



MEMORANDUM

October 28, 2013

To: Members of the Charter Schools Committee

From: Joseph W. Belluck, Chair, Charter Schools Committee

Subject: Approval of Proposal to Grant Achievement First - Bushwick Charter School the Authority to Operate an Additional Charter School, Achievement First Brooklyn Academy Charter School (Brooklyn)

Action Requested

The proposed resolution authorizes the granting of authority to operate one new charter school to an existing education corporation authorized by the Board of Trustees, Achievement First - Bushwick Charter School, pursuant to New York Education Law subdivisions 2852(9-a) and 2853(1)(b-1).

Resolution

I recommend that the Charter Schools Committee adopt the following resolution:

Whereas the SUNY Charter Schools Institute (the "Institute"), acting on behalf of the Board of Trustees and in accordance with the New York Charter Schools Act of 1998 (as amended, the "Act"), issued a request for proposals ("RFP") on September 3, 2013 to establish new charter school education corporations and to permit existing education corporations to operate additional charter schools; and

Whereas Achievement First - Bushwick Charter School, an existing education corporation (the "Education Corporation"), submitted a proposal seeking authority to operate one new school to be located in Brooklyn that the Institute reviewed, scored, ranked and recommends for approval (the "Recommended Proposal") as set forth in the Institute's Summary of Findings and Recommendations for the proposed school (the "Institute Report") (copy on file in the Office of the Secretary of the University and in the Albany office of the Institute), which was made available to the Charter Schools Committee (the "Committee"); and

Whereas the school district of location of the proposed new school commented on the Recommended Proposal, which comments the Institute attached to or included in the Institute Report, and the Committee considered on behalf of the Board of Trustees; now, therefore, be it

Resolved that the Recommended Proposal rigorously demonstrates that the Proposal has met the following criteria: (1) the proposed charter school would meet or exceed enrollment and retention targets, prescribed by the Institute on behalf of Board of Trustees, of students with disabilities, English language learners, and students who are eligible applicants for the federal free and reduced price lunch program; and (2) that the Education Corporation has conducted public outreach, in conformity with a thorough and meaningful public review process prescribed by the Institute on behalf of the Board, 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; and, be it further

Resolved that the Committee, acting on behalf of the Board of Trustees, has granted priority to the Recommended Proposal based on a scoring rubric that best demonstrates how proposed schools will achieve the objectives set forth in Education Law subdivision 2852(9-a)(c); and, be it further

Resolved that the Recommended Proposal and the school described therein meet the requirements of the Act and all other applicable laws, rules and regulations; and, be it further

Resolved that the Education Corporation demonstrates the ability to operate the proposed charter school in an educationally and fiscally sound manner; and, be it further

Resolved that approving the Recommended Proposal is likely to improve student learning and achievement and materially further the purposes set out in Education Law subdivision 2850(2); and, be it further

Resolved that granting the application contained in the Recommended Proposal would have a significant educational benefit to the students expected to attend the proposed charter school within the meaning of Education Law subdivision 2852(2)(d); and, be it further

Resolved that the Recommended Proposal be, and hereby is, approved; and, be it further

Resolved that the Institute be, and hereby is, directed to: (1) enter into a proposed amended charter with the Education Corporation to reflect the authority to operate one additional school, which shall include such assurances and terms as the Institute shall deem necessary and appropriate; and (2) thereafter to submit such proposed charter no later than November 1, 2013 as required by the Act to the Board of Regents for issuance by the Board of Regents on or before December 31, 2013.

Background

Pursuant to Resolution No. 2012-038 dated June 12, 2012, the Board of Trustees delegated to the Charter Schools Committee the authority to approve or deny applications to establish new charter school education corporations, and applications by existing education corporations for authority to operate additional schools.

Amendments to the New York Charter Schools Act of 1998 (as amended, the "Act"), passed in 2010, increased the cap on the number of charter schools in New York by adding a new class of charters to be issued through requests for proposals ("RFPs"). Only the Board of Trustees and the Board of Regents may issue RFPs. Each entity may approve 130 new charters, only 57 of which may be located in New York City. Prior to approval of this resolution the Board of Trustees has approved 31 proposals for schools to be located in New York City and one out of New York City; leaving 98 charters to be issued through the RFP process with no more than 26 to be located in New York City. Through this year, RFPs may only commence on certain dates, each with a maximum number of charters set by statute. The SUNY Charter Schools Institute (the "Institute")

posted the RFP for the proposal to be approved by this resolution on September 3, 2013 (the first business day after September 1st). The maximum number of charters the Board of Trustees may still approve pursuant to the RFP is 98 (33 plus 65 remaining from prior RFPs).

The Institute released and broadly distributed a draft RFP for public comment on January 15, 2013, held a public comment webinar to solicit comments on January 28, 2013, carefully reviewed all comments amending the draft RFP as appropriate, and posted a document detailing its evaluation and response to public comments on February 11, 2013. The Institute received the proposal to be approved by this resolution during the September 3-6, 2013 period, and then reviewed, scored (in accordance with a rubric required to be developed in accordance with Education Law subdivision 2852(9-a)), and ranked it.

Prior to recommending the proposed charter school for approval, the Institute, acting on behalf of the Board of Trustees, conducted a rigorous review of the proposal and published its findings and recommendations in a Summary of Findings and Recommendations ("Institute Report") (copy on file in the Office of the Secretary of the University and in the Albany office of the Institute, and available at: http://www.suny.edu/Board_of_Trustees/meetingnotices.cfm), which was made available to the Charter Schools Committee. In addition to meeting all of the application requirements for non-RFP charters, the amended Act requires additional RFP findings reflected in the resolution.

