

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

Status: Submitted

Last Updated: 06/12/2018 04:27 PM

Technical Review Coversheet

Applicant: New York State Education Department (U282A180009)

Reader #1: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
Quality of Project Design		
1. Project Design	15	11
Objectives		
1. Objectives	20	17
Quality of Eligible Subgrant Applicants		
1. Subgrant Applicants	15	12
State Plan		
1. State Plan	20	15
Quality of the Management Plan		
1. Management Plan	15	9
Parent and Community Involvement		
1. Involvement	10	6
Flexibility		
1. Flexibility	5	4
Sub Total	100	74
Priority Questions		
Competitive Preference Priority 2		
Equitable Financing		
1. Equitable Financing	6	4
Sub Total	6	4
Competitive Preference Priority 3		
Charter School Facilities		
1. Charter School Facilities	6	4
Sub Total	6	4
Competitive Preference Priority 4		
Best Practices to Improve Struggling School/LEAs		
1. Struggling Schools	3	2
Sub Total	3	2
Competitive Preference Priority 5		
Serving At-Risk Students		

1. At-Risk Students	3	2
Sub Total	3	2
Competitive Preference Priority 6		
Best Practices for Charter School Authorizing		
1. Best Practices	5	5
Sub Total	5	5
Total	123	91

Technical Review Form

Panel #6 - Panel 6 - New York - 1: 84.282A

Reader #1: *****

Applicant: New York State Education Department (U282A180009)

Questions

Selection Criteria - Quality of Project Design

1. The Secretary considers the quality of the design of the proposed project. In determining the quality of the design of the proposed project, the Secretary considers:

Reader's Score: 11

Sub Question

1. (1) The extent to which the proposed project demonstrates a rationale

Strengths:

The applicant has demonstrated on Pages e38 to e43 that it has helped to manage the effective growth of high-quality charter schools in New York State. Additionally, the state assembly has responded by gradually raising the cap on charters to help accommodate this growth (Page e38). The applicant's first objective, which will be reviewed below, is the growth of high-quality charter schools. The applicant had an ambitious plan to reach 150 new charter schools in its previous grant project, which it is still working to meet. Nonetheless, the opportunity for the charter sector to grow in this state is clear and present, and the CSP grant has been critical to the high-quality growth in the state.

Further, these components are presented in a logic model on page e73. In this, the applicant organizes its objectives around who is responsible for implementing its various activities around the completion of its goals, starting first with the education department and then onto the department's various partners. Further, the applicant makes clear that the activities lead to desired objectives that would seem to support the project objectives (i.e., streamlining the process toward high-quality charter expansion – page e73 – leads to the long-term goal of providing more high-quality charter school seats to New York children).

Weaknesses:

While the opportunity for growth exists, the applicant concedes on Page e42 that it has not yet met its goal of 150 new charter schools it proposed in its previous grant – which, through no-cost extensions, is still active. The applicant argues that many of the new charter schools in that prior grant project were operated by Charter Management Organizations (CMOs) and received replication grants directly from the U.S. Department of Education (USDOE) whereas they otherwise would have received a sub-grant through the state educational agency. But the state received a \$113 million grant in that project, and it is asking for \$100 million now, and it still has to contend with the CSP replication and expansion grants for CMOs.

Reader's Score: 7

2. (2) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable.

Sub Question

Strengths:

The objectives remain largely the same for New York as they did for the state in its previous CSP grant project. New York, however, is held up for its best practices for these very activities – strengthened authorizing, robust dissemination and district-charter collaborations, and high-quality charter school growth. In this proposal, the state is proposing on Page e43 to increase the number of high-quality charter school seats by creating and expanding 69 charter schools over the course of the five-year grant period. This is, perhaps, a more realistic pipeline for the state from its previous CSP project, given that some of the best CMOs seeking to replicate will opt for direct funding from the USDOE.

