

**U.S. Department of Education - EDCAPS
G5-Technical Review Form (New)**

Status: Submitted

Last Updated: 05/05/2011 09:31 AM

Technical Review Coversheet

Applicant: New York State Education Department (U282A110005)

Reader #2: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
Assisting students in meeting standards		
1. Meeting standards	20	16
Flexibility Afforded by State Law		
1. Flexibility	20	15
Number of high-quality charters to be created		
1. Charters to be created	20	16
Quality of the Management Plan		
1. Management plan	10	8
Authorizer Accountability		
1. Authorizer Accountability	20	20
Dissemination		
1. Dissemination	10	6
Quality of the Project Evaluation		
1. Project evaluation	10	10
Sub Total	110	91
Priority Questions		
Competitive Preference Priority		
Periodic Review and Evaluation		
1. Periodic Review and Eval	10	9
Number of High-Quality Charter Schools		
1. High-quality charters	8	7
Authorizer Other Than LEA or Appeals Process		
1. Alt. Authorizer, Appeals	5	5
High Degree of Autonomy		
1. High Degree of Autonomy	5	5
Improving Achievement and HS Graduation Rates		
1. Achievement & grad rates	12	3
Promoting Diversity		
1. Promoting Diversity	5	4
Improving Productivity		

1. Improving Productivity

	5	3
Sub Total	50	36
Total	160	127

Technical Review Form

Panel #2 - FY11 CSP SEA panel - 2 - 1: 84.282A

Reader #2: *****

Applicant: New York State Education Department (U282A110005)

Questions

Selection Criteria - Assisting students in meeting standards

1. (1) The contribution the charter schools grant program will make in assisting educationally disadvantaged and other students in meeting State academic content standards and State student academic achievement standards (20 points).

Note: The Secretary encourages the applicant to provide a description of the objectives for the SEA's charter school grant program and to explain how these objectives will be met, including steps that will be taken by the SEA to inform teachers, parents, and communities of the SEA's charter school grant program and how the SEA will disseminate best or promising practices of charter schools to each LEA in the State.

Strengths:

The State proposes to tie CSP grant money to the initial charter award process. This new approval process includes extensive peer and external review, is aligned with NACSA's Principles & Standards for Quality Authorizing, and by State charter law places special emphasis on serving high-need, at-risk students (page 23). This change will assure more timely access to CSP start-up funds. The State proposes to financially incentivize applicants through CSP grants that meet target numbers in their first year for underserved student populations such as students with disabilities, English language learners, and students who are eligible for the free or reduced lunch program. The following program design priorities will also be financially incentivized: turnaround and restart schools, rural programs, improving productivity, promoting diversity, and serving over-age and under-credited students. The applicant proposes to hire a Dissemination Specialist through the grant to assist in both informing stakeholders of the program and in disseminating best practices.

Weaknesses:

The base amount of funds proposed for each school (\$500,000) is the same for all newly approved applicants, rather than based on need, number of students served, degree of innovation, or quality of proposal. The State Education Department proposes to impact LEA charter authorization processes for conversion schools through the CSP grant quality requirements, but there is no indication this will make a significant difference. The statement that continuation funding at the enhanced level "may" be dependent on the success of implementation is weak.

Reader's Score: 16

Selection Criteria - Flexibility Afforded by State Law

1. The degree of flexibility afforded by the SEA to charter schools under the State's charter school law (20 points).

Note: The Secretary encourages the applicant to describe how the State's charter school law establishes an administrative relationship between charter schools and the authorized public chartering agency and exempts charter schools from significant State or local rules that inhibit the flexible operation and management of public schools.

The Secretary also encourages the applicant to describe the degree of autonomy charter schools in the State exercise over such matters as the charter school's budgets, expenditures, daily operation, schedules, curricula, and personnel in accordance with the State's charter school law.

Strengths:

The State was ranked by the National Alliance for Public Charter Schools report as including all the model law's provisions for fiscally and legally autonomous schools. Charter schools are allowed to have up to 30% or five teachers who are not certified and can decide on the length of the school year and day beyond the required minimum instructional time.

Weaknesses:

The administrative relationship between charter schools and their authorizers according to State law is only described for schools authorized by the board of regents, not by LEAs or SUNY. The law refers only to oversight and compliance, not support. It appears from the explanation on page 32 that new charter schools that enroll more than 250 students during their first year as well as conversion schools must be unionized.

Reader's Score: 15

Selection Criteria - Number of high-quality charters to be created**1. The number of high-quality charter schools to be created in the State (20 points).**

Note: The Secretary considers the SEA's reasonable estimate of the number of new high-quality charter schools that will be authorized and opened in the State during the project period. The Secretary encourages the applicant to describe, in detail, its charter school subgrant application and peer review processes, how the peer review process will assess quality, and how the SEA will ensure that only high-quality charter school applicants (as defined by the applicant) are selected for funding. States that have received grants under this program previously are invited to provide data on the percentages of eligible applicants that were awarded sub-grants and how this percentage related to the overall quality of applicants funded.

Strengths:

The State plans to significantly increase the number of new charter schools during the grant period. The Act was amended in May 2010 to raise the cap from 200 to 460 charter schools. Of these 260 new charters, half can be issued by the Regents and half by SUNY with not more than 57 from each authorizer in New York City. There is no limit to the number of LEA conversion charter schools that can be started. The applicant will align the CSP grant application with the new, more rigorous application process which includes peer review processes. Since the amendment to the Act was passed, 7 of 16 full applications have been approved by the Regents and 2 of 8 by SUNY. The authorizing trends suggest that approximately 200 new charter schools and 10 new conversion schools will be accepted over the next five years. 84% (83 of 99 eligible applicants) were funded during the current SCP grant program. All but one were turned down because of a lack of funds due to higher than expected growth.

Weaknesses:

The proposed grant budget includes funds for peer reviewer stipends for charter applications (page 38), which would include applications that are not accepted by an authorizer and should be outside the grant. No data is provided related to the quality of the charter schools that received CSP funding or how they compared to the quality of those that were not funded. It would strengthen the application to provide this data, particularly because the reason 15 were not funded did not have to do with the quality of the applications. Selection criteria should be added in the current grant in the event that funds do not allow the funding of all newly approved charter schools.

Reader's Score: 16

Selection Criteria - Quality of the Management Plan

- 1. Quality of the management plan (10 points).** In determining the quality of the management plan for the proposed project, the Secretary considers (a) the adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and (b) how the SEA will inform each charter school in the State about Federal funds the charter school is eligible to receive and ensure that each charter school in the State receives the school's commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the school and during a year in which the school's enrollment expands significantly (20 U.S.C. 7221b (b) (2) (A) and (B) and 7221e(a)).

Note: The Secretary encourages the applicant to describe any compliance issues or findings related to the CSP that have been identified in an audit or other monitoring review, as well as the steps taken to address such compliance issues or findings.

Strengths:

The management plan on pages 42 includes project objectives, key activities, person(s) responsible, and timelines. Plans are to coordinate closely with the State's Race to the Top program. The application includes specific responses to concerns raised during the WestEd monitoring conducted in December, 2008 about the implementation of CSP grant objectives. These responses included broadening dissemination efforts since that time and including a full time Dissemination Specialist in this new application. Current staff is very well qualified and experienced.

Weaknesses:

The description on page 40 of the management team for the grant is confusing. The statement is made that the current CSP Project Director and the CSP Grants Manager will continue in their respective roles but the applicant proposes to add 4.0 FTE to the current staff that will include a 1.0 CSP Project Director, a 1.0 Performance Oversight Coordinator, and a 1.0 Dissemination Specialist and a new hire (1.0) to ensure seamless coordination of the integrated charter application and grant review process. This last position is not well described and includes the charter application process in addition to the CSP sub-grant process. Qualifications required of the new hires are not provided.

Reader's Score: 8

Selection Criteria - Authorizer Accountability

- 1. The SEA's plan to monitor and hold accountable authorized public chartering agencies through such activities as providing technical assistance or establishing a professional development program, which may include providing authorized public chartering agency staff with training and assistance on planning and systems development, so as to improve the capacity of those agencies to authorize, monitor, and hold accountable charter schools (20 points).**

Strengths:

Both statewide authorizers are led by former NACSA staff who assisted with the refinement of the Principles & Standards for Quality Authorizing and participated in the design, pilot, and redesign of the Authorizer Evaluation Protocol while there. As a part of this grant the State is planning to form a Quality Charter Authorizer Partnership with key activities to include: systematically revise and align State oversight protocols and guidelines, actively participate in and contribute to state and national charter school authorization and policy dialogue, and provide technical assistance and professional development to State charter authorizer staff to support high-quality authorizing practices.

Weaknesses:

No weaknesses were noted.

Reader's Score: 20

Selection Criteria - Dissemination

- 1. In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204(f)(6)(B) of the ESEA:**

General:

A strong case is not made for the increase in the amount of funds and time for the dissemination subgrants to be awarded in this project. Results from former CSP dissemination subgrants were not provided.

Reader's Score: 6

Sub Question

- 1. (6a) In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204(f)(6)(B) of the ESEA, the quality of the dissemination activities (5 points).**

Note: The Secretary encourages the applicant to describe the steps to be taken by the SEA to award these funds to eligible applicants, including a description of the peer review process the SEA will use to review applications for dissemination, the timelines for awarding such funds, and how the SEA will assess the quality of the applications. Applicants that have previously awarded dissemination subgrants under this program are encouraged to describe the outcomes of such subgrants and to identify any improvements to the applicant's processes for awarding and administering dissemination subgrants.

Strengths:

The full time Dissemination Coordinator position will be responsible for promoting and supporting the dissemination plan as well as refining the priorities and the RFP process. This person will also be responsible for developing a highly qualified and well trained pool of staff and peer reviewers. Initial priorities include working with persistently low-performing schools and in-depth engagement partnerships. Qualifications for applicants for dissemination subgrants are clear (page 49).

Weaknesses:

The arguments for raising the dissemination subgrant awards from an amount of \$400,000 to up to \$2,000,000 are not convincing. If subgrants are not to begin until July 1, 2012 for a period of 3 years, this section depends entirely on the applicant being granted a waiver to extend the current 3 year CSP period to 5 years. No data is provided from prior projects.

Reader's Score:

- 2. (6b) In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204 (f)(6)(B) of the ESEA, the likelihood that those activities will improve student academic achievement (5 points).**

Note: The Secretary encourages the applicant to describe the steps to be taken by the SEA to award these funds to eligible applicants, including a description of the peer review process the SEA will use to review applications for dissemination, the timelines for awarding such funds, and how the SEA will assess the quality of the applications. Applicants that have previously awarded dissemination subgrants under this program are encouraged to describe the outcomes of such subgrants and to identify any improvements to the applicant's processes for awarding and administering dissemination subgrants.

Sub Question

Strengths:

Activities must be aligned with State performance standards, supported by research, and show documented results. Recipients will be required to meet annual performance benchmarks to receive continuation funding.

Weaknesses:

Results from past dissemination subgrants are not provided other than to state that the two year structure does not provide sufficient time or resources to deeply impact practice or raise student achievement at partner schools.

Reader's Score:

Selection Criteria - Quality of the Project Evaluation

1. **Quality of the project evaluation (10 points).** In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data.

Note: The Secretary encourages the applicant to include a strong evaluation plan in the application narrative and to use that plan, as appropriate, to shape the development of the project from the beginning of the grant period. The Secretary encourages the applicant to design the plan so that it includes (a) benchmarks to monitor progress toward specific project objectives and (b) outcome measures to assess the impact on teaching and learning or other important outcomes for project participants. In its plan, we encourage the applicant to identify the individual and/or organization that will serve as the evaluator and to describe the qualifications of the evaluator. We also encourage the applicant to describe in its application, the evaluation design, indicating:

- (1) the types of data that will be collected;
- (2) when various types of data will be collected;
- (3) the methods that will be used;
- (4) the instruments that will be developed and when;
- (5) how the data will be analyzed;
- (6) when reports of results and outcomes will be available; and
- (7) how the applicant will use the information collected through the evaluation to monitor progress of the funded project and to provide accountability information both about success at the initial site and effective strategies for replication in other settings.