For the proposal listed above, the Institute, pursuant to Education Law subdivision 2857(1), notified the school district in which the charter school proposes to be located as well as public and non-public schools in the same geographic area of the school regarding the receipt of the application for a new school (copy on file in the Albany Office of the Institute). The New York City Schools Chancellor provided comments on October 9, 2013, which are attached to the Institute Report.



Charter Schools Institute
The State University of New York

Summary of Findings and Recommendations

*Proposal to authorize
Achievement First – Bushwick Charter School to operate
Achievement First Brooklyn Academy Charter School*

October 18, 2013

Executive Summary

On September 6, 2013, Achievement First - Bushwick Charter School (“AF Bushwick”) submitted a proposal to allow it to operate Achievement First Brooklyn Academy Charter School (“AF Brooklyn Academy”) to the SUNY Charter Schools Institute (the “Institute”) in response to a Request for Proposals (“RFP”) the Institute released on behalf of the Board of Trustees of the State University of New York (the “SUNY Trustees”) on September 3, 2013. The founding education corporation board seeks to add a school to its existing education corporation that currently operates one school. The 2010 amendments to the New York Charter Schools Act of 1998 (as amended, the “Act”) permit such an expansion so long as the Board of Regents issues a charter for each new school.

The new school would open in August 2014 with 180 students Kindergarten and 1st grades and would grow one grade each year to a total of 522 students in K – 5th grades. The school would ultimately seek to enroll students in K-12th grades in three academies (elementary (K-4), middle (5-8) and high school (9-12)) if successful and renewed for subsequent charter terms. AF Brooklyn Academy would admit new students to fill available open seats in Kindergarten through 8th grade. AF Bushwick intends to seek facility space from the New York City Department of Education (“NYCDOE”) for the new school in New York City Community School Districts (“CSDs”) 17, 18, 19 or 32 (all in Brooklyn). The proposal has the support of New York City Schools Chancellor Dennis Walcott, who has indicated his willingness to work with the applicant find co-located space in CSD 19 as evidenced by his October 9, 2013 letter (Appendix 1).

AF Bushwick’s board of trustees proposes to oversee the proposed school, as well the existing AF Bushwick school it currently operates. The board would continue to contract with Achievement First, Inc. (“AF”), a Connecticut not-for-profit charter management organization, to provide services to AF Brooklyn Academy. In addition to the Institute’s rigorous review of the proposal to allow AF Bushwick to operate AF Brooklyn Academy, an external expert on charter school and charter school management organization capacity also reviewed a Business Plan submitted by AF in conjunction with proposal and found that AF would be able to adequately support the proposed school.

AF Brooklyn Academy would replicate the successful model of AF Bushwick, which the SUNY Trustees authorize and opened in 2006. AF Bushwick and other AF managed schools have a strong record of student achievement as outlined below.

Consistent with the Act, the Institute finds: 1) that the proposal to allow AF Bushwick to operate AF Brooklyn Academy rigorously demonstrates the criteria detailed in the Institute’s RFP including the mandatory criteria set forth in Education Law subdivision 2852(9)(b)(i) (that the proposed charter school would meet the enrollment and retention targets for students with disabilities, English language learners (“ELLs”) and students who qualify for the federal Free and Reduced Price Lunch (“FRPL”) program); 2) that the proposed school has conducted a thorough and meaningful public review process to solicit community input regarding the proposal in accordance with the requirements in the RFP, which conform with Education Law subdivision 2852(9)(b)(ii); 3) the proposal is one that best satisfies the objectives contained within the RFP based on the content of the proposal and its supporting documentation, and is therefore qualified within the meaning of Education Law subdivision 2852(9-a)(d); and, 4) the Institute has scored the 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 September 2013 RFP to accommodate the proposal and all other RFP applicants the Institute is recommending for approval.

Based on the foregoing:

The Institute recommends that the SUNY Trustees approve the proposal to allow Achievement First - Bushwick Charter School the authority to operate Achievement First Brooklyn Academy Charter School as an additional school within the one, existing education corporation.

Background and Description

While SUNY may still award a small number of charters without using a RFP process, amendments to the Act made additional charters available only through an RFP process. Each additional school must have a charter “issued” for it pursuant to Article 56 of the Education Law and counts against the cap of charters allowed to be issued in New York and New York City as set forth in Education Law subdivision 2852(9). The Institute received 13 total proposals to create new charter schools in response to the September 3, 2013 RFP. The current review cycle could legally result in a maximum of 98 new charters approved by the SUNY Trustees, 26 of which could be located in New York City, per Education Law subdivision 2852(9). Sixty-five charters reflect ones available but not awarded in response to prior RFPs.

The Institute conducted a rigorous evaluation of the proposal under consideration including academic, fiscal and legal soundness reviews. In addition, the Institute engaged an independent consultant to evaluate the fiscal and organizational soundness of the school proposal and associated business plan submitted on behalf of AF. The Institute interviewed the applicant, the board of trustees of AF Bushwick, which will oversee the school, other members of the founding team and representative of AF. In addition, member(s) of SUNY Trustees’ Charter Schools Committee had an opportunity to interview the founding team and members of the existing board that seeks authority to operate the additional school.