Weaknesses:

The only weakness to note is that the applicant has not addressed how it aims “compete” with the CSP replication grant awarded directly to high-performing CMOs. Since the applicant has raised this as a complication with its goal attainment in its previous CSP grant, it could have addressed it in this section. It may be implied that a smaller pipeline of schools in this proposal helps to address this.

Reader's Score: 4

Selection Criteria - Objectives

1. The ambitiousness of the State entity's objectives for the quality charter school program carried out under this program.

Note: In response to this criterion, an applicant may address (or cross reference) some or all of the components of application requirements (I)(A)-(G) in this notice, which require the applicant to provide a description of the State entity's objectives in running a quality charter school program and how the objectives of the program will be carried out.

Strengths:

As to Project Objective One: The applicant puts forth its greatest strength as a partner with the major state authorizers in New York. That its sub-grant review processes will be fully integrated with those of its authorizing partners, put forth on Page e44, is a strength. This will help to ensure that not only the authorization of high-quality charter schools – the goal of this objective – but that the CSP dollars go only to schools that have the capacity to open and operate exceptionally. Its replication reviews will be data-driven and its plan to award sub-grantees substantially higher start-up funding – with incentives to serve at-risk populations – make this objective reasonable and attainable.

As to Project Objective Two: Since its sub-grant review process is so tightly aligned with the authorizing process of the major state entities, it is reasonable to conclude that New York's CSP project would lead to higher levels of student achievement during the five years of its effort. Beyond this, however, is a commendable proposal on Page e51 to foster the development of school leaders and governing board members. This technical assistance would find merit especially with schools that serve at-risk populations and have difficulty with turnover among leadership.

As to Project Objective Three: The applicant capitalizes on its experience in partnering with other entities to provide technical assistance throughout the state – particularly with the dissemination of best practices on school leadership, governance, and fostering effective school models for underserved or at-risk students. New York's dissemination activities are well documented throughout the application, as are the efforts to foster district-charter collaboration. The fact that grantees no longer can award dissemination sub-grants perhaps may be of benefit to the applicant, as it can strengthen the dissemination it has controlled on its own. In fact, the applicant proposes on Page e55 a refinement of its district-charter partnerships, in part, to award sub-grants that come with perhaps more freedom than previous dissemination sub-grants allowed.

Weaknesses:

As to Project Objective One: The applicant vaguely refers on Page e44 to also integrating its CSP review process with the authorizing activity of local educational agencies, but it provides no specifics here or in the section below on its sub-grant award process.

As to Project Objective Three: The applicant fails to provide lessons learned or shortcomings of its previous district-charter collaborations. The education department has proposed a refinement of these very efforts in its CSP proposal, but it has neither stated what it wants to refine nor why that refinement is important.

As to Project Objective Four: While later in the proposal, the applicant points to its theory of action for this objective – strengthening the overall quality of the New York State charter authorizing and CSP grant administrative infrastructure – and that theory targets all authorizers. However, this objective is fleshed out clearly with aligning the applicant’s CSP processes with state authorizing processes. LEA authorizers are, again, given little attention.

Reader's Score: 17

Selection Criteria - Quality of Eligible Subgrant Applicants

1. The likelihood that the eligible applicants receiving subgrants under the program will meet those objectives and improve educational results for students.

Strengths:

As described generally above, and in this section on Pages e59 and e60, New York aims to integrate its CSP sub-grant peer review process with the processes used by the major state authorizers to review charter school applications. This effectively awards a sub-grant to every approved charter, but the applicant persuasively notes that these authorizing processes have yielded high-quality public charter schools. The authorizing process includes a peer-review component. This part of the proposal, then, is a description of the steps and the breadth of the authorizing process, which is reputed to be among the finest in the nation. This process also includes the components – particularly the model application – that the state has provided.

Weaknesses:

There remains practically no mention of how schools authorized by LEAs will fare in the sub-grant process. On Page e61 the applicant states that NYSED will work with these LEA authorizers to ensure that a peer review process of comparable rigor is utilized to award charters and CSP funds.” However, there are no details of how this will work in practice. While most of the authorizing activity – and, thus, the sub-grant activity – will be done in partnership with the major state authorizers, surely some charter activity will come out of the LEAs, and it is impossible to assess the quality of this sub-grant activity.