Applicants are encouraged to devote an appropriate level of resources to project evaluation.

Strengths:

The State requires competitive bidding for the procurement of an outside evaluator, but the application includes specifics related to the requirements of a highly qualified researcher. Objective Performance Measures provided on pages 56-60 include specific measures for each project objective, data collection, methods/instruments, and analysis/reporting. Timelines are included within the project objectives.

Weaknesses:

No weaknesses were noted.

Reader's Score: 10

Priority Questions

Competitive Preference Priority - Periodic Review and Evaluation

- 1. Periodic Review and Evaluation (up to 10 points).** The State provides for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every five years, unless required more frequently by State law, to determine whether the charter school is meeting the terms of the school's charter, and is meeting or exceeding the student academic achievement requirements and goals for charter schools as set forth under State law or the schools charter.

Note: The Secretary invites the applicant to provide information regarding whether the periodic review that takes place at least once every five years includes a public vote on whether to terminate, extend, or renew a school's charter and on whether a failure to affirmatively renew or extend a schools charter during the periodic review that takes place at least once every five years would result in the charter school being closed.

Strengths:

The State requires each authorizer to review and evaluate the charter schools they oversee in the areas of operations, governance, fiscal soundness, and academic progress at least once every five years (pages 1-2). Evidence is gathered through a combination of desk audits, independent fiscal audits, on-site visits, self reporting, and third party school quality review visits. In addition, annual reports are required by State law that include measures of comparative academic and fiscal performance as well as progress on charter application goals. Authorizer decisions to recommend the renewal, non-renewal, or revocation must be voted on in public meetings and must then be acted upon by the State Board of Regents in a public meeting.

Weaknesses:

It would strengthen the application if summaries of prior reviews and reports were provided and data related to how these have improved the quality of charter schools in the state.

Reader's Score: 9

Competitive Preference Priority - Number of High-Quality Charter Schools

- 1. Number of High-Quality Charter Schools (up to 8 points).** The State has demonstrated progress in increasing the number of high-quality charter schools that are held accountable in the terms of the school's charter for meeting clear and measurable objectives for the educational progress of the students attending the schools, in the period prior to the period for which an SEA applies for a grant under this competition.

Note: The Secretary invites the applicant to provide the following information: (1) its definition of a "high-quality charter school"; (2) the number of "high-quality charter schools" in the State and a description of how the rate has changed over the past five years; and (3) the percentage of "high-quality charter schools" in the State and a description of how the percentage has changed over the past five years.

Strengths:

The State has substantially increased the number of charter schools since the original States charter law was passed in 1998. From 1999 to 2007, 100 charter schools were authorized. In 2007 the cap was raised to 200. By 2010, 171 charter school were operating, with an additional 25 authorized to open within the next year. An amendment to the Act passed in 2010 allows for an additional 260 charter schools as well as adding several accountability and oversight measures to ensure quality. Several studies are cited as providing proof of the high quality of charter schools in New York City (the Hoxby study, 2009, and the CREDO report, subsequent). In addition, three nationally recognized high quality

charter school organizations have roots in New York State.

Weaknesses:

There is no explanation provided to explain why local districts will not be allowed to open any of the additional 260 charter schools unless they are turnaround schools. Data is not provided related to the quality of charter schools within the state and outside New York City.

Reader's Score: 7

Competitive Preference Priority - Authorizer Other Than LEA or Appeals Process

1. One Authorized Public Chartering Agency Other than a Local Educational Agency (LEA), or an Appeals Process (5 points). The State:

(a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

(b) In the case of a State in which LEA's are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

PLEASE NOTE: Reviewers must assign a score of 0 or 5, but nothing in between.

Strengths:

The State provides for three charter authorizing entities. The two state authorizers are a part of a current National CSP Leadership Grant to define and implement policies and practices related to the areas of charter school authorizing.

Weaknesses:

LEAs will not be permitted to authorize any of the additional 260 charter schools unless they are turnaround schools. Although an appeals process exists for charter schools whose applications are not accepted through LEAs or SUNY, which is to go to the Regents, there is no stated process for appeal if the application submitted directly to the Regents is turned down.

Reader's Score: 5

Competitive Preference Priority - High Degree of Autonomy

1. High Degree of Autonomy (up to 5 points). The State ensures that each charter school has a high degree of autonomy over the charter school's budget and expenditures.

Strengths:

Charter schools in the state are fiscally autonomous according to statute and the board of trustees of each charter school is responsible for approving that school's annual budget and monitoring its finances.

Weaknesses:

No weaknesses were noted.

Reader's Score: 5

Competitive Preference Priority - Improving Achievement and HS Graduation Rates

1. **Improving Achievement and High School Graduation Rates (up to 12 points).** Projects that are designed to address one or more of the following priority areas:

(a) **Accelerating learning and helping to improve high school graduation rates (as defined in the Federal Register Notice) and college enrollment rates for students in rural local educational agencies (as defined in the Federal Register Notice) (up to 3 points).**

(b) **Accelerating learning and helping to improve high school graduation rates (as defined in the Federal Register Notice) and college enrollment rates for students with disabilities (up to 3 points).**

(c) **Accelerating learning and helping to improve high school graduation rates (as defined in the Federal Register Notice) and college enrollment rates for English learners (up to 3 points).**

(d) **Accelerating learning and helping to improve high school graduation rates and college enrollment rates in high-poverty schools (as defined in the Federal Register Notice) (up to 3 points).**

Note: For each population of students for which the applicant is seeking competitive priority points, the Secretary invites the applicant to discuss the steps it would take to meet the priority. For example, the applicant could describe any guidance or support it would provide to charter school developers to assist such developers in recruiting and providing high-quality services to students who are members of the particular student population(s); how it would monitor charter schools in the State to ensure that they are taking effective and active steps to recruit and enroll students who are members of the particular student population(s); how it would monitor charter schools in the State to ensure that students who are members of the particular student population(s) are being served by such schools; or how it would design its subgrant competition, which may include the use of preferences, to ensure that students who are members of the particular student population(s) are being served at rates equal to or greater than such students are being served in other schools in the area.

General:

The project includes a financial incentive (up to 50% increase) for charter schools that serve a majority of students residing in rural LEAs. The requirement for the types of programs that would be effective for rural students is not clear, just the population served. Students with disabilities were not specifically addressed. State figures were provided (graduation rate decreased slightly) for this population but State charter school data was not provided. Charter school data was not provided related to English learners, nor was this group targeted related to accelerating learning and improving high school graduation rates in the application.

Reader's Score: 3

Competitive Preference Priority - Promoting Diversity

1. **Promoting Diversity (up to 5 points).** Projects that are designed to promote student diversity, including racial and ethnic diversity, or avoid racial isolation.

Note: The Secretary invites the applicant to discuss how it would design its subgrant competition to meet this priority.

Strengths:

Monetary incentives (up to 50%) will be provided to subgrantees that can demonstrate a comprehensive plan to encourage the enrollment of a racially diverse student body. Technical assistance will be provided to existing charter schools in implementing legally permitted ways to further racial diversity. These include program design and recruitment, transportation, school location, and regional charter schools (page 12).

Weaknesses:

A part of the continuation requirement of subgrants that include a monetary incentive for promoting diversity should be based on the actual results for each year.

Reader's Score: 4

Competitive Preference Priority - Improving Productivity

- 1. Improving Productivity (up to 5 points). Projects that are designed to significantly increase efficiency in the use of time, staff, money, or other resources while improving student learning or other educational outcomes (i.e., outcomes per unit of resource). Such projects may include innovative and sustainable uses of technology, modification of school schedules and teacher compensation systems, use of open educational resources (as defined in the Federal Register Notice), or other strategies.**

Strengths:

Blended instruction is mentioned as being authorized by the State effective June 8, 2011, and is one of the ways a charter school can receive enhanced funding under the CSP subgrants along with online programs that both meet State criteria for mastery of subjects.

Weaknesses:

Innovative and sustainable uses of technology, teacher compensation systems, and open educational resources are not mentioned.

Reader's Score: 3

Status: Submitted
Last Updated: 05/05/2011 09:31 AM

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Applicant: New York State Education Department (U282A110005)

Reader #1: *****

	Points Possible	Points Scored
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Selection Criteria		
Assisting students in meeting standards		
1. Meeting standards	20	16
Flexibility Afforded by State Law		
1. Flexibility	20	15
Number of high-quality charters to be created		
1. Charters to be created	20	18
Quality of the Management Plan		
1. Management plan	10	10
Authorizer Accountability		
1. Authorizer Accountability	20	20
Dissemination		
1. Dissemination	10	6
Quality of the Project Evaluation		
1. Project evaluation	10	8
Sub Total	110	93

Priority Questions

Competitive Preference Priority

Periodic Review and Evaluation

1. Periodic Review and Eval 10 8

Number of High-Quality Charter Schools

1. High-quality charters 8 8

Authorizer Other Than LEA or Appeals Process

1. Alt. Authorizer, Appeals 5 5

High Degree of Autonomy

1. High Degree of Autonomy 5 3

Improving Achievement and HS Graduation Rates

1. Achievement & grad rates 12 7

Promoting Diversity

1. Promoting Diversity 5 5

Improving Productivity

1. Improving Productivity

	5	5
Sub Total	50	41
Total	160	134

Technical Review Form

Panel #2 - FY11 CSP SEA panel - 2 - 1: 84.282A

Reader #1: *****

Applicant: New York State Education Department (U282A110005)

Questions

Selection Criteria - Assisting students in meeting standards

1. (1) The contribution the charter schools grant program will make in assisting educationally disadvantaged and other students in meeting State academic content standards and State student academic achievement standards (20 points).

Note: The Secretary encourages the applicant to provide a description of the objectives for the SEA's charter school grant program and to explain how these objectives will be met, including steps that will be taken by the SEA to inform teachers, parents, and communities of the SEA's charter school grant program and how the SEA will disseminate best or promising practices of charter schools to each LEA in the State.

Strengths:

The application provides clearly defined project objective with specific activities that emphasize measurable data.

Aligning the charter authorizing process with the grant approval process addresses the needs of the applicants in accessing funds upon approval of a charter.

There are built-in incentives to encourage charter school developers to enroll underserved populations.

Weaknesses:

There is no real data on current objectives and performance measures from the current CSP grant to indicate how the objectives and measures in this application have changed or been modified.

Reader's Score: 16

Selection Criteria - Flexibility Afforded by State Law

1. The degree of flexibility afforded by the SEA to charter schools under the State's charter school law (20 points).

Note: The Secretary encourages the applicant to describe how the State's charter school law establishes an administrative relationship between charter schools and the authorized public chartering agency and exempts charter schools from significant State or local rules that inhibit the flexible operation and management of public schools.

The Secretary also encourages the applicant to describe the degree of autonomy charter schools in the State exercise over such matters as the charter school's budgets, expenditures, daily operation, schedules, curricula, and personnel in accordance with the State's charter school law.

Strengths:

Charters have a blanket waiver of all education regulations that traditional public schools must comply with. The increased autonomy comes with increased accountability and financial responsibility.

Weaknesses:

Data on the number of charter schools closed due to fiscal deficiencies or other violations of law would have been useful in determining the success of the blanket waiver.