The mission of AF Brooklyn Academy would be “to strengthen the academic and character skills needed for all students to meet and exceed their peers in city and state assessments, excel in top-tier colleges, achieve success in a competitive world, and serve as the next generation of leaders for our communities.”

Key design elements of AF Brooklyn Academy include:

- Unwavering focus on breakthrough student achievement with student performance the lead factor in school, principal and teacher evaluation; a goal of fully closing the achievement gap - not just reducing it; and, the expectation that every AF Brooklyn Academy graduate be accepted into and fully prepared to succeed in a competitive four-year college;
- Consistent, proven, standards-based curriculum with clear expectations for what is taught at every grade level (driven by the Common Core State Standards, as reflected in the New York State standards) and proven curricula that is consistently implemented across the

school to ensure quality instruction;

- Interim assessments and strategic use of performance data including six week assessments uploaded to Achievement First Athena, a custom-built proprietary assessment system supporting teachers and principals in determining which subjects need to be taught again and in creating data-driven instructional plans to work with the whole class, small groups, or individual students to address gaps in learning during regular “data days;”
- More time on task with a school day that runs from 7:30 a.m. – 4:00 p.m., providing more than two extra hours of instruction every day beyond the traditional public school schedule; a mandatory fifteen-day summer academy, making the school year 192 days; three “sacred hours” of daily reading instruction for elementary students and reading and writing instruction for middle school students; nightly homework and independent reading expectations; and, Saturday and after school tutoring for students who need extra support;
- Principals with the power to lead, meaning total control over hiring, evaluation, and termination of all employees and, in conjunction with the education corporation board of trustees and AF, and ability to set the annual budget so as to best meet student and school needs;
- Increased supervision of the quality of instruction supported by a site-based Director of School Operations who will handle most non-instructional issues (state reporting, busing, food service, field trips, facility, etc.), thereby freeing up the principal to spend almost all of his or her time focused on instruction; a full time academic dean and a full time dean of students starting in year one, and significant school support from AF’s efficient, high-quality start-up and back office services;
- Aggressive recruitment and development of talent based on the firm belief that teacher quality is the most important driver of student success and high quality principals and leaders are the highest driver of student success; a clear teacher career pathway program; and support from AF’s central office resources to develop human resources;
- Disciplined, achievement-oriented school culture exemplified by a strict, structured school with high expectations for student conduct (REACH values);
- Rigorous, high-quality, focused training for principals and leaders including two years of “residency” that will include extended visits to high-performing schools and a significant amount of hands-on experience coaching teachers, analyzing data, and refining the curriculum and all teachers offered the ability to participate in Teacher U, an outstanding teacher training program (providing full New York State Certification and a Master’s Degree) designed by AF, KIPP, Uncommon Schools, and Hunter College; and,
- Parents and community as partners through symbolic “contracts” signed at the beginning of each school year to form a three-way partnership—students, teachers, parents—that will work as a team to achieve academic breakthroughs and ensure that no student falls through

the cracks and a commitment to working with the broader Brooklyn and New York communities to access resources that will enable our students to succeed at the highest level.

The proposed school would offer 192 days of instruction with the first day of the 2014-15 school year around August 18, 2014 and the last day around June 26, 2015; subsequent years would follow a similar calendar. The school day would run from 7:30 a.m. to 4:00 p.m., except on Fridays when students would be dismissed at 1:50 p.m. to allow for teacher professional development.

The proposed curriculum of AF Brooklyn Academy is aligned to New York State and Common Core State Standards and focuses on developing mastery of core skills. Students would participate in an average of 180 minutes of ELA each day with a heavy emphasis on non-fiction reading and practical writing. Students take 75 to 100 minutes of math and 48 daily minutes of science and social studies. AF has developed extensive Common Core aligned resources to support high quality instruction. The school would administer the Fountas and Pinnell Benchmark Assessment to measure student reading levels and target literacy instruction, the Terra Nova to benchmark student progress and ELA and math, and a comprehensive AF developed interim assessment program aligned to the school's curriculum. The AF Essentials of Instruction would serve as a unifying framework that drives teacher training, coaching, evaluation, and resource development across all AF managed schools. The hallmarks of the Essentials of Instruction are 1) clear, rigorous, standards-based learning objectives for every lesson; 2) lessons that are thoroughly planned to provide clear explanations, opportunities for independent practice, and checks for understanding; 3) a classroom culture that is joyful and ensures every moment is focused on learning; and, 4) demonstrated learning for all students.

At full capacity, AF Brooklyn Academy's daily operations would be managed by an elementary principal and a middle school principal, each of whom who would lead an administrative team consisting of: an operations manager who would manage facility and administrative operations; academic deans responsible for supplementing instructional leadership for two to three grade level spans; deans of students who would help promote and manage school culture, student discipline, and family outreach; special education coordinators at the elementary and middle school levels who would oversee all special education issues. The principal would also be an instructional leader and oversee all teachers.

The education corporation would continue to contract with AF, a non-profit charter management organization originally established in 1999 to provide support for Amistad Academy in New Haven Connecticut. AF currently manages schools in Connecticut, Rhode Island and New York including four approved by the SUNY Board of Trustees. AF would continue to provide the education corporation with essential services that will allow the school leader to focus on instructional leadership. AF would manage program design and development; teacher recruitment; training for teachers, school leaders, and other staff; facility acquisition and financing; financial management; fund development; technology; legal counsel [for day-to-day school issues but not for the education corporation board]; and marketing and advocacy. AF appears at the present time and for the next five years to be fiscally sound. The education corporation would continue a management contract with AF to provide services to AF Brooklyn Academy in return for per pupil fees and other revenues to be paid to AF. The proposed agreement included in the application stipulates a fee equal to ten

percent of per pupil funding and all other revenue during the school’s charter term. As with all management agreements, the Institute reviews the final contract on behalf of the SUNY Trustees and pursuant to the charter agreement.

