics and History from Wesleyan University; M.B.A. with Distinction, Harvard Business School.
5. **Cate Chaiker** – Manager, Bain Consulting; worked on Uncommon Schools, Inc., Teach For America and Robinhood pro bono; Indiana University and Harvard Business School; Brooklyn resident.
6. **Andrew Glaze** – Founder, Emys Capital; graduate of the United States Military Academy at West Point and Columbia Business School Graduate; veteran of Iraq War; immigrant from Jamaica, raised in Brooklyn; Trustee of Stuyvesant HS (his alma mater) and Upper West Success Academy Charter School.
7. **Dan Weisman** – Vice President of Policy & General Counsel, The New Teacher Project; Former Chief Executive of Labor Policy and Implementation for the New York City Department of Education; B.A. in Political Science, Columbia College; J.D., New York University Law School; Brooklyn resident.

The applicant has worked closely with the NYCDOE to ensure the schools would be provided public facility space if approved. The applicant has demonstrated an ability to successfully secure public facility space for each of the nine schools previously approved. Any NYCDOE space would have to be approved through the new provisions of the Education Law related to the co-location of charter schools. In addition, the Institute reserves the right to review and approve all facilities, and, pursuant to the Act, would have to hold a hearing on behalf of the SUNY Trustees prior to each school occupying district school space.

The fiscal impact of each of Brooklyn Success 2, 3 and 4 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 Budget for New York City (in billions)	(%) of Total NYC Ed. Budget
188 (2012-13 school year – year 1)	\$13,527	\$2,543,076	\$19.007	0.013%
698 (2016-17 school year – year 5)	\$14,781	\$10,317,138	\$20.704	0.050%

The calculations above assume there will be no annual increase in per-pupil aid in years 1 and 2 (2012-13, 2013-14) and a three percent increase each year thereafter for the remainder of the charter period (2014-15 thru 2016-17). The NYCDOE yearly budget figures were accessed from the latest, December 2010, Financial Status Report (FSR) published on the NYCDOE website. No information was available for 2015-16 and 2016-17 so no increase in spending was assumed for that year. Using the moderately aggressive assumptions for per-pupil aid and revenue and the district’s four-year operational budgeting assumptions, along with the fundamentally conservative assumptions for years four and five of the proposed charter period, illustrates a maximum fiscal impact of the proposed school on the district.

It should be noted that the NYCDOE estimate used by the Institute in conducting its analysis is subject to unpredictable increases and decreases in any given year given the nature of per-pupil funding for the district. While the school has included in its proposal estimated calculations

accounting for special education revenue, federal Title I funds, other federal grants and/or funds provided by the district and to be received by the school, the Institute's calculations and analysis do not account for these sources of potential revenue.

The Institute finds that the fiscal impact of the proposed school on the New York City School District, public charter and nonpublic schools in the same geographic area would be minimal.

The Institute has notified the school district as well as public and private schools in the same geographic area of the proposed school. On May 26, 2011, the Institute received positive comments from the NYC Schools Chancellor as follows: "These proposals are replications of existing high-performing charter schools. Chancellor Dennis Walcott recommends this charter application to support the children of New York City."

The applicant has conducted public outreach, in conformity with a thorough and meaningful public review process prescribed in the RFP, to solicit community input regarding each of the proposed schools (Ed. Law §2852(9-a)(b)(ii)).

The RFP also contained minimum eligibility and preference criteria to reflect the requirements of Education Law subdivision 2852(9-a). Each proposal met the eligibility requirements, as evidenced by the following:

- Each proposal was complete and met the following basic criteria:
  - submitted by the appropriate deadline;
  - was complete, i.e., include a Transmittal Sheet, Proposal Summary and responses to all RFP requests;
  - individual responses adequately addressed each specific request; and
  - the proposal was coherent.
- Each proposal met the standard for describing a quality educational program and provided sufficient evidence that the proposed school is likely to operate in an educationally and fiscally sound manner, to improve student learning and achievement and materially further the purposes set out in Education Law subdivision 2850(2) *as well as* demonstrated a rigorous commitment to student achievement.
- Each proposal included a viable plan to meet the enrollment and retention targets established by the SUNY Trustees for students with disabilities, students who are English language learners, and students who are eligible to participate in the federal free and reduced-price lunch program (as detailed in Request No. 24).
- Each proposal provided evidence of public outreach that conforms to the process prescribed by the SUNY Trustees for the purpose of soliciting and incorporating community input regarding the proposed charter school.