Reader's Score: 15

Selection Criteria - Number of high-quality charters to be created**1. The number of high-quality charter schools to be created in the State (20 points).**

Note: The Secretary considers the SEA's reasonable estimate of the number of new high-quality charter schools that will be authorized and opened in the State during the project period. The Secretary encourages the applicant to describe, in detail, its charter school subgrant application and peer review processes, how the peer review process will assess quality, and how the SEA will ensure that only high-quality charter school applicants (as defined by the applicant) are selected for funding. States that have received grants under this program previously are invited to provide data on the percentages of eligible applicants that were awarded sub-grants and how this percentage related to the overall quality of applicants funded.

Strengths:

Inclusion of a chart depicting recent trends in charter school applications supports the rigorous application process.

Continuous growth in charter schools is evidenced and projected in the graph (page e37), indicating that the rigorous application process is not discouraging new applicants.

Weaknesses:

Nine schools in 2010 were approved by the Regents and SUNY (page 36) because of a rigorous RFP begun in May 2010, but that yearly growth might not meet the growth stated within the five year period.

Reader's Score: 18

Selection Criteria - Quality of the Management Plan**1. Quality of the management plan (10 points).** In determining the quality of the management plan for the proposed project, the Secretary considers (a) the adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and (b) how the SEA will inform each charter school in the State about Federal funds the charter school is eligible to receive and ensure that each charter school in the State receives the school's commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the school and during a year in which the school's enrollment expands significantly (20 U.S.C. 7221b (b) (2) (A) and (B) and 7221e(a)).

Note: The Secretary encourages the applicant to describe any compliance issues or findings related to the CSP that have been identified in an audit or other monitoring review, as well as the steps taken to address such compliance issues or findings.

Strengths:

The application outlines specific tasks and the timeline to be accomplished by the NYSED charter school office staff. Included in the description are four new positions and how they will be utilized to monitor program objectives.

The management plan includes recommendations from the 2008 monitoring visit and includes strategies to address concerns.

Weaknesses:

No weaknesses noted

Reader's Score: 10

Selection Criteria - Authorizer Accountability

- 1. The SEA's plan to monitor and hold accountable authorized public chartering agencies through such activities as providing technical assistance or establishing a professional development program, which may include providing authorized public chartering agency staff with training and assistance on planning and systems development, so as to improve the capacity of those agencies to authorize, monitor, and hold accountable charter schools (20 points).**

Strengths:

The application addresses the need to align all the authorizers' oversight protocols and guidelines for consistency in addressing the objectives of this project.

There is evidence of a commitment by the NYSED to improve the relationship between local districts and their charters through professional development and ongoing support. The development of the NYS Quality Charter Authorizer Partnership and its various activities, will ensure that all authorizers in the State are held to the highest standards of charter school authorizing.

Weaknesses:

No weaknesses noted.

Reader's Score: 20

Selection Criteria - Dissemination

- 1. In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204(f)(6)(B) of the ESEA:**

General:

The application specifies key features for dissemination grants including 1 FTE to oversee the program and the criteria to be eligible for grant funds.

The applicant has requested a waiver for dissemination grants to be used for three years and for charters that have had dissemination grants previously to apply again.

Reader's Score: 6

Sub Question

- 1. (6a) In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204(f)(6)(B) of the ESEA, the quality of the dissemination activities (5 points).**

Note: The Secretary encourages the applicant to describe the steps to be taken by the SEA to award these funds to eligible applicants, including a description of the peer review process the SEA will use to review applications for dissemination, the timelines for awarding such funds, and how

Sub Question

the SEA will assess the quality of the applications. Applicants that have previously awarded dissemination subgrants under this program are encouraged to describe the outcomes of such subgrants and to identify any improvements to the applicant's processes for awarding and administering dissemination subgrants.

Strengths:

The dissemination grant process includes a rigorous application process, peer reviews and ongoing monitoring.

Weaknesses:

Application should have included documentation and data from previously awarded dissemination grants that prompted the request for waivers.

Reader's Score:

- 2. (6b) In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204 (f)(6)(B) of the ESEA, the likelihood that those activities will improve student academic achievement (5 points).**

Note: The Secretary encourages the applicant to describe the steps to be taken by the SEA to award these funds to eligible applicants, including a description of the peer review process the SEA will use to review applications for dissemination, the timelines for awarding such funds, and how the SEA will assess the quality of the applications. Applicants that have previously awarded dissemination subgrants under this program are encouraged to describe the outcomes of such subgrants and to identify any improvements to the applicant's processes for awarding and administering dissemination subgrants.

Strengths:

The dissemination RFP must address how the activity will improve student achievement.

There is a rigorous application process to determine the quality of each dissemination application including how the activities will increase student achievement (directly or indirectly) and how success will be measured. A rubric will ensure that the merit of the application have been met.

Weaknesses:

There is no data indicating how current dissemination grants have influenced student achievement.

Reader's Score:

Selection Criteria - Quality of the Project Evaluation

- 1. Quality of the project evaluation (10 points). In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data.**

Note: The Secretary encourages the applicant to include a strong evaluation plan in the application narrative and to use that plan, as appropriate, to shape the development of the project from the beginning of the grant period. The Secretary encourages the applicant to design the plan so that it includes (a) benchmarks to monitor progress toward specific project objectives and (b) outcome measures to assess the impact on teaching and learning or other important outcomes for project participants. In its plan, we encourage the applicant to identify the individual and/or organization that will serve as the evaluator and to describe the qualifications of the evaluator. We also encourage the applicant to describe in its application, the evaluation design, indicating:

- (1) the types of data that will be collected;
- (2) when various types of data will be collected;
- (3) the methods that will be used;
- (4) the instruments that will be developed and when;
- (5) how the data will be analyzed;
- (6) when reports of results and outcomes will be available; and
- (7) how the applicant will use the information collected through the evaluation to monitor progress of the funded project and to provide accountability information both about success at the initial site and effective strategies for replication in other settings.

Applicants are encouraged to devote an appropriate level of resources to project evaluation.

Strengths:

NYSED is subject to a competitive bidding process for the CSP evaluation and will select a contractor for that evaluation. There is a suggestion that the NYSED charter schools office will also consider contracting with other outside researchers to study academic progress.

All objectives of the project have measurable performance activities including data collection, methods, and reporting criteria.

Weaknesses:

The applicant states that results will be used to monitor progress, but there is no data in this section to indicate how the previous evaluation influenced the development of this projected evaluation process.

Reader's Score: 8

Priority Questions

Competitive Preference Priority - Periodic Review and Evaluation

1. **Periodic Review and Evaluation (up to 10 points).** The State provides for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every five years, unless required more frequently by State law, to determine whether the charter school is meeting the terms of the school's charter, and is meeting or exceeding the student academic achievement requirements and goals for charter schools as set forth under State law or the schools charter.

Note: The Secretary invites the applicant to provide information regarding whether the periodic review that takes place at least once every five years includes a public vote on whether to terminate, extend, or renew a school's charter and on whether a failure to affirmatively renew or extend a schools charter during the periodic review that takes place at least once every five years would result in the charter school being closed.

Strengths:

There is a comprehensive process in place to ensure charter school compliance.

The use of annual reports including comparative academic data and fiscal performance provides meaningful information in support of the program.

The process for charter renewal includes a recommendation by the charter authorizer to the Board of Regents who vote in a public meeting to renew or not renew a charter. It is not clear if there is an appeal process in place for votes of non-renewal.

Weaknesses:

The use of specific data indicating the number of schools meeting evaluation criteria and those that did not would have been helpful.

Reader's Score: 8

Competitive Preference Priority - Number of High-Quality Charter Schools

- 1. Number of High-Quality Charter Schools (up to 8 points).** The State has demonstrated progress in increasing the number of high-quality charter schools that are held accountable in the terms of the school's charter for meeting clear and measurable objectives for the educational progress of the students attending the schools, in the period prior to the period for which an SEA applies for a grant under this competition.

Note: The Secretary invites the applicant to provide the following information: (1) its definition of a "high-quality charter school"; (2) the number of "high-quality charter schools" in the State and a description of how the rate has changed over the past five years; and (3) the percentage of "high-quality charter schools" in the State and a description of how the percentage has changed over the past five years.

Strengths:

Good documentation and data to indicate that students in charter schools are out-performing those in traditional schools.

There is evidence that outside evaluation reports of the CSP program oversight is "exceptionally comprehensive, rigorous, and persistent" (e6).

Weaknesses:

No weaknesses noted

Reader's Score: 8

Competitive Preference Priority - Authorizer Other Than LEA or Appeals Process

- 1. One Authorized Public Chartering Agency Other than a Local Educational Agency (LEA), or an Appeals Process (5 points).** The State:

(a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

(b) In the case of a State in which LEA's are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

PLEASE NOTE: Reviewers must assign a score of 0 or 5, but nothing in between.

Strengths:

There is strong support for multiple charter school authorizers in the State in addition to several school districts.

Weaknesses:

No weaknesses noted

Reader's Score: 5

Competitive Preference Priority - High Degree of Autonomy

1. **High Degree of Autonomy (up to 5 points).** The State ensures that each charter school has a high degree of autonomy over the charter school's budget and expenditures.

Strengths:

Charter schools are fiscally autonomous so that the trustees of the school approve the budget and monitor the finances.

The state has in place a mechanism to ensure that charter schools receive all the funding that a student generates.

Weaknesses:

Specific data indicating results of annual fiscal audits completed on charter schools for at least last year would have been helpful in understanding how this autonomy over budget and expenditures has affected charter schools. There is no mention of charter schools being closed for misuse of funds.

Reader's Score: 3

Competitive Preference Priority - Improving Achievement and HS Graduation Rates

1. **Improving Achievement and High School Graduation Rates (up to 12 points).** Projects that are designed to address one or more of the following priority areas:

(a) Accelerating learning and helping to improve high school graduation rates (as defined in the Federal Register Notice) and college enrollment rates for students in rural local educational agencies (as defined in the Federal Register Notice) (up to 3 points).

(b) Accelerating learning and helping to improve high school graduation rates (as defined in the Federal Register Notice) and college enrollment rates for students with disabilities (up to 3 points).

(c) Accelerating learning and helping to improve high school graduation rates (as defined in the Federal Register Notice) and college enrollment rates for English learners (up to 3 points).

(d) Accelerating learning and helping to improve high school graduation rates and college enrollment rates in high-poverty schools (as defined in the Federal Register Notice) (up to 3 points).

Note: For each population of students for which the applicant is seeking competitive priority points, the Secretary invites the applicant to discuss the steps it would take to meet the priority. For example, the applicant could describe any guidance or support it would provide to charter school developers to assist such developers in recruiting and providing high-quality services to students who are members of the particular student population(s); how it would monitor charter schools in the State to ensure that they are taking effective and active steps to recruit and enroll students who are members of the particular student population(s); how it would monitor charter schools in the State to ensure that students who are members of the particular student population(s) are being served by such schools; or how it would design its subgrant competition, which may include the use of preferences, to ensure that students who are members of the particular student population(s) are being served at rates equal to or greater than such students are being served in other schools in the area.

General:

The NYSED and SUNY are developing numeric parameters on how to recruit and retain special populations.

It would have been helpful to have had some data included to show the percentage of students with disabilities or ELL, etc who are enrolled in charter schools beyond the statement that charter schools have not made enough progress towards

improving achievement and high school graduation rates.

Reader's Score: 7

Competitive Preference Priority - Promoting Diversity

- 1. Promoting Diversity (up to 5 points). Projects that are designed to promote student diversity, including racial and ethnic diversity, or avoid racial isolation.**

Note: The Secretary invites the applicant to discuss how it would design its subgrant competition to meet this priority.

Strengths:

There are specific strategies that charter schools can employ to encourage more diversity in their enrollment. NYS has documented ways that applicants can accept a more diverse population including an application process translated into several languages, transportation plans, and school location or region to encourage diversity of the student population.