The table below illustrates the operational stage of each of the schools currently managed by AF in New York State.

School Name	Authorizer	Location in Brooklyn	Year Opened	Grades Served 2013-14
Achievement First Crown Heights Charter School	Regents	CSD 17	2005	K-12
Achievement First East New York Charter School	Regents	CSD 19	2005	K-12
Achievement First Endeavor Charter School	Regents	CSD 13	2006	K-11
Achievement First - Bushwick Charter School	SUNY	CSD 32	2006	K-11
Achievement First Brownsville Charter School	SUNY	CSD 23	2008	K-6
Achievement First Apollo Charter School	SUNY	CSD 19	2010	K-4
Achievement First Aspire Charter School	SUNY	CSD 19	2013	K-1
Achievement First North Brooklyn Charter School	SUNY	CSD 32	opens in 2014-15	N/A

Of the schools listed above, state testing data is available for AF Crown Heights Charter School (“AF Crown Heights”), AF East New York Charter School (“AF East New York”), AF Endeavor Charter School (“AF Endeavor”) and the SUNY authorized AF Bushwick from 2009-10 through 2012-13. The SUNY authorized AF Brownsville Charter School (“AF Brownsville”) data is available from 2010-11 through 2012-13 only. The SUNY authorized AF Apollo Charter School (AF Apollo”) data is available from 2011-12 through 2012-13 only. The SUNY authorized AF Aspire Charter School does not yet have state testing data. The schools with performance data achieved very strong results on the mathematics exam and demonstrated significant improvement on the English language arts (“ELA”) exam as illustrated below.

AF Bushwick, AF Crown Heights, AF East New York, AF Endeavor and AF Brownsville: 2011-12 State Assessments					
	Testing Grades	School Percent Proficient	District Percent Proficient	School Percent Free Lunch	Effect Size
AF Bushwick					
ELA	3-8	58.8	37.2	69.0	1.06
Math	3-8	92.6	49.0	69.0	1.90
AF Crown Heights					
ELA	3-8	60.1	38.7	61.8	0.93
Math	3-8	89.0	50.5	61.8	1.66
AF East New York					
ELA	3-7	56.2	34.8	68.2	0.78
Math	3-7	81.6	45.5	68.2	1.31
AF Endeavor					
ELA	5-8	49.0	38.5	70.7	0.58

Math	5-8	91.8	48.6	70.7	1.85
AF Brownsville					
ELA	3-4	72.8	29.5	70.8	1.72
Math	3-4	75.3	33.4	70.8	1.11

In 2011-12, 58.78 percent of AF Bushwick’s 3rd – 8th grade students were proficient on the state’s ELA exam and 92.6 percent were proficient on the state’s mathematics exam. AF Bushwick outperformed its New York City Community School District (“CSD”) of location by 21.6 percentage points in ELA and by 43.6 percentage points in mathematics. The school’s ELA and math Effect Sizes demonstrate that it performed higher than expected to a large degree during the same school year compared to demographically similar schools throughout New York. The school’s posted ELA Effect Size of 1.06 far exceeded its standard of 0.3, as did the school’s math Effect Size of 1.90.

Also in 2011-12, 60.1 percent of AF Crown Heights’ 3rd – 8th grade students were proficient on the state’s ELA exam and 89 percent were proficient on the state’s mathematics exam. AF Crown Heights outperformed its CSD by 21.4 percentage points in ELA and by 38.5 percentage points in mathematics. The school posted an ELA Effect Size of 0.93 and a math Effect Size of 1.66. The Effect Sizes in both content areas far exceeded the school’s Effect Size performance standard of 0.3.

During the same year, 56.2 percent of AF East New York’s 3rd – 7th grade students were proficient on the state’s ELA exam and 81.6 percent were proficient on the state’s mathematics exam. AF East New York outperformed its CSD by 21.4 percentage points in ELA and by 36.1 percentage points in mathematics. The school posted an ELA Effect Size of 0.78 and a math Effect Size of 1.31. The Effect Sizes in both content areas far exceeded the school’s Effect Size performance standard of 0.3.

Also in 2011-12, 49 percent of AF Endeavor’s 5rd – 8th grade students were proficient on the state’s ELA exam and 91.8 percent were proficient on the state’s mathematics exam. AF Endeavor outperformed its CSD by 10.5 percentage points in ELA and by 43.2 percentage points in mathematics. The school posted an ELA Effect Size of 0.58 and a math Effect Size of 1.85. The Effect Sizes in both content areas far exceeded the school’s Effect Size performance standard of 0.3.

During the same year, 72.8 percent of AF Brownsville’s 3rd – 4th grade students were proficient on the state’s ELA exam and 75.3 percent were proficient on the state’s mathematics exam. The school outperformed its CSD by 43.3 percentage points in ELA and by 41.9 percentage points in mathematics. The school posted an ELA Effect Size of 1.72 and a math Effect Size of 1.11. The Effect Sizes in both content areas far exceeded the school’s Effect Size performance standard of 0.3.