As the proposals to establish the Brooklyn Success 2, 3 and 4 each met the eligibility criteria, the Institute's evaluation continued with a full review of each proposal, an interview with representatives of Success Charter Network, the founding team and proposed board of trustees, and requests for clarification and or amendments to each proposal. The review process then continued with an evaluation of each proposal in relation to the eleven Preference Criteria contained in the RFP for which proposals can earn credit as described in the RFP's Scoring Rubric. The purpose of the Scoring Rubric was to prioritize proposals in the event that the number of proposals meeting the SUNY Trustees' requirements exceeded the maximum number of charters to be issued in 2011. In

the event of a tie for the last charter both proposals will be rejected unless one applicant agreed to withdraw his or her proposal for consideration in a subsequent RFP. The preference criteria, which in addition to eligibility criteria and the overall high standards established by the SUNY Trustees, included the demonstration of the following in compliance with Education Law subdivisions 2852(9-a)(c)(i)-(viii):

- increasing student achievement and decreasing student achievement gaps in reading/language arts and mathematics;
- increasing high school graduation rates and focusing on serving specific high school student populations including, but not limited to, students at risk of not obtaining a high school diploma, re-enrolled high school drop-outs, and students with academic skills below grade level;
- focusing on the academic achievement of middle school students and preparing them for a successful transition to high school;
- utilizing high-quality assessments designed to measure a student's knowledge, understanding of, and ability to apply, critical concepts through the use of a variety of item types and formats;
- increasing the acquisition, adoption, and use of local instructional improvement systems that provide teachers, principals, and administrators with the information and resources they need to inform and improve their instructional practices, decision-making, and overall effectiveness;
- partnering with low performing public schools in the area to share best educational practices and innovations;
- demonstrating the management and leadership techniques necessary to overcome initial start-up problems to establish a thriving, financially viable charter school; and
- demonstrating the support of the school district in which the proposed charter school will be located and the intent to establish an ongoing relationship with such school district.

While the Institute received a total of 25 proposals in response to its January 2011 RFP, only 14 have been recommended for approval, including two in March 2011, which were approved by the SUNY Trustees. All of the 14 proposals recommended for approval met the eligibility criteria and were therefore assessed a score using the rubric contained in the RFP. The proposals for Brooklyn Success 2, Brooklyn Success 3 and Brooklyn Success 4 each earned a score of 30 preference points out of a possible total of 64. Based on these scores and the other information and findings set forth herein, the Institute is recommending that the SUNY Trustees approve the proposals to establish the Brooklyn Success Academy Charter School 2, Brooklyn Success Academy Charter School 3 and Brooklyn Success Academy Charter School 4, which would not exceed the statutory limit in Education Law subdivision 2852(9-a)(a).

### **Findings**

Based on the comprehensive review of each proposal and interviews of the applicant and the proposed board of trustees, the Institute makes the following findings.

1. The charter school described in each proposal 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 and health services;
  - an admissions policy that complies with the 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 each 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;
  - the inclusion of descriptions of programmatic and independent fiscal audits, with fiscal audits occurring at least, annually;
  - the inclusion of a school calendar and school day schedule that provide at least as much instruction time during a school year as required of other public schools; and
  - the inclusion of methods and strategies for serving students with disabilities in compliance with all federal laws and regulations.
3. Granting each proposal is likely to: 1) improve student learning and achievement; and 2) materially further the purposes of the Act. This finding is reflected by (among other things):
- an educational program identical to that which has been implemented in the school's that the Success Charter Network currently manages that has demonstrated the ability to improve student learning and achievement;

- the inclusion of a curriculum framework document that specifies how the proposed curriculum will ensure that students will meet or exceed the performance standards of the Board of Regents reflecting the adoption of the Common Core State Standards;
  - a comprehensive plan to assess student achievement through the use of State tests, externally-verifiable standardized tests and other diagnostic assessments;
  - an extended school year and school day;
  - robust programs to meet the needs of students at risk of academic failure, students with disabilities, and English language learners;
  - an intensive focus on literacy and mathematics, with 100 minutes of daily reading instruction, 30 minutes of daily writing instruction, and 80 minutes of daily mathematics instruction for each student;
  - the inclusion of significant opportunities for professional development of the school’s instructional staff prior the start of each school year and throughout the year;
  - a commitment to providing an educational program focused on outcomes, not inputs; and
  - an organizational structure that supports the ability of the principal to focus exclusively on improving teaching and student learning.
4. Each proposed charter school would meet or exceed enrollment and retention targets, as prescribed by the SUNY Trustees, of students with disabilities, English language learners, and students who are eligible applicants for the federal free and reduced price lunch program as required by Education Law subdivision 2852(9-a)(b)(i).