Weaknesses:

No weaknesses noted

Reader's Score: 5

Competitive Preference Priority - Improving Productivity

- 1. Improving Productivity (up to 5 points). Projects that are designed to significantly increase efficiency in the use of time, staff, money, or other resources while improving student learning or other educational outcomes (i.e., outcomes per unit of resource). Such projects may include innovative and sustainable uses of technology, modification of school schedules and teacher compensation systems, use of open educational resources (as defined in the Federal Register Notice), or other strategies.**

Strengths:

This application provides specific examples of the use of technology (e.g. blended learning/on-line learning with courses aligned to State standards) and teacher opportunity to improve productivity.

Weaknesses:

No weaknesses noted

Reader's Score: 5

Status: Submitted

Last Updated: 05/11/2011 03:23 PM

Status: Submitted

Last Updated: 05/27/2011 01:03 PM

Technical Review Coversheet

Applicant: New York State Education Department (U282A110005)

Reader #4: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
Assisting students in meeting standards		
1. Meeting standards	20	20
Flexibility Afforded by State Law		
1. Flexibility	20	16
Number of high-quality charters to be created		
1. Charters to be created	20	18
Quality of the Management Plan		
1. Management plan	10	10
Authorizer Accountability		
1. Authorizer Accountability	20	18
Dissemination		
1. Dissemination	10	9
Quality of the Project Evaluation		
1. Project evaluation	10	8
	Sub Total	99
Priority Questions		
Competitive Preference Priority		
Periodic Review and Evaluation		
1. Periodic Review and Eval	10	8
Number of High-Quality Charter Schools		
1. High-quality charters	8	8
Authorizer Other Than LEA or Appeals Process		
1. Alt. Authorizer, Appeals	5	5
High Degree of Autonomy		
1. High Degree of Autonomy	5	5
Improving Achievement and HS Graduation Rates		
1. Achievement & grad rates	12	8
Promoting Diversity		
1. Promoting Diversity	5	5
Improving Productivity		

1. Improving Productivity

5

4

Sub Total

50

43

Total

160

142

Technical Review Form

Panel #2 - FY11 CSP SEA panel - 2 - 1: 84.282A

Reader #4: *****

Applicant: New York State Education Department (U282A110005)

Questions

Selection Criteria - Assisting students in meeting standards

1. (1) The contribution the charter schools grant program will make in assisting educationally disadvantaged and other students in meeting State academic content standards and State student academic achievement standards (20 points).

Note: The Secretary encourages the applicant to provide a description of the objectives for the SEA's charter school grant program and to explain how these objectives will be met, including steps that will be taken by the SEA to inform teachers, parents, and communities of the SEA's charter school grant program and how the SEA will disseminate best or promising practices of charter schools to each LEA in the State.

Strengths:

* The New York state law as amended, seeks to integrate the CSP and authorization process to make it less cumbersome and tedious for approved charters. Moreover, by aligning both processes, the state will assure that a new charter school receives pending CSP funds in a quicker manner.

* The application provides an exhaustive list of objectives and related activities that clearly states how the state will assure they meet the objectives listed. For example, on p.28, Article 3; the narrative details the multi pronged approach that includes email web blasts and also the more formal forums to meet the objectives to communicate information in regards to the charter grant process.

Weaknesses:

* By offering 25% funding as an incentive to reach a target population during the school's first year of operation does not address how the state will assure the enrollment of the target population will be sustained beyond the first year. The description needs to address their need for capacity to reach , enroll, and retain these subgroups beyond the first year of operation .

Reader's Score: 20

Selection Criteria - Flexibility Afforded by State Law

1. The degree of flexibility afforded by the SEA to charter schools under the State's charter school law (20 points).

Note: The Secretary encourages the applicant to describe how the State's charter school law establishes an administrative relationship between charter schools and the authorized public chartering agency and exempts charter schools from significant State or local rules that inhibit the flexible operation and management of public schools.

The Secretary also encourages the applicant to describe the degree of autonomy charter schools in the State exercise over such matters as the charter school's budgets, expenditures, daily operation, schedules, curricula, and personnel in accordance with the State's charter school law.

Strengths:

It is evidenced that New York demonstrates a balanced approach between the autonomy of charter school operators and the Board of Trustees as they oversee the laws and regulations as they are developed and applied in practice.

New York Ed Law 2854 (3) (9-1) provides charter schools with unique hiring practice ability that provides leverage such as permitting up to five faculty members at a specific charter school to be non-certified.

Weaknesses:

None to be noted

Reader's Score: 16

Selection Criteria - Number of high-quality charters to be created**1. The number of high-quality charter schools to be created in the State (20 points).**

Note: The Secretary considers the SEA's reasonable estimate of the number of new high-quality charter schools that will be authorized and opened in the State during the project period.

The Secretary encourages the applicant to describe, in detail, its charter school subgrant application and peer review processes, how the peer review process will assess quality, and how the SEA will ensure that only high-quality charter school applicants (as defined by the applicant) are selected for funding. States that have received grants under this program previously are invited to provide data on the percentages of eligible applicants that were awarded sub-grants and how this percentage related to the overall quality of applicants funded.

Strengths:

Chapter 101 of the New York State Laws of 2010, highlighted by the application, amends the NYSE Charter School law that will allow for the creation of nearly two dozen more schools, however more significantly, the law excerpt referred to on page e7(6 of 60) of the application points out that this revision will allow for unlimited conversions of charters.

New York has continually demonstrated a commitment to support high quality charters in its practice to continually raise the charter school cap as the demands merit the increase. Furthermore, in its approach to increasing the number of good schools, New York education officials have committed to not count the conversion schools (traditional to charter) to count against the cap.

Weaknesses:

I would point out that the fact that a cap still exists and offers this borderline of how many good schools you can have in a state is a flaw. The fact that the cap is being raised consciously means that schools are remaining open and remain relevant to the state's populations.

Reader's Score: 18

Selection Criteria - Quality of the Management Plan**1. Quality of the management plan (10 points). In determining the quality of the management plan for the proposed project, the Secretary considers (a) the adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and (b) how the SEA will inform each charter school in the State about Federal funds the charter school is eligible to receive and ensure that each**

charter school in the State receives the school's commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the school and during a year in which the school's enrollment expands significantly (20 U.S.C. 7221b (b) (2) (A) and (B) and 7221e(a)).

Note: The Secretary encourages the applicant to describe any compliance issues or findings related to the CSP that have been identified in an audit or other monitoring review, as well as the steps taken to address such compliance issues or findings.

Strengths:

With a well staffed and knowledgeable Charter School Office who works to maintain the yearly management plan, the overseeing capabilities of all the state's charter schools is absolutely necessary as the numbers of charter schools grow. The organization, oversight, and expertise offered by a centralized office assures proper oversight.

Weaknesses:

While it may not be a weakness and more of a necessity, the CSO office must have a large resource commitment and should seek avenues of sustainability through collaboration with schools and organizations to assure the work continues even through times where funding scarcity is real. Of course, New York has received Race to The Top Funds and that will be an advantage over other states who lack the funding streams to provide such extensive oversight.

Reader's Score: 10

Selection Criteria - Authorizer Accountability

- 1. The SEA's plan to monitor and hold accountable authorized public chartering agencies through such activities as providing technical assistance or establishing a professional development program, which may include providing authorized public chartering agency staff with training and assistance on planning and systems development, so as to improve the capacity of those agencies to authorize, monitor, and hold accountable charter schools (20 points).**

Strengths:

New York has a well established network within their extensive knowledge in house. The formation of the New York Quality Charter Authorizer Partnership (p. 44) is an example of the sophistication of the authorization abilities and knowledge available within the New York education entities. This project is an example of how authorizers should continually seek knowledge through partnerships and recruitment of individuals that will make their knowledge base that much wider. This will only translate into better schools for children and communities

Weaknesses:

On page e 47, the application states that NYSED may reach out to the Buffalo Board of Education. The "may" used in the sentence gives an impression that NYSED may avoid the Buffalo Board but fails to offer discussions.

Reader's Score: 18

Selection Criteria - Dissemination

- 1. In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204(f)(6)(B) of the ESEA:**

General:

The plan for dissemination is sound. The state will employ a person to serve as the dissemination point person which will be required given the thorough plan that will be executed in the narrative of the application. The fact that the state has already performed dissemination projects in the past, they can now refer back to establish a best practice type approach

as they set new goals and strategies for the sharing of what was learned and details of the application process.

The program will also provide opportunities for district-charter partnerships that will result in better educational options for families.

Reader's Score: 9

Sub Question

1. (6a) In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204(f)(6)(B) of the ESEA, the quality of the dissemination activities (5 points).

Note: The Secretary encourages the applicant to describe the steps to be taken by the SEA to award these funds to eligible applicants, including a description of the peer review process the SEA will use to review applications for dissemination, the timelines for awarding such funds, and how the SEA will assess the quality of the applications. Applicants that have previously awarded dissemination subgrants under this program are encouraged to describe the outcomes of such subgrants and to identify any improvements to the applicant's processes for awarding and administering dissemination subgrants.

Strengths:

The plan does detail a peer reviewer process as part of the application process. The application's dissemination section is very thorough and well documented. On page e 52, the application states that New York will assign a Dissemination Specialist to coordinate this program.

Weaknesses:

On page e 49, it states that a formal evaluation of the dissemination projects, will be conducted only if resources are permitted. Given the scope of the application's dissemination practices, much could be learned and fine tuned through a formal evaluation that will better the dissemination project.

Reader's Score:

2. (6b) In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204 (f)(6)(B) of the ESEA, the likelihood that those activities will improve student academic achievement (5 points).

Note: The Secretary encourages the applicant to describe the steps to be taken by the SEA to award these funds to eligible applicants, including a description of the peer review process the SEA will use to review applications for dissemination, the timelines for awarding such funds, and how the SEA will assess the quality of the applications. Applicants that have previously awarded dissemination subgrants under this program are encouraged to describe the outcomes of such subgrants and to identify any improvements to the applicant's processes for awarding and administering dissemination subgrants.

Strengths:

The program will collect a combination of qualitative and quantitative analysis from the schools that are selected through this process. The timelines and activities are clear and detailed and planned throughout the year.

Weaknesses:

On page e 53, in the last paragraph, hints that there may be some kind of issue with Buffalo? Considering that part of the purpose of this section is to highlight and influence practitioners through the dissemination of practices, perhaps more discussion of how the project will seek to change the perspective of Buffalo authorizers would be informative. Clarification or examples of Buffalo experience could have provided more perspective.

Reader's Score:

Selection Criteria - Quality of the Project Evaluation

1. **Quality of the project evaluation (10 points).** In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data.

Note: The Secretary encourages the applicant to include a strong evaluation plan in the application narrative and to use that plan, as appropriate, to shape the development of the project from the beginning of the grant period. The Secretary encourages the applicant to design the plan so that it includes (a) benchmarks to monitor progress toward specific project objectives and (b) outcome measures to assess the impact on teaching and learning or other important outcomes for project participants. In its plan, we encourage the applicant to identify the individual and/or organization that will serve as the evaluator and to describe the qualifications of the evaluator. We also encourage the applicant to describe in its application, the evaluation design, indicating:

- (1) the types of data that will be collected;
- (2) when various types of data will be collected;
- (3) the methods that will be used;
- (4) the instruments that will be developed and when;
- (5) how the data will be analyzed;
- (6) when reports of results and outcomes will be available; and
- (7) how the applicant will use the information collected through the evaluation to monitor progress of the funded project and to provide accountability information both about success at the initial site and effective strategies for replication in other settings.

Applicants are encouraged to devote an appropriate level of resources to project evaluation.