AF Bushwick, AF Crown Heights, AF East New York, AF Endeavor and AF Brownsville: 2012-13 State Assessments					
	Testing Grades	School Percent Proficient	District Percent Proficient	School Percent Economically Disadvantaged	Effect Size
Achievement First - Bushwick Charter School					
ELA	3-8	30.0	15.9	86.4	1.04
Math	3-8	56.7	15.3	86.4	2.36
Achievement First Crown Heights Charter School					
ELA	3-8	29.3	17.2	74.8	0.54
Math	3-8	42.2	17.4	74.8	1.11
Achievement First East New York Charter School					
ELA	3-8	27.8	14.0	81.6	0.63
Math	3-8	47.9	15.6	81.6	1.52
Achievement First Endeavor Charter School					
ELA	5-8	17.4	20.8	86.5	0.09
Math	5-8	42.1	15.0	86.5	1.58
Achievement First Brownsville Charter School					
ELA	3-5	37.1	10.5	82.6	1.37
Math	3-5	37.0	10.1	82.6	0.85
Achievement First Apollo Charter School					
ELA	3	36.0	14.2	84.4	1.26
Math	3	35.9	18.8	84.4	0.72

In 2012-13, AF Bushwick's 3rd-8th grade students outperformed the local CSD in ELA by 14.1 percentage points and they far exceeded the local CSD's performance in math by 41.4 percentage points. The school outperformed demographically similar schools throughout New York to a large degree in both ELA and math. The school posted an ELA Effect Size of 1.04 and a math Effect Size of 2.36. The Effect Sizes in both content areas far exceed the school's performance standard of 0.3.

Also in 2012-13, AF Crown Heights' 3rd-8th grade students outperformed the local CSD in ELA by 12.1 percentage points and they far exceeded the local CSD's performance in math by 24.8 percentage points. The school outperformed demographically similar schools throughout New York to a medium degree in ELA and to a large degree in math. The school posted an ELA Effect Size of 0.54 and a math Effect Size of 1.11. The Effect Sizes in both content areas exceed the school's performance standard of 0.3.

During the same year, AF East New York's 3rd-8th grade students outperformed the local CSD in ELA by 13.8 percentage points and they far exceeded the local CSD's performance in math by 32.3 percentage points. The school outperformed demographically similar schools throughout New York to a medium degree in ELA and to a large degree in math. The school posted an ELA Effect Size of 0.63 and a math Effect Size of 1.52. The Effect Sizes in both content areas exceed the school's performance standard of 0.3.

Also in 2012-13, AF Endeavor's 5th-8th grade students performed lower than the local CSD in ELA by 3.4 percentage points and they far exceeded the local CSD's performance in math by 27.1 percentage points. Although the school underperformed the local district in ELA, it posted an ELA Effect Size of 0.09 and performed higher than expected to a small degree compared to demographically similar schools throughout the state. The school posted an Effect Size of 1.58 and performed higher than expected to a large degree in math.

During the same year, AF Brownsville's 3rd-5th grade students significantly outperformed the local CSD in ELA by 26.6 percentage points and they far exceeded the local CSD's performance in math by 26.9 percentage points. The school outperformed demographically similar schools throughout New York to a large degree in ELA and to a medium degree in math. The school posted an ELA Effect Size of 1.37 and a math Effect Size of 0.85. The Effect Sizes in both content areas exceed the school's performance standard of 0.3.

Also in 2012-13, Achievement First Apollo tested its first cohort of 3rd grade students in ELA and math. The school significantly outperformed the local CSD in ELA by 21.8 percentage points and far exceeded the local CSD's performance in math by 17.1 percentage points. The school outperformed demographically similar schools throughout New York to a large degree in ELA and to a medium degree in math. The school posted an ELA Effect Size of 1.26 and a math Effect Size of 0.72. The Effect Sizes in both content areas exceed the school's performance standard of 0.3.

The by-laws of the education corporation indicate that the board would consist of not less than seven and no more than 15 trustees. In addition, AF would be the sole corporate member of the education corporation board. This is not a novel arrangement, and the Institute made certain that procedural safeguards were in place to help ensure the independence of the education corporation board.

The six current members of the AF Bushwick board of trustees are set forth below.

1. **Dr. Deborah Shanley** - Dean of the School of Education at Brooklyn College and former Dean of The School of Liberal Arts and Education at Medgar Evers College. AF Bushwick Board Chair.
2. **Iris Chen** - Former CEO and President of the I Had a Dream Foundation and former Executive Director for Teach For America in the New York region. She also worked for McKinsey & Company, the international law firm of Sullivan & Cromwell, and the United States Attorney's Office in the Southern District of New York. J.D. and M.B.A. from Harvard.
3. **Christina Frey** - Acting Executive Director of the New York Metro Program Office at Network For Teaching Entrepreneurship (NFTE). Previously, Engagement Manager at McKinsey & Company. She also worked in corporate finance as Manager of Marketing and Programming at Sirius Satellite Radio. M.B.A. in Marketing and Operations from the University of Pennsylvania's Wharton School, B.A. in economics from Yale.

4. **Jack Schnirman** - City Manager for the City of Long Beach, NY. Former Vice President of Management Consulting at Bowne Management Systems. M.P.A., Harvard University Kennedy School of Government and B.A. in International Relations from Tufts University.
5. **Adrienne Loiseau** is a parent at AF Bushwick and serves as the parent representative to the board of trustees.
6. **Harris Ferrell** - Chief Information Officer at AF. Former co-founder and senior vice president of AdvancePath Academics. M.B.A. from Harvard Business School.
7. **Sohail Ramirez** – Community member from East New York; Associate Asset Manager for Fried, Frank, Harris, Shriver & Jacobson LLP. J.D. from, Yale Law School.