The data upon which to base the enrollment and retention targets mandated by the amendments to the Act was not available at the time the statute mandated the RFP be issued. As a result, the Institute developed internal evaluation criteria regarding the enrollment and retention of each class of student referenced in the amendments to the Act such that the Institute could make the determination that the applicant would meet or exceed the enrollment and retention targets when developed. During the first year of the charter term, SUNY will develop such targets, and shall ensure: “(1) that such enrollment targets are comparable to the enrollment figures of such categories of students attending the public schools within the school district, or in a city school district in a city having a population of one million or more inhabitants, the community school district, in which the proposed charter school would be located; and (2) that such retention targets are comparable to the rate of retention of such categories of students attending the public schools within the school district, or in a city school district in a city having a population of one million or more inhabitants, the community school district, in which the proposed charter school would be located.” The Institute will conduct separate analyses for setting enrollment and retention targets, respectively. The former analysis will be based on the demographic and classification characteristics of cohorts of students first entering the school; the latter analysis will be based on the characteristics of cohorts of students leaving the school. The comparison will be to an individual school or schools within the district that are representative of the districts’ relevant sub-populations. During each year in the charter period, the same methodology will be applied to each charter school to determine if it has met its district-based target. Based on the foregoing, the Institute finds

that the proposals have rigorously demonstrated that the proposed charter schools would meet or exceed enrollment and retention targets, to be prescribed by SUNY during the first year of each charter in accordance with the amendments to the Act.

5. The applicant has conducted public outreach for each school, in conformity with a thorough and meaningful public review process prescribed by the SUNY Trustees, to solicit community input regarding the proposed charter school and to address comments received from the impacted community concerning the educational and programmatic needs of students in conformity with Education Law subdivision 2852(9-a)(b)(ii).
6. The Institute has determined that each proposal rigorously demonstrates the criteria and best satisfies the objectives contained within the RFP, and, therefore, is a “qualified application” within the meaning of Education Law subdivision 2852(9-a)(d) that should be submitted to the Board of Regents for approval.

### **Conclusion and Recommendations**

Based on its review and findings, the Institute recommends that the SUNY Trustees approve the proposals to establish the Brooklyn Success Academy Charter School 2, Brooklyn Success Academy Charter School 3 and Brooklyn Success Academy Charter School 4 to open in Brooklyn in September of 2012.

## Brooklyn Success Academy Charter Schools 2, 3 and 4

### Basic Identification Information

Lead Applicant(s):	Eva Moskowitz
Management Co.:	Success Charter Network
Other Partners:	None
Location (District):	New York City Community School District 13 or 14
Student Pop./Grades:	Opening with 188 students in K - 1 <sup>st</sup> grades; growing to 689 students K -5 <sup>th</sup> grades
Opening Date:	September 2012

### School Districts of Proposed Location Profile

New York City School District 13			
Enrollment (2009-10):		21,743	
Percent (2009-10):			
African-American:		61	
Hispanic:		15	
Asian, White, Other:		24	
Percent Qualifying for Free or Reduced Priced Lunch (2009-010):		73	
English Language Arts (2009-10)		Mathematics (2009-10)	
Grade	Percent Proficient	Grade	Percent Proficient
3	45	3	47
4	42	4	53
5	42	5	51
6	27	6	38
7	30	7	36
8	27	8	25

<b>New York City School District 14</b>			
Enrollment (2009-10):		19,554	
Percent (2009-10):			
African-American:		29	
Hispanic:		59	
Asian, White, Other:		8	
Percent Qualifying for Free or Reduced Priced Lunch (2009-010):		85	
<b>English Language Arts (2009-10)</b>		<b>Mathematics (2009-10)</b>	
<b>Grade</b>	<b>Percent Proficient</b>	<b>Grade</b>	<b>Percent Proficient</b>
3	44	3	48
4	44	4	58
5	44	5	59
6	34	6	44
7	31	7	46
8	31	8	42

Source: demographic data are from the New York State Accountability and Overview Report 2009-10; test data are from the 2009-10 results released on the New York City Department of Education's website.