Strengths:

The narrative of this portion of the application demonstrates an experienced authorizer whom has dealt with evaluation teams and processes throughout the years. The plan provided is in line with their best practice understandings, and the tables show the ability to plan around the evaluators.

Weaknesses:

However, of course, as stated earlier, a plan to retain the staff involved once the CSP funds are expended may be a challenge for the state.

Reader's Score: 8

Priority Questions

Competitive Preference Priority - Periodic Review and Evaluation

1. **Periodic Review and Evaluation (up to 10 points).** The State provides for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every five years, unless required more frequently by State law, to determine whether the charter school is meeting the terms of the school's charter, and is meeting or exceeding the student academic achievement requirements and goals for charter schools as set forth under State law or the schools charter.

Note: The Secretary invites the applicant to provide information regarding whether the periodic review that takes place at least once every five years includes a public vote on whether to terminate, extend, or renew a school's charter and on whether a failure to affirmatively renew or extend a schools charter during the periodic review that takes place at least once every five years would result in the charter school being closed.

Strengths:

* The application submitted by the New York State Department of Education identifies multiple measures used to evaluate charter schools throughout the five year term of an approved school petition. On page e 2 of the Competitive Priority Preferences section, the application identifies New York Education Law 2851(2)(a) through (x) that specifically provides a comprehensive list of areas that are reviewed, at least once through a schools five year term.

*Furthermore, New York State Department of Education requires a yearly report summary of every individual charter school through the submission of a charter school report card that highlights year to year details of specified areas in accordance with Ed Law 2857 (2).

*The authorizers decision to approve or deny an extended charter petition term of a sub sequential five year term is voted upon at a Board of Regents meeting in accordance with New York states Open Meeting Law that provides assurance of a transparent approach to charter school petition votes and decisions.

Weaknesses:

On page e 2, the application lists the different types of evidence collected by the authroizer during a schools five year term. However, it failed to state how often or when the different levels of evidence are collected from charter schools by the authorizer within those five years.

Reader's Score: 8

Competitive Preference Priority - Number of High-Quality Charter Schools

- 1. Number of High-Quality Charter Schools (up to 8 points). The State has demonstrated progress in increasing the number of high-quality charter schools that are held accountable in the terms of the school's charter for meeting clear and measurable objectives for the educational progress of the students attending the schools, in the period prior to the period for which an SEA applies for a grant under this competition.**

Note: The Secretary invites the applicant to provide the following information: (1) its definition of a "high-quality charter school"; (2) the number of "high-quality charter schools" in the State and a description of how the rate has changed over the past five years; and (3) the percentage of "high-quality charter schools" in the State and a description of how the percentage has changed over the past five years.

Strengths:

The application included multiple third party, research citations that highlighted success exhibited at New York charter schools, in particular with subgroups such as Latinos who underperform in specific content areas as exhibited in national statewide test data subgroup achievement gap .

The increased demand for more charter schools coupled with the responsive expansion of the states charter school cap by New York State Education officials demonstrates that the state has proven successful in their authorizing practice and oversight ensuring quality charter schools.

Chapter 101 of the New York State Laws of 2010, highlighted by the application, amends the NYS Charter School law that will allow for the creation of nearly two dozen more schools, however more significantly, the law excerpt refereed to on page e7(6 of 60) of the application points out that this revision will allow for unlimited conversions of charters.

Weaknesses:

None to be Noted

Reader's Score: 8

Competitive Preference Priority - Authorizer Other Than LEA or Appeals Process

1. One Authorized Public Chartering Agency Other than a Local Educational Agency (LEA), or an Appeals Process (5 points). The State:

(a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

(b) In the case of a State in which LEA's are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

PLEASE NOTE: Reviewers must assign a score of 0 or 5, but nothing in between.

Strengths:

Multiple agencies that include the New York Board of Regents, and the State University of New York (SUNY) Board of Trustees are identified as the authorizing entities in the state. A third choice of local district approvals has been eliminated by a change in the state earlier charter law.

The SUNY board can approve or override a decision of a denied charter petition by the New York Board of Regents through a resubmission process.

Weaknesses:

Although the state provides multiple pathways to charter school petition approval, it was unclear why the third possible choice of local authorization originally enacted in 1998 as cited on page e8, was eliminated through a revision process.

Reader's Score: 5

Competitive Preference Priority - High Degree of Autonomy

1. High Degree of Autonomy (up to 5 points). The State ensures that each charter school has a high degree of autonomy over the charter school's budget and expenditures.

Strengths:

The application provides evidence of charter school autonomy as it relates to the schools fiscal decision making by pointing to the Ed Law 2853 (1) (c) that clearly stipulates that charter schools in the state of New York will have final authority in regards to policy and operational decisions as made the charter school board of trustees. The petition also highlights the aptitude required by authorizers, such as those identified practices in this state, to strike a balance between autonomy and a fiscal oversight responsibility given to charter school authorizers as they oversee the management of public funds.

Weaknesses:

None to be noted

Reader's Score: 5

Competitive Preference Priority - Improving Achievement and HS Graduation Rates

1. **Improving Achievement and High School Graduation Rates (up to 12 points).** Projects that are designed to address one or more of the following priority areas:

(a) **Accelerating learning and helping to improve high school graduation rates (as defined in the Federal Register Notice) and college enrollment rates for students in rural local educational agencies (as defined in the Federal Register Notice) (up to 3 points).**

(b) **Accelerating learning and helping to improve high school graduation rates (as defined in the Federal Register Notice) and college enrollment rates for students with disabilities (up to 3 points).**

(c) **Accelerating learning and helping to improve high school graduation rates (as defined in the Federal Register Notice) and college enrollment rates for English learners (up to 3 points).**

(d) **Accelerating learning and helping to improve high school graduation rates and college enrollment rates in high-poverty schools (as defined in the Federal Register Notice) (up to 3 points).**

Note: For each population of students for which the applicant is seeking competitive priority points, the Secretary invites the applicant to discuss the steps it would take to meet the priority. For example, the applicant could describe any guidance or support it would provide to charter school developers to assist such developers in recruiting and providing high-quality services to students who are members of the particular student population(s); how it would monitor charter schools in the State to ensure that they are taking effective and active steps to recruit and enroll students who are members of the particular student population(s); how it would monitor charter schools in the State to ensure that students who are members of the particular student population(s) are being served by such schools; or how it would design its subgrant competition, which may include the use of preferences, to ensure that students who are members of the particular student population(s) are being served at rates equal to or greater than such students are being served in other schools in the area.

General:

Recent New York state policy provides examples of its commitment to address the need to improve the academic achievement levels and graduation rates of subgroups, specifically among English language Learners, Students with disabilities, and low income seeking to attend charter schools sponsored by the state. With the amendments of EdLaw 2855 (1) the state can now use the enrollment and retention of the three targeted populations, or lack thereof, as reason for revocation. This demonstrates a serious commitment from the authorizers to address the needs of the particular subgroups.

Reader's Score: 8

Competitive Preference Priority - Promoting Diversity

1. **Promoting Diversity (up to 5 points).** Projects that are designed to promote student diversity, including racial and ethnic diversity, or avoid racial isolation.

Note: The Secretary invites the applicant to discuss how it would design its subgrant competition to meet this priority.

Strengths:

New York state authorizers demonstrate their assurances and commitment to promoting diversity in the states charter schools by allowing the establishing of admission policies through Ed Law 2854 (2) (a) that permits schools to create design factors to admit larger numbers of at risk populations through enrollment procedures.

The authorizer provides a descriptive incentive plan, through the enhanced CSP grant and funds, that will seek to proactively address factors that limit the participation of at risk subgroup populations in successful schools by supporting ideas such as regional charter schools, transportation, or unique program designs or themes.

Weaknesses:

None to be Noted

Reader's Score: 5

Competitive Preference Priority - Improving Productivity

- 1. Improving Productivity (up to 5 points). Projects that are designed to significantly increase efficiency in the use of time, staff, money, or other resources while improving student learning or other educational outcomes (i.e., outcomes per unit of resource). Such projects may include innovative and sustainable uses of technology, modification of school schedules and teacher compensation systems, use of open educational resources (as defined in the Federal Register Notice), or other strategies.**

Strengths:

The application demonstrates the states willingness to review standing policies to decide if revisions are required. The presents an opportunity to accommodate a shift that will stimulate ,and promote innovative approaches to public education that will expand learning opportunities.

Weaknesses:

This section of the application fails to offer a comprehensive approach by only briefly discussing blended learning as the way in which schools can become more efficient in their operations. Furthermore, the description appears a bit reactive to a recently released report in 2011 where blended instruction was discussed. However, a regulation set forth by the Education Commissioner will not be enacted until June 8 of this year and is yet to be seen in its practice.

Reader's Score: 4

Status: Submitted

Last Updated: 05/27/2011 01:03 PM

Status: Submitted

Last Updated: 05/10/2011 10:28 PM

Technical Review Coversheet

Applicant: New York State Education Department (U282A110005)

Reader #3: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
Assisting students in meeting standards		
1. Meeting standards	20	19
Flexibility Afforded by State Law		
1. Flexibility	20	15
Number of high-quality charters to be created		
1. Charters to be created	20	17
Quality of the Management Plan		
1. Management plan	10	10
Authorizer Accountability		
1. Authorizer Accountability	20	20
Dissemination		
1. Dissemination	10	9
Quality of the Project Evaluation		
1. Project evaluation	10	10
Sub Total	110	100

Priority Questions

Competitive Preference Priority

Periodic Review and Evaluation

1. Periodic Review and Eval 10 10

Number of High-Quality Charter Schools

1. High-quality charters 8 7

Authorizer Other Than LEA or Appeals Process

1. Alt. Authorizer, Appeals 5 5

High Degree of Autonomy

1. High Degree of Autonomy 5 4

Improving Achievement and HS Graduation Rates

1. Achievement & grad rates 12 8

Promoting Diversity

1. Promoting Diversity 5 5

Improving Productivity

1. Improving Productivity

	5	5
Sub Total	50	44
Total	160	144

Technical Review Form

Panel #2 - FY11 CSP SEA panel - 2 - 1: 84.282A

Reader #3: *****

Applicant: New York State Education Department (U282A110005)

Questions

Selection Criteria - Assisting students in meeting standards

1. (1) The contribution the charter schools grant program will make in assisting educationally disadvantaged and other students in meeting State academic content standards and State student academic achievement standards (20 points).

Note: The Secretary encourages the applicant to provide a description of the objectives for the SEA's charter school grant program and to explain how these objectives will be met, including steps that will be taken by the SEA to inform teachers, parents, and communities of the SEA's charter school grant program and how the SEA will disseminate best or promising practices of charter schools to each LEA in the State.

Strengths:

The applicant notes frustrations out of New York subgrantees with "the time lag between the date on which the charter was issued and the date CSP funding begins to flow" and provides a strong partnership between NYSED and the other major active authorizers to "integrate the charter authorization review processes with the CSP grant review process." Concerns were raised by school developers and the concerns are being addressed in a manner which should have a positive trickledown effect upon the charter schools in the state, assisting the schools in attaining quality results with regards to student achievement. (bottom of page 22 and top of page 23)

Additionally, the additional funding opportunities for charter schools which have met state criteria for disadvantaged students will provide a strong and meaningful focus towards serving these students.

Lastly, there are wonderful charter / authorizer incentives built in to this section which continue to assist and serve educationally disadvantaged students.

Weaknesses:

Applicant should ensure all authorizers will be provided information regarding CSP grant funding. Stating "NYSED will work collaboratively with the other authorizers" opens up the possibility some local districts could potentially be left out. (page 28)

Reader's Score: 19

Selection Criteria - Flexibility Afforded by State Law

1. The degree of flexibility afforded by the SEA to charter schools under the State's charter school law (20 points).

Note: The Secretary encourages the applicant to describe how the State's charter school law establishes an administrative relationship between charter schools and the authorized public chartering agency and exempts charter schools from significant State or local rules that inhibit the flexible operation and management of public schools.