The founding group has met with the New York City Department of Education (“NYCDOE”) to request space in underutilized public school buildings in CSD 17, 18, 19 or 32. The NYCDOE has indicated that it is working to secure co-located space in CSD 19 (Appendix 1). Any NYCDOE space would have to be separately approved by the NYC Panel for Educational Policy through provisions of the Education Law related to the co-location of charter schools. That process culminates in the right of aggrieved persons to file an appeal of the use of the space with the New York State Commissioner of Education. In addition, the Institute reserves the right to review and approve all facilities in accordance with the charter agreement, and, pursuant to the Act, would have to hold a hearing on behalf of the SUNY Trustees prior to the school occupying district school space.

The proposal includes a contingency budget for the provision of private facility space in the event that public space is unavailable that the Institute determined to be sound.

The fiscal impact of AF Brooklyn Academy on the district of location, the New York City School District (the “District”), is summarized below.

Expected Number of Students (A)	Basic Charter School Per Pupil Aid (B)	Projected Charter Per Pupil Revenue (C = A x B)	New York City School District Budget* (D)	Projected Impact to District (E = C / D)
180 (2014-15 school year – Year 1)	\$13,527	\$2,434,860	\$19,831,000,000	0.012%
522 (2018-19 school year – Year 5)	\$13,527	\$7,061,094	\$19,831,000,000	0.036%

*The NYCDOE budget was derived from and can be found on the NYCDOE’s website: <http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/2012-2013/ExecBudget2013>.

The calculations above assume the current basic per pupil aid will not increase during the term of the charter. While it is likely that the District’s budget will grow over time, the Institute is being

conservative by leaving it unchanged in five years. Based on these assumptions, and projections that the charter school will have full enrollment, AF Brooklyn Academy will have minimal fiscal impact on public schools in the District: 0.012% in the 2014-15 school year and 0.036% in the 2018-19 school year.

The estimates used by the Institute to conduct its analysis are subject to unpredictable changes in the District's budget in any given year, changes in the charter school per-pupil funding, and the actual enrollment in the charter school. For example, in the event that the budget of the District increases 5% in five years (assumes a 1% increase each year) to \$20.8 billion and the basic per pupil aid to charter schools remains unchanged, the impact to the District would remain minimal: 0.034% in the 2018-19 school year. 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 charter 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 schools on the District, and public charter, public District and nonpublic schools in the same geographic area would be minimal. In the event that the school opens with a slightly larger enrollment, the Institute has determined that the fiscal impact of the proposed schools on the District, public charter, public District and nonpublic schools in the same geographic area would also be minimal.

The Institute reviewed the charter school's proposed start-up and fiscal plans for each year of the proposed charter term and supporting evidence as well as the AF Bushwick education corporation budgets. The Institute also reviewed the business plan and limited fiscal information of AF to determine whether it could support an additional school, and found that it could. The Institute finds the AF Bushwick education corporation's budgets and fiscal plans are sound and that sufficient start-up funds will be available to the new charter school.

The Institute notified the school district as well as public and private schools in the same geographic areas of the proposed school about the receipt of the proposal, and the proposal was posted on the Institute's website for public review. On October 9, 2013, the Institute received positive comments from the NYC Schools Chancellor, which can be found in Appendix 1. The NYCDOE held a public hearing pertaining to the proposal on October 1, 2013. Public comments made at the hearings and received separately by the Institute are compiled in a Summary of Public Comments (Appendix 2), which will be shared with the SUNY Trustees. All public comments were carefully reviewed and considered.

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

- The proposal met the following basic criteria:
 - The proposal was complete, i.e., it included a Transmittal Sheet, Proposal Summary and responses to all RFP requests as prescribed by the Institute;
 - The applicant included accompanying Business Plans; and,

- All individual Responses addressed each Request completely, articulately, and in alignment with one another.
- The 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 to provide significant educational benefit to the students and families of New York City, as well as demonstrated a rigorous commitment to student achievement.
- The proposal included a viable plan to meet the enrollment and retention targets established by the SUNY Trustees for students with disabilities, ELLs, and students who are eligible to participate in the FRPL program (as detailed in Request No. 15(b) of the proposal).
- 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 the proposed school (Educ. Law § 2852(9-a)(b)(ii)). The Institute has determined that the applicant has appropriately demonstrated community support for the school.

As the proposal to allow AF Bushwick to operate AF Brooklyn Academy met the eligibility criteria, the Institute's evaluation continued with a full review of the proposal, interview with representatives from the AF Bushwick board and AF, and requests for clarification and/or amendments to the proposal. The review process then continued with an evaluation of the proposal in relation to the 11 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 is 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 2013. 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 13 proposals in response to its September 2013 RFP, only nine have been recommended for approval. All of the nine proposals recommended for approval met the eligibility criteria and were therefore assigned a score using the rubric contained in the RFP. The proposal for AF Brooklyn Academy earned a score of 42 preference points out of a possible total of 64. Based on this score and the other information and findings set forth herein, the Institute is recommending that the SUNY Trustees approve the proposal to allow AF Bushwick to operate a new AF Brooklyn Academy, which would not exceed the statutory limit in Education Law subdivision 2852(9-a)(a).

Findings

Based on the comprehensive review of the proposal and interviews of the applicant and the education corporation's board of trustees, the Institute makes the following findings.