The Secretary also encourages the applicant to describe the degree of autonomy charter schools in the

State exercise over such matters as the charter school's budgets, expenditures, daily operation, schedules, curricula, and personnel in accordance with the State's charter school law.

Strengths:

Clarification that the authorizers within the state are authorized to "supervise and oversee" sets the proper tone to ensure charter schools are afforded desired flexibility. (page 30)

Applicant notes, "charter schools are otherwise exempt from all other state and local laws, rules, regulations or policies governing public or private schools, boards of education and school districts, including those related to school personnel and students". This provides NY's charter schools with the needed flexibility to operate appropriately. (top of page 31)

Weaknesses:

Flexibility for NY's charter sector is limited by a unionized workforce and the requirement that "charter schools are allowed to have up to 30 percent or five teachers who are not certified". This undermines what appears to be strong autonomy and flexibility in the state. (page 31 paragraph 3 and page 32, top of the page)

Reader's Score: 15

Selection Criteria - Number of high-quality charters to be created

1. The number of high-quality charter schools to be created in the State (20 points).

Note: The Secretary considers the SEA's reasonable estimate of the number of new high-quality charter schools that will be authorized and opened in the State during the project period.

The Secretary encourages the applicant to describe, in detail, its charter school subgrant application and peer review processes, how the peer review process will assess quality, and how the SEA will ensure that only high-quality charter school applicants (as defined by the applicant) are selected for funding. States that have received grants under this program previously are invited to provide data on the percentages of eligible applicants that were awarded sub-grants and how this percentage related to the overall quality of applicants funded.

Strengths:

This section is exemplary. The one sentence which best illustrates the commitment to pursue high-quality charter schools is, "the two statewide authorizers work in partnership with the NYCDOE to ensure that only governing boards with the will, skill, and capacity to sustain quality schools are awarded charters, and these authorizers rigorously monitor the academic and operational programs of the public charter schools in the State". This statement sets a tone for charter school governing boards to not only have the proper expertise needed, but the will to utilize those skills to ensure quality.(page 33)

Weaknesses:

While the cap in the state was increased significantly, there is still a cap. This may set an inappropriate example for other states and their legislatures which look to more established chartering states like New York.

Reader's Score: 17

Selection Criteria - Quality of the Management Plan

1. Quality of the management plan (10 points). In determining the quality of the management plan for the proposed project, the Secretary considers (a) the adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and (b) how the SEA will inform each charter

school in the State about Federal funds the charter school is eligible to receive and ensure that each charter school in the State receives the school's commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the school and during a year in which the school's enrollment expands significantly (20 U.S.C. 7221b (b) (2) (A) and (B) and 7221e(a)).

Note: The Secretary encourages the applicant to describe any compliance issues or findings related to the CSP that have been identified in an audit or other monitoring review, as well as the steps taken to address such compliance issues or findings.

Strengths:

The strength of this section is in the human capital. The individuals who have been hired to run, operate, and manage these particular areas have extensive and practical experience to help ensure quality growth of the charter sector of New York. A commitment and dedication is evident.

Weaknesses:

No significant weaknesses.

Reader's Score: 10

Selection Criteria - Authorizer Accountability

- 1. The SEA's plan to monitor and hold accountable authorized public chartering agencies through such activities as providing technical assistance or establishing a professional development program, which may include providing authorized public chartering agency staff with training and assistance on planning and systems development, so as to improve the capacity of those agencies to authorize, monitor, and hold accountable charter schools (20 points).**

Strengths:

New York exhibits a strong commitment to ensure quality authorization practices through the leadership within the organizations, partnerships exhibited with the formation of the New York State Quality Charter Authorizer Partnership and the various activities incorporated in the application.

Staff with both statewide authorizing agencies have a strong charter authorizer background which should greatly assist both entities. (page 44)

Weaknesses:

No significant weaknesses exhibited.

Reader's Score: 20

Selection Criteria - Dissemination

- 1. In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204(f)(6)(B) of the ESEA:**

General:

New York's efforts to take the previous dissemination grant and significantly restructure the grant in a manner which the state believes will be more appropriate to "impact practice or raise student achievement at partner schools" meets the goals of selection criteria (vi). The innovative means of structuring the dissemination grant as a "Race-to-the-Top" competition in cooperation with the New York Charter Schools Association, the New York City Charter Schools Center, and New York State Quality Charter Authorizer Partnership provides strong evidence of the potential impact upon the charter sector of

the state in the years to come.

Reader's Score: 9

Sub Question

1. (6a) In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204(f)(6)(B) of the ESEA, the quality of the dissemination activities (5 points).

Note: The Secretary encourages the applicant to describe the steps to be taken by the SEA to award these funds to eligible applicants, including a description of the peer review process the SEA will use to review applications for dissemination, the timelines for awarding such funds, and how the SEA will assess the quality of the applications. Applicants that have previously awarded dissemination subgrants under this program are encouraged to describe the outcomes of such subgrants and to identify any improvements to the applicant's processes for awarding and administering dissemination subgrants.

Strengths:

The innovative means of structuring the dissemination grant as a "Race-to-the-Top" competition in cooperation with the New York Charter Schools Association, the New York City Charter Schools Center, and New York State Quality Charter Authorizer Partnership provides strong evidence of the potential impact upon the charter sector of the state in the years to come.

Weaknesses:

Bullet statement 4 on page 48 states that a formal evaluation of dissemination projects will be done, "resources permitting". A formal evaluation in the 5th year is too important not to place in the budget of this grant.

Reader's Score:

2. (6b) In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204 (f)(6)(B) of the ESEA, the likelihood that those activities will improve student academic achievement (5 points).

Note: The Secretary encourages the applicant to describe the steps to be taken by the SEA to award these funds to eligible applicants, including a description of the peer review process the SEA will use to review applications for dissemination, the timelines for awarding such funds, and how the SEA will assess the quality of the applications. Applicants that have previously awarded dissemination subgrants under this program are encouraged to describe the outcomes of such subgrants and to identify any improvements to the applicant's processes for awarding and administering dissemination subgrants.

Strengths:

Requiring applicant that selects to develop assessments or materials to include validation study results to show evidence of "successful practices" should contribute to improved academic achievement for charters.

Weaknesses:

No significant weaknesses.

Reader's Score:

Selection Criteria - Quality of the Project Evaluation

1. **Quality of the project evaluation (10 points).** In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data.

Note: The Secretary encourages the applicant to include a strong evaluation plan in the application narrative and to use that plan, as appropriate, to shape the development of the project from the beginning of the grant period. The Secretary encourages the applicant to design the plan so that it includes (a) benchmarks to monitor progress toward specific project objectives and (b) outcome measures to assess the impact on teaching and learning or other important outcomes for project participants. In its plan, we encourage the applicant to identify the individual and/or organization that will serve as the evaluator and to describe the qualifications of the evaluator. We also encourage the applicant to describe in its application, the evaluation design, indicating:

- (1) the types of data that will be collected;
- (2) when various types of data will be collected;
- (3) the methods that will be used;
- (4) the instruments that will be developed and when;
- (5) how the data will be analyzed;
- (6) when reports of results and outcomes will be available; and
- (7) how the applicant will use the information collected through the evaluation to monitor progress of the funded project and to provide accountability information both about success at the initial site and effective strategies for replication in other settings.

Applicants are encouraged to devote an appropriate level of resources to project evaluation.

Strengths:

A strong project evaluation has been set up, in partnership with proven evaluators (page 54 paragraph 2) and the addition of "a more robust study of charter school outcomes" on student achievement outcomes of specific program design models, dissemination activities, student attrition or specific authorizing practices will provide the state with both quantitative and qualitative data.

Weaknesses:

No significant weaknesses exhibited.

Reader's Score: 10

Priority Questions

Competitive Preference Priority - Periodic Review and Evaluation

1. **Periodic Review and Evaluation (up to 10 points).** The State provides for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every five years, unless required more frequently by State law, to determine whether the charter school is meeting the terms of the school's charter, and is meeting or exceeding the student academic achievement requirements and goals for charter schools as set forth under State law or the schools charter.

Note: The Secretary invites the applicant to provide information regarding whether the periodic review that takes place at least once every five years includes a public vote on whether to terminate, extend, or renew a school's charter and on whether a failure to affirmatively renew or extend a schools charter during the periodic review that takes place at least once every five years would result in the charter school being closed.

Strengths:

New York makes an extremely compelling case for their review and evaluation. (page 1 last sentence, first paragraph and last sentence second paragraph)

Applicant states, "In order to ensure that all charter schools are of the highest quality, Ed Law 2851(2)(a) through (x) identifies four main areas of periodic evaluation and review: operations, governance, fiscal soundness, and academic progress" This provides a strong desire to ensure a periodic review is done for critical areas of the charter school. (page 1)

Weaknesses:

No noticeable weaknesses.

Reader's Score: 10

Competitive Preference Priority - Number of High-Quality Charter Schools

- 1. Number of High-Quality Charter Schools (up to 8 points). The State has demonstrated progress in increasing the number of high-quality charter schools that are held accountable in the terms of the school's charter for meeting clear and measurable objectives for the educational progress of the students attending the schools, in the period prior to the period for which an SEA applies for a grant under this competition.**

Note: The Secretary invites the applicant to provide the following information: (1) its definition of a "high-quality charter school"; (2) the number of "high-quality charter schools" in the State and a description of how the rate has changed over the past five years; and (3) the percentage of "high-quality charter schools" in the State and a description of how the percentage has changed over the past five years.

Strengths:

Studies conducted by outside entities or individuals such as Caroline Hoxby at Stanford, WestEd, and CREDO, all within the past 24 months, lends strong evidence to New York's successful charter school program. Additionally, a strong authorizer like SUNY, which continues to provide New York with a focus and desire to oversee high quality charter schools lends more credibility to New York's efforts.

Weaknesses:

While New York has lifted their charter school cap significantly, it cannot be overlooked as a hindrance to possible quality charter growth in the state.

Reader's Score: 7

Competitive Preference Priority - Authorizer Other Than LEA or Appeals Process

- 1. One Authorized Public Chartering Agency Other than a Local Educational Agency (LEA), or an Appeals Process (5 points). The State:**

(a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

(b) In the case of a State in which LEA's are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

PLEASE NOTE: Reviewers must assign a score of 0 or 5, but nothing in between.

Strengths:

New York has a nice mixture of authorizers, demonstrating multiple avenues for authorization. Authorizers have shown strong ability towards quality oversight in the state.

Weaknesses:

No apparent weaknesses.

Reader's Score: 5

Competitive Preference Priority - High Degree of Autonomy

- 1. High Degree of Autonomy (up to 5 points). The State ensures that each charter school has a high degree of autonomy over the charter school's budget and expenditures.**

Strengths:

As stated on page 30, first paragraph of selection criteria (ii), "The charter entity and the board of regents shall be deemed to be the public agents authorized to supervise and oversee the charter school." (Ed Law 2853(1)(c)) This statement provides the correct context for the proper oversight, as opposed to management or control, of New York's charter schools, allowing for a maximum degree of autonomy.

Weaknesses:

Allowing charter schools to have only 30 percent or five teachers who are not certified (Ed Law 2854(3)(a-1)) handcuffs autonomy for the charter. The charter school is already accountable for their student achievement. This prescriptive measure hurts the school's ability to find the most qualified teachers, thereby undermining autonomy.

Reader's Score: 4

Competitive Preference Priority - Improving Achievement and HS Graduation Rates

- 1. Improving Achievement and High School Graduation Rates (up to 12 points). Projects that are designed to address one or more of the following priority areas:**

(a) Accelerating learning and helping to improve high school graduation rates (as defined in the Federal Register Notice) and college enrollment rates for students in rural local educational agencies (as defined in the Federal Register Notice) (up to 3 points).

(b) Accelerating learning and helping to improve high school graduation rates (as defined in the Federal Register Notice) and college enrollment rates for students with disabilities (up to 3 points).

(c) Accelerating learning and helping to improve high school graduation rates (as defined in the Federal Register Notice) and college enrollment rates for English learners (up to 3 points).

(d) Accelerating learning and helping to improve high school graduation rates and college enrollment rates in high-poverty schools (as defined in the Federal Register Notice) (up to 3 points).

Note: For each population of students for which the applicant is seeking competitive priority points, the Secretary invites the applicant to discuss the steps it would take to meet the priority. For example, the applicant could describe any guidance or support it would provide to charter school developers to assist

such developers in recruiting and providing high-quality services to students who are members of the particular student population(s); how it would monitor charter schools in the State to ensure that they are taking effective and active steps to recruit and enroll students who are members of the particular student population(s); how it would monitor charter schools in the State to ensure that students who are members of the particular student population(s) are being served by such schools; or how it would design its subgrant competition, which may include the use of preferences, to ensure that students who are members of the particular student population(s) are being served at rates equal to or greater than such students are being served in other schools in the area.

General:

Application is thorough and detailed on how New York will address each subcategory in improving achievement and high school graduation. Efforts are being made to address weaknesses and to build off of strengths. The collaborative effort between SUNY and NYSED to develop the numeric parameters for charter schools to retain a comparable or greater enrollment of students with disabilities, English language learners, and students who are eligible applicants for free and reduced lunch programs when compared to the school district in which the charter resides provides strong evidence of the state's commitment to serve these students appropriately.

Ed Law 2854(2)(a) states charter schools shall demonstrate "good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities, English language learners, and students who are eligible applicants for free and reduced lunch programs when compared to the school district in which the charter resides provides strong evidence of the states commitment to serve these students appropriately" and then goes on to state this provision "ensures" these students will be provided high quality services. A good faith effort is not strong enough to ensure desired outcomes. (page 9, paragraph 1 of preference priority 5)

Reader's Score: 8

Competitive Preference Priority - Promoting Diversity

- 1. Promoting Diversity (up to 5 points). Projects that are designed to promote student diversity, including racial and ethnic diversity, or avoid racial isolation.**

Note: The Secretary invites the applicant to discuss how it would design its subgrant competition to meet this priority.

Strengths:

Applicant provides excellent evidence of promoting student diversity through the enhanced CSP grants for applicants who demonstrate a comprehensive plan addressing one of the following areas 1) program design and recruitment 2) transportation 3) school location 4) regional charter schools. (page 12)

Weaknesses:

No apparent weaknesses.

Reader's Score: 5

Competitive Preference Priority - Improving Productivity

- 1. Improving Productivity (up to 5 points). Projects that are designed to significantly increase efficiency in the use of time, staff, money, or other resources while improving student learning or other educational outcomes (i.e., outcomes per unit of resource). Such projects may include innovative and sustainable**

uses of technology, modification of school schedules and teacher compensation systems, use of open educational resources (as defined in the Federal Register Notice), or other strategies.

Strengths:

New York makes a compelling case as to the state's efforts to improve productivity which meet the criteria set in priority 7, through the development of online and blended learning. The applicant does not limit the state to simply online learning but includes blended learning as well. With both models, the state requires charter applicants to outline how students will demonstrate mastery of the learning outcomes for the subject. (page 13, paragraph 1)

Weaknesses:

No noticeable weaknesses.

Reader's Score: 5

Status: Submitted
Last Updated: 05/10/2011 10:28 PM

Status: Submitted

Last Updated: 04/19/2011 12:22 PM

Technical Review Coversheet

Applicant: New York State Education Department (U282A110005)

Reader #5: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
Assisting students in meeting standards		
1. Meeting standards	20	17
Flexibility Afforded by State Law		
1. Flexibility	20	16
Number of high-quality charters to be created		
1. Charters to be created	20	15
Quality of the Management Plan		
1. Management plan	10	9
Authorizer Accountability		
1. Authorizer Accountability	20	18
Dissemination		
1. Dissemination	10	7
Quality of the Project Evaluation		
1. Project evaluation	10	10
Sub Total	110	92
Priority Questions		
Competitive Preference Priority		
Periodic Review and Evaluation		
1. Periodic Review and Eval	10	8
Number of High-Quality Charter Schools		
1. High-quality charters	8	7
Authorizer Other Than LEA or Appeals Process		
1. Alt. Authorizer, Appeals	5	5
High Degree of Autonomy		
1. High Degree of Autonomy	5	4
Improving Achievement and HS Graduation Rates		
1. Achievement & grad rates	12	10
Promoting Diversity		
1. Promoting Diversity	5	5
Improving Productivity		

1. Improving Productivity

	5	3
Sub Total	50	42
Total	160	134

Technical Review Form

Panel #2 - FY11 CSP SEA panel - 2 - 1: 84.282A

Reader #5: *****

Applicant: New York State Education Department (U282A110005)

Questions

Selection Criteria - Assisting students in meeting standards

1. (1) The contribution the charter schools grant program will make in assisting educationally disadvantaged and other students in meeting State academic content standards and State student academic achievement standards (20 points).

Note: The Secretary encourages the applicant to provide a description of the objectives for the SEA's charter school grant program and to explain how these objectives will be met, including steps that will be taken by the SEA to inform teachers, parents, and communities of the SEA's charter school grant program and how the SEA will disseminate best or promising practices of charter schools to each LEA in the State.

Strengths:

The objectives are clear, specific, and well-focused. They're also responsive to prior criticisms of the CSP grant by schools with activities tailored to correct the issues noted.

The criterion addresses both quality (i.e., meeting standards) and expansion of opportunity (i.e., the focus on educationally disadvantaged groups), and the application takes a thoughtful approach to both. The first objective includes a series of activities providing increased funding, and other incentives for charters that will serve disadvantaged populations (including rural and turnarounds), while the second objective focuses on authorizer practice as key to overall quality - an especially promising strategy in NY State which has one of the best (SUNY) and another (SED) that is a work-in-progress.

A very good idea to streamline the grantmaking process by integrating it with authorization.

Weaknesses:

The application could use more clarity around how the grant will help clarify the rules for schools trying to meet demographic enrollment targets (under the new state law); there's some tension with the federal open-enrollment requirement here.

It's questionable whether the offer of enhanced grants will really attract rural applications, since districts can't approve new (non-conversion) charters; this may require some outreach by statewide authorizers.

Reader's Score: 17

Selection Criteria - Flexibility Afforded by State Law

1. The degree of flexibility afforded by the SEA to charter schools under the State's charter school law (20 points).

Note: The Secretary encourages the applicant to describe how the State's charter school law establishes an administrative relationship between charter schools and the authorized public chartering agency and exempts charter schools from significant State or local rules that inhibit the flexible operation and management of public schools.

The Secretary also encourages the applicant to describe the degree of autonomy charter schools in the State exercise over such matters as the charter school's budgets, expenditures, daily operation, schedules, curricula, and personnel in accordance with the State's charter school law.

Strengths:

The state law provides the usual guarantees and a broad waiver, and specifically exempts charters from the usual regulatory power of the SEA (although prior commissioners have found ways to make trouble anyway).

Charters enjoy autonomy in fiscal matters by statute, and there's a state intercept provision in case sending districts fail to fulfill their financial obligations.

It's encouraging to see the NAPCS model law cited -- NY scored well in this respect.

Weaknesses:

There remain some statutory constraints: 70% of teachers must be certified; collective bargaining applies for a school that has more than 250 students in the first two years.

The real issue around flexibility has been authorizing practice, specifically the more compliance-driven mindset of the SED. The application could have been improved by a more direct statement of philosophy here, but since there is explicit attention elsewhere to improving authorizer practice, they deserve the benefit of the doubt.

Reader's Score: 16

Selection Criteria - Number of high-quality charters to be created**1. The number of high-quality charter schools to be created in the State (20 points).**

Note: The Secretary considers the SEA's reasonable estimate of the number of new high-quality charter schools that will be authorized and opened in the State during the project period.

The Secretary encourages the applicant to describe, in detail, its charter school subgrant application and peer review processes, how the peer review process will assess quality, and how the SEA will ensure that only high-quality charter school applicants (as defined by the applicant) are selected for funding. States that have received grants under this program previously are invited to provide data on the percentages of eligible applicants that were awarded sub-grants and how this percentage related to the overall quality of applicants funded.

Strengths:

NY deserves credit for a large cap lift -- the biggest in the country, adding 260 new schools -- that required enormous political effort.

There's also unlimited potential for district-authorized conversions, which could be important if charter-led turnarounds become more popular. (The proposal estimates that 10 will happen.)

The improved application/approval process for Regents (SED) charters is impressive.

Weaknesses:

Given the pace of recent approvals, it's unlikely that all the available slots can be filled (far fewer than the 260 available and probably not the 200 new in the graph on page e37). This is OK; better to have fewer high-quality charters than a lot of mediocre ones. But the criterion asks about "number" and it's not clear how they'll meet the newly-lifted ceiling.

The new Regents approval process - -while commendable - -is also likely to narrow the pipeline.

Reader's Score: 15

Selection Criteria - Quality of the Management Plan**1. Quality of the management plan (10 points). In determining the quality of the management plan for the proposed project, the Secretary considers (a) the adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and (b) how the SEA will inform each charter**

school in the State about Federal funds the charter school is eligible to receive and ensure that each charter school in the State receives the school's commensurate share of Federal education funds that are allocated by formula each year, including during the first year of operation of the school and during a year in which the school's enrollment expands significantly (20 U.S.C. 7221b (b) (2) (A) and (B) and 7221e(a)).

Note: The Secretary encourages the applicant to describe any compliance issues or findings related to the CSP that have been identified in an audit or other monitoring review, as well as the steps taken to address such compliance issues or findings.

Strengths:

The top team is probably the strongest of any state: Steiner, King, and Bachofer (although Steiner's departure has been announced). Bachofer's NACSA stint is the best possible background for the authorizing-quality work proposed here. Cliff Chuang's appointment speaks well of the seriousness of the reform plans for the Regents authorizing office. The addition of 4 FTEs is reasonable growth (actually conservative) for the expansion sought. Glad to see the CSP project director elevated to supervisory status (needs that in a bureaucracy like SED), and the appointment of a dissemination specialist (more evidence of responsiveness to West Ed's monitoring report).

Weaknesses:

One concern: It's not clear what the Regents Research Fellows will do, although they can certainly be a strong resource. They appear to be doing something around alignment with Race to the Top but it's left pretty vague.

Reader's Score: 9

Selection Criteria - Authorizer Accountability

- 1. The SEA's plan to monitor and hold accountable authorized public chartering agencies through such activities as providing technical assistance or establishing a professional development program, which may include providing authorized public chartering agency staff with training and assistance on planning and systems development, so as to improve the capacity of those agencies to authorize, monitor, and hold accountable charter schools (20 points).**

Strengths:

The proposal for a NYS Quality Charter Authorizer Partnership (with support from the state charter association and the NYC Charter Center) is an excellent move. NY has one of the best authorizers in the country (SUNY) and getting its best practices to migrate to others requires this kind of push. Another virtue is that SUNY and the NYC Chancellor have sometimes found the Regents (in their state oversight role) burdensome. This collaborative approach can mitigate that problem. It's encouraging to see clarity in distinguishing SED's role as state agency from that as authorizer. It's also good to see the proposal's reliance on NACSA's Principles and Standards, which are the Bible in this field and too-little used in other states. They plan outreach to district-based authorizers; good move.