1. The charter school described in the 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 ELLs;
 - the required policies for addressing the issues related to student discipline, personnel matters and health services;
 - an admissions policy that complies with the Act, federal law and the U.S. Constitution;
 - the inclusion of the by-laws for the operation of the education corporation's board of trustees; and
 - the inclusion of an analysis of the projected fiscal and programmatic impact of the school on surrounding public and private schools.

2. The applicant has demonstrated the ability to operate the school in an educationally and fiscally sound manner 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 the proposal is likely to: a) have a significant educational benefit to the students expected to attend the proposed charter school; b) improve student learning and achievement; and, c) materially further the purposes of the Act. This finding is reflected by (among other things):
 - the high level of student achievement attained by students at AF managed charter schools;
 - the staffing of classes with high-quality teachers to allow for more concentrated, focused and differentiated instruction;
 - the inclusion of significant opportunities for professional development of the school's instructional staff throughout the year;
 - the inclusion of tutoring during and after school, as well as on Saturdays, for students at-risk of academic failure;
 - an organizational structure that supports the principal in functioning as a true instructional leader;

- coaching provided to classroom teachers by the school principal and AF staff; and
 - a commitment to providing an educational program focused on outcomes, not inputs.
4. The proposed charter school would meet or exceed enrollment and retention targets, as prescribed by the SUNY Trustees, of students with disabilities, ELLs, and students who are eligible for the FRPL program as required by Education Law subdivision 2852(9-a)(b)(i).
 5. The applicant has conducted public outreach for the 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 the 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 proposal to allow Achievement First Bushwick Charter School to operate Achievement First Brooklyn Academy Charter School in August of 2014.

Achievement First Brooklyn Academy Charter School

Basic Identification Information

Lead Applicant(s):	Deborah Shanley and Achievement First - Bushwick Charter School
Management Co.:	Achievement First, Inc.
Other Partners:	None
Location (District):	CSD 17, 18, 19 or 32
Student Pop./Grades:	K-1 st grades with 180 students growing to K-5 th grades growing to 522 students
Opening Date:	August 2014

School District of Proposed Location Profile

Brooklyn District 17			
Enrollment (2011-12):		25,437	
Percent (2011-12):			
African-American:		83%	
Hispanic:		12%	
Asian, White, Other:		5%	
Percent Qualifying for Free or Reduced Priced Lunch (2011-12):		82%	
English Language Arts (2012-13)		Mathematics (2012-13)	
Grade	Percent Proficient	Grade	Percent Proficient
3	16.6	3	16.4
4	14.0	4	16.8
5	15.9	5	13.2
6	9.6	6	12.9
7	14.4	7	9.8
8	14.4	8	11.9

Brooklyn District 18		
Enrollment (2011-12):		17,687
Percent (2011-12):		
African-American:		91%
Hispanic:		6%
Asian, White, Other:		3%

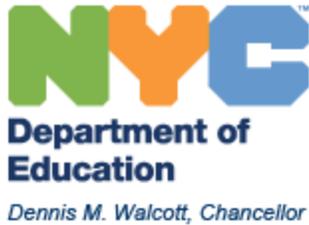
Percent Qualifying for Free or Reduced Priced Lunch (2011-12):		79%	
English Language Arts (2012-13)		Mathematics (2012-13)	
Grade		Grade	Percent Proficient
3	19.1	3	16.6
4	17.0	4	17.3
5	18.2	5	15.4
6	9.6	6	13.0
7	15.7	7	11.8
8	15.8	8	13.4

Brooklyn District 19			
Enrollment (2011-12):		23,919	
Percent (2011-12):			
African-American:		51%	
Hispanic:		41%	
Asian, White, Other:		8%	
Percent Qualifying for Free or Reduced Priced Lunch (2011-12):			
English Language Arts (2012-13)		Mathematics (2012-13)	
Grade		Grade	Percent Proficient
3	14.2	3	18.8
4	14.8	4	19.8
5	16.6	5	16.3
6	12.3	6	15.4
7	12.3	7	10.9
8	13.4	8	13.0

Brooklyn District 32			
Enrollment (2011-12):		14,892	
Percent (2011-12):			
African-American:		21%	
Hispanic:		73%	
Asian, White, Other:		3%	
Percent Qualifying for Free or Reduced Priced Lunch (2011-12):			
		85%	

English Language Arts (2012-13)		Mathematics (2012-13)	
Grade	Percent Proficient	Grade	Percent Proficient
3	14.5	3	12.5
4	10.9	4	15.6
5	11.5	5	12.9
6	11.3	6	10.5
7	14.5	7	10.3
8	13.1	8	11.6

Source: Demographic data are from the New York State Accountability and Overview Report 2011-12; test data are from the 2012-13 results released on the New York State Education Department's website.



October 9, 2013

Susan Miller Barker
Executive Director
Charter Schools Institute
State University of New York
41 State Street, Suite 700
Albany, New York 12207

Dear Ms. Barker,

The New York City Department of Education's Office of Portfolio Management has reviewed the charter school applications submitted to SUNY's Charter School Institute's 2013 Final Round for New York City, with particular focus on those who have requested public space. I genuinely commend the passion and commitment of these founding groups for wanting to serve New York City's students and provide additional high quality options.

Attached are my recommendations for the charter schools that have active applications for the 2013 Final Round process, with comments on space availability for those requesting public space and whom I would like to see move forward at this time. During the last few weeks, the Office of Portfolio Management evaluated applications that were submitted. After reviewing the applications, meeting with many of the founding groups, and evaluating with the Planning teams within the Office of Portfolio Management, we are making the attached recommendations.

For high quality applicants aligned to the needs of the community, we try to provide public space when it is available. The identification of viable public space is an ongoing and complex process. Support for an application does not guarantee the availability or viability of public school space and all applicants should have private facility plans in place. We have pending co-location proposals for all of the recommended applicants who have requested public space which will be voted on by the Panel for Education Policy (PEP) during the month of October. These are indicated below.

I look forward to many more collaborations between SUNY and the DOE in the near future.

Sincerely,

A handwritten signature in black ink that reads 'Dennis M. Walcott'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized.

Dennis M. Walcott

2013 SUNY New Charter Applications – NYC Chancellor Recommendations

Proposed School Name	Applicant Desired CSD	Overall Comments	Comments on Space Availability
Family Life Academy Charter School III	7	This proposal is a replication of existing high-performing charter schools in the Bronx with a focus on serving low-income, minority and immigrant children. Chancellor Walcott recommends this charter application to support the children of New York City.	There is a need for high quality elementary school seats in the Bronx in CSD 7. This applicant has indicated private space plans for the proposed charter school. We recommend that they continue to pursue private space options for CSD 7. The DOE will be a resource to assist the charter school applicant with space issues where possible.
Success Academy Charter School – New York 1	2, 8, 21, 22, 27 or 29	This proposal is a replication of existing high-performing charter schools. Chancellor Walcott recommends this charter application to support the children of New York City.	There is a need for high quality elementary school seats in each of the CSDs identified by this charter operator and we are working with the applicant on space availability in their identified CSDs. The DOE is proposing a co-location for this applicant at the 10/15 PEP for CSD 2 in Manhattan.
Success Academy Charter School – New York 2	2, 8, 21, 22, 27 or 29	This proposal is a replication of existing high-performing charter schools. Chancellor Walcott recommends this charter application to support the children of New York City.	There is a need for high quality elementary school seats in each of the CSDs identified by this charter operator and we are working with the applicant on space availability in their identified CSDs. The DOE is proposing a co-location for this applicant at the 10/15 PEP for CSD 8 in the Bronx.
Success Academy Charter School – New York 3	2, 8, 21, 22, 27 or 29	This proposal is a replication of existing high-performing charter schools. Chancellor Walcott recommends this charter application to support the children of New York City.	There is a need for high quality elementary school seats in each of the CSDs identified by this charter operator and we are working with the applicant on space availability in their identified CSDs. The DOE is proposing a co-location for this applicant at the 10/15 PEP for CSD 21 in Brooklyn.

2013 SUNY New Charter Applications – NYC Chancellor Recommendations

Proposed School Name	Applicant Desired CSD	Overall Comments	Comments on Space Availability
Success Academy Charter School – New York 4	2, 8, 21, 22, 27 or 29	This proposal is a replication of existing high-performing charter schools. Chancellor Walcott recommends this charter application to support the children of New York City.	There is a need for high quality elementary school seats in each of the CSDs identified by this charter operator and we are working with the applicant on space availability in their identified CSDs. The DOE is proposing a co-location for this applicant at the 10/15 PEP for CSD 22 in Brooklyn.
Success Academy Charter School – New York 5	2, 8, 21, 22, 27 or 29	This proposal is a replication of existing high-performing charter schools. Chancellor Walcott recommends this charter application to support the children of New York City.	There is a need for high quality elementary school seats in each of the CSDs identified by this charter operator and we are working with the applicant on space availability in their identified CSDs. The DOE is proposing a co-location for this applicant at the 10/30 PEP for CSD 27 in Queens.
Success Academy Charter School – New York 6	2, 8, 21, 22, 27 or 29	This proposal is a replication of existing high-performing charter schools. Chancellor Walcott recommends this charter application to support the children of New York City.	There is a need for high quality elementary school seats in each of the CSDs identified by this charter operator and we are working with the applicant on space availability in their identified CSDs. The DOE is proposing a co-location for this applicant at the 10/30 PEP for CSD 29 in Queens.
Achievement First Brooklyn Academy	17, 18 or 32	This proposal is a replication of existing high-performing charter schools. Chancellor Walcott recommends this charter application to support the children of New York City.	There is a need for high quality elementary school seats in Brooklyn. We are working with the applicant on space availability and have found space in nearby CSD 19. The DOE is proposing a co-location for this applicant at the 10/30 PEP for CSD 19 in Brooklyn.



Summary of Public Comments Received During SUNY Public Comment Period

Achievement First Brooklyn Academy Charter School Proposal

A public hearing was held by the New York City Department of Education on October 1, 2013 for the above proposal under an earlier name "Achievement First Academy North Brooklyn Charter School."

Attendees: 5. Speakers: 2.

Comments were as follows:

- Parents and staff of Achievement First said they are pleased with Achievement First as well as the support offered by the Achievement First East New York Charter School.
- After the hearing, the president and members of Community Education Council for District 19 offered additional comments as follows:
 - Achievement First does not keep children safe; parents are withdrawing students due to force.
 - It is not in the best interest of the community to open an additional Achievement First school.
 - Achievement First schools are not accessible to disabled students.
 - Achievement First students are not allowed to speak to other children in the building; there are issues of bullying between Achievement First parents and other district school parents.

The Institute received no comments via e-mail or in writing about this proposal.