Weaknesses:

There's no direct method in NY law for holding authorizers accountable - although as noted above, the NYSCQP is a creative way to get around that.

Reader's Score: 18

Selection Criteria - Dissemination

1. In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204(f)(6)(B) of the ESEA:

General:

The best thing about this section is that it's informed by experience. They've heard criticism about the depth and timing of the prior grant and this is a good approach to acting on the lessons learned.

Reader's Score: 7

Sub Question

1. (6a) In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204(f)(6)(B) of the ESEA, the quality of the dissemination activities (5 points).

Note: The Secretary encourages the applicant to describe the steps to be taken by the SEA to award these funds to eligible applicants, including a description of the peer review process the SEA will use to review applications for dissemination, the timelines for awarding such funds, and how the SEA will assess the quality of the applications. Applicants that have previously awarded dissemination subgrants under this program are encouraged to describe the outcomes of such subgrants and to identify any improvements to the applicant's processes for awarding and administering dissemination subgrants.

Strengths:

Good idea to appoint a specialist; dissemination requires specific skills.

Running a "Race to the Top" - style competition will ratchet up the bar for potential sub-grantees (though it's not entirely clear whether they're just charter schools or charter-district teams).

Stretching out the allowable time of subgrants makes good sense if they're looking for actual penetration of the new practices.

It's good to see a competitive preference to subgrantees that want to work with SIG and turnaround schools.

"Embedding" staff is a great idea; it's how the best CMOs work and displays real savvy in this context.

Weaknesses:

Stronger on the supply side than on the demand side -- in other words, they're strong on finding plausible innovations, but seem to have a very limited approach on getting them into non-charter public schools (primarily by work -- not really spelled out -- with the two Compact districts. (Although as noted, if the RTTT competition includes both, that problem is partly solved.)

It's doubtful that Buffalo will pay much attention to Rochester -- that district has an adversarial relationship with its charter sector and will need direct effort to get buy-in.

Reader's Score:

2. (6b) In the case of SEAs that propose to use grant funds to support dissemination activities under section 5204 (f)(6)(B) of the ESEA, the likelihood that those activities will improve student academic achievement (5 points).

Note: The Secretary encourages the applicant to describe the steps to be taken by the SEA to award these funds to eligible applicants, including a description of the peer review process the SEA will use to review applications for dissemination, the timelines for awarding such funds, and how the SEA will assess the quality of the applications. Applicants that have previously awarded dissemination subgrants under this program are encouraged to describe the outcomes of such subgrants and to identify any improvements to the applicant's processes for awarding and administering dissemination subgrants.

Strengths:

The RTTT approach will allow for serious peer review of the proposals for dissemination, which will help set the bar high.

Subgrant activities must be supported by research with clear plans for training and technical assistance. They'll ask

Sub Question

for both quantitative and qualitative evidence, and pay special attention to impacts on ELL students -- all good. There is a real understanding here about the need for "in-depth engagements" as opposed to the show and tell form of "dissemination" at state conference and workshops. This gives confidence that the work will lead to achievement gains.

Weaknesses:

Very few on this score. The main concern is about the breadth of impact, not about the "quality."

Reader's Score:**Selection Criteria - Quality of the Project Evaluation**

- 1. Quality of the project evaluation (10 points).** In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data.

Note: The Secretary encourages the applicant to include a strong evaluation plan in the application narrative and to use that plan, as appropriate, to shape the development of the project from the beginning of the grant period. The Secretary encourages the applicant to design the plan so that it includes (a) benchmarks to monitor progress toward specific project objectives and (b) outcome measures to assess the impact on teaching and learning or other important outcomes for project participants. In its plan, we encourage the applicant to identify the individual and/or organization that will serve as the evaluator and to describe the qualifications of the evaluator. We also encourage the applicant to describe in its application, the evaluation design, indicating:

- (1) the types of data that will be collected;
- (2) when various types of data will be collected;
- (3) the methods that will be used;
- (4) the instruments that will be developed and when;
- (5) how the data will be analyzed;
- (6) when reports of results and outcomes will be available; and
- (7) how the applicant will use the information collected through the evaluation to monitor progress of the funded project and to provide accountability information both about success at the initial site and effective strategies for replication in other settings.

Applicants are encouraged to devote an appropriate level of resources to project evaluation.

Strengths:

This is an elegant discussion of evaluation, with precision about what they'll look for in an evaluator and a good understanding of who's who in that landscape.

Nice to see that they'll look at partnering for additional IES (or other) grants

The performance objectives are realistic, and the measures are well-grounded.

Weaknesses:

None noted.

Reader's Score: 10

Priority Questions**Competitive Preference Priority - Periodic Review and Evaluation**

- 1. Periodic Review and Evaluation (up to 10 points).** The State provides for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every five years, unless required more frequently by State law, to determine whether the charter school is meeting the terms of the school's charter, and is meeting or exceeding the student academic achievement requirements and goals for charter schools as set forth under State law or the schools charter.

Note: The Secretary invites the applicant to provide information regarding whether the periodic review that takes place at least once every five years includes a public vote on whether to terminate, extend, or renew a school's charter and on whether a failure to affirmatively renew or extend a schools charter during the periodic review that takes place at least once every five years would result in the charter school being closed.

Strengths:

There are multiple reviews called for, beginning with the statutory requirement for review at least once every five years. Schools submit annual reports; the law requires them to submit to compliance reviews; and there are standard renewal protocols looking at finances, accomplishment of charter objectives, and other criteria.

At least one of the three major authorizers (SUNY) has created what is arguably the most comprehensive review process in the country.

Weaknesses:

The potential weakness here is authorizer practice rather than law; the SED authorizer (for Regents charters) has historically been compliance-driven. There's enough evidence in the proposal that this is changing and that the review requirements detailed here will be done in a constructive manner.

Reader's Score: 8

Competitive Preference Priority - Number of High-Quality Charter Schools

- 1. Number of High-Quality Charter Schools (up to 8 points).** The State has demonstrated progress in increasing the number of high-quality charter schools that are held accountable in the terms of the school's charter for meeting clear and measurable objectives for the educational progress of the students attending the schools, in the period prior to the period for which an SEA applies for a grant under this competition.

Note: The Secretary invites the applicant to provide the following information: (1) its definition of a "high-quality charter school"; (2) the number of "high-quality charter schools" in the State and a description of how the rate has changed over the past five years; and (3) the percentage of "high-quality charter schools" in the State and a description of how the percentage has changed over the past five years.

Strengths:

There are multiple sources cited that affirm the strong performance of charters in NYC, where the biggest concentration is located.

As evidence by the West Ed report, the state has created a very positive environment for creating high-quality charters, not just many charters.

NYC in particular has welcomed high-performing charter networks -- but Hoxby found that community-based charters performed as strongly.

Weaknesses:

Most of the evidence is about NY City; not clear whether performance has been as strong elsewhere.

Much of the success in NYC has happened because of Joel Klein; not clear whether Walcott will be as determined.

It would have been good to see some data specifically referencing the recent "period" -- say, since the cap was lifted in 2007. This would provide stronger evidence that growth can be sustained with quality.

Reader's Score: 7

Competitive Preference Priority - Authorizer Other Than LEA or Appeals Process

1. One Authorized Public Chartering Agency Other than a Local Educational Agency (LEA), or an Appeals Process (5 points). The State:

(a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

(b) In the case of a State in which LEA's are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

PLEASE NOTE: Reviewers must assign a score of 0 or 5, but nothing in between.

Strengths:

Districts (for conversions), SUNY, and the Regents can all act as authorizers; the NYC Chancellor can still oversee existing charters.

Weaknesses:

Limitation on Chancellor (and districts) opening new charters, part of 2010 amendments, is regrettable.

Reader's Score: 5

Competitive Preference Priority - High Degree of Autonomy

1. High Degree of Autonomy (up to 5 points). The State ensures that each charter school has a high degree of autonomy over the charter school's budget and expenditures.

Strengths:

The law is clear on school-level autonomy over budget and expenditures.

There is a broad waiver from state policy and oversight for district schools.

NAPCS's model law rankings report says NY State fulfilled autonomy requirements.

Weaknesses:

70% of teachers must be certified, a consequential limitation on the school's staffing autonomy.

Reader's Score: 4

Competitive Preference Priority - Improving Achievement and HS Graduation Rates

1. Improving Achievement and High School Graduation Rates (up to 12 points). Projects that are designed to address one or more of the following priority areas:

(a) Accelerating learning and helping to improve high school graduation rates (as defined in the Federal Register Notice) and college enrollment rates for students in rural local educational agencies (as defined in the Federal Register Notice) (up to 3 points).

(b) Accelerating learning and helping to improve high school graduation rates (as defined in the Federal Register Notice) and college enrollment rates for students with disabilities (up to 3 points).

c) Accelerating learning and helping to improve high school graduation rates (as defined in the Federal Register Notice) and college enrollment rates for English learners (up to 3 points).

(d) Accelerating learning and helping to improve high school graduation rates and college enrollment rates in high-poverty schools (as defined in the Federal Register Notice) (up to 3 points).

Note: For each population of students for which the applicant is seeking competitive priority points, the Secretary invites the applicant to discuss the steps it would take to meet the priority. For example, the applicant could describe any guidance or support it would provide to charter school developers to assist such developers in recruiting and providing high-quality services to students who are members of the particular student population(s); how it would monitor charter schools in the State to ensure that they are taking effective and active steps to recruit and enroll students who are members of the particular student population(s); how it would monitor charter schools in the State to ensure that students who are members of the particular student population(s) are being served by such schools; or how it would design its subgrant competition, which may include the use of preferences, to ensure that students who are members of the particular student population(s) are being served at rates equal to or greater than such students are being served in other schools in the area.

General:

There are many steps described in this application that will help fulfill these objectives. Competitive preferences for charters that meet the new community-based enrollment targets for ELL and other at-risk students; priority in the dissemination portion for projects that will work with turnaround schools (most of which are high schools with very low grad rates); preferences for subgrant proposals to serve rural populations (not amply described, but included nonetheless). Best of all is the relentless insistence on quality, especially in authorizing -- which will be the prime determinant of whether the new schools created will serve these populations will.

Reader's Score: 10

Competitive Preference Priority - Promoting Diversity

1. **Promoting Diversity (up to 5 points).** Projects that are designed to promote student diversity, including racial and ethnic diversity, or avoid racial isolation.

Note: The Secretary invites the applicant to discuss how it would design its subgrant competition to meet this priority.

Strengths:

Given that state law is now much more descriptive in this regard, the application does what's needed: offer "CSP monetary incentives" for charters that will come up with "comprehensive plans."

The applicant demonstrates good awareness of the tricky legal terrain here, in light of the Seattle SCOTUS decision. Especially interesting to see "regional charter schools" invited; while the application cites Lowell MA, this could also be a solution for rural, low-income families.

Weaknesses:

None noted.

Reader's Score: 5

Competitive Preference Priority - Improving Productivity

1. **Improving Productivity (up to 5 points).** Projects that are designed to significantly increase efficiency in the use of time, staff, money, or other resources while improving student learning or other educational outcomes (i.e., outcomes per unit of resource). Such projects may include innovative and sustainable uses of technology, modification of school schedules and teacher compensation systems, use of open

educational resources (as defined in the Federal Register Notice), or other strategies.

Strengths:

With Commissioner's new rule allowing credit for "blended coursework," they will provide "enhanced" grants for such programs.

It's good to see alignment with standards and other quality-controls here.

Weaknesses:

Conflates "technology" with "productivity" -- seems to be an automatic assumption that this will save money, and there's no real effort to show that the online resources will increase efficiency in "use of time, staff, money, or other resources."

Also, no attention to non-technology productivity enhancements (staffing patterns, adjustments in calendar, etc.)

Reader's Score: 3

Status: Submitted

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