Reader's Score: 12

Selection Criteria - State Plan

1. The State entity’s plan to--

- 1) Adequately monitor the eligible applicants receiving subgrants under the State entity’s program;**
- 2) Work with the authorized public chartering agencies involved to avoid duplication of work for the charter schools and authorized public chartering agencies; and**
- 3) Provide technical assistance and support for--**

- i. The eligible applicants receiving subgrants under the State entity’s program; and**

ii. Quality authorizing efforts in the State.

Strengths:

The state plan presented on Page e65 includes a description of activities to align the monitoring of CSP sub-grantees with the monitoring of all charter schools, whether they receive a CSP grant or not . The applicant proposes a risk-assessment protocol to charter schools in the first 12 months of their operation (page e64). This avoids an arbitrary method of monitoring and site visits, and charter schools can see what criteria are reviewed, as the monitoring plans will be publicly posted.

It is commendable that the applicant plans to align the processes for the monitoring of sub-grantees with authorizer processes for monitoring all charter schools (page e65). The applicant and the authorizers already plan to align their processes for approving new charter schools and new sub-grantees, so it is reasonable that their processes for monitoring and oversight are aligned as well. School will not have to go through duplicative scrutiny from multiple state entities.

Technical assistance begins prior to any sub-grantee's receipt of funds. This should help the education department and its partners maintain quality control of sub-grant funds, as the technical assistance is particularly focused on reporting requirements, fiscal oversight, and sub-grant fiscal procedures. Additionally, it is commendable to see language on Page e66 around improving already-strong authorizing – even if these include efforts to lead conversations around good authorizing. Additionally, there is a plan to require CSP sub-grantees to budget part of their award to the development of their governing board members – a theme that appears frequently throughout the application.

Weaknesses:

The state has little time to refine and integrate its monitoring processes with those of authorizers to avoid duplication. It states on Page e65 that it will use “the first part” of the five-year grant project to align these protocols, but that’s a vague timetable, given the fact that grantees must usually waste no time in holding sub-grant competitions. Also, the applicant’s response pays little attention to LEAs, including the New York City education department and the Buffalo City School District. While the chartering activity may be light from these entities, New York includes them in their technical assistance, but almost as an afterthought with no assurance that the applicant has begun conversations with them about working collaboratively.

Reader's Score: 15

Selection Criteria - Quality of the Management Plan

- 1. The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers:**

Reader's Score: 9

Sub Question

- 1. (1) 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**

Strengths:

The applicant has established on Pages e69 and e70 that its organization has abundant experience in the administration of the Charter Schools Program and, more generally, charter school policy and authorization. The people and positions responsible for not only providing fiscal oversight to the grant, but in the integration of the CSP

Sub Question

and authorizing processes appear suited for the task. Further, the charter schools office at the education department currently has 13 FTEs, including three FTEs that are focused on authorizing in New York. This indicates a commitment to the authorization process and to the commitment toward quality authorizing in the proposed CSP project.

The logic model plan is highly detailed and should aid federal monitors in their assessment of the state's progress toward its grant project. The short, mid, and long-term goals detailed are reasonable and measurable. Also, given the breadth of New York's plan, activities and outputs are spread among dedicated staff for the sub-grant process and among the education department's charter schools office. As an example, fiscal specialists and grant managers will monitor the sub-grant activities while other members of the charter schools office will provide support for authorizers. This should aid in the completion of short, mid-, and long range goals. The plan also makes clear which of its partner organizations owns the various activities. Moreover, performance measures on Pages e75 to e77 show clearly how the applicant will use the abundance of data New York collects to track the performance of types of charter schools – including those that receive priority – and on authorizer performance.

Also, of note is the plan to dedicate a full FTE to a dissemination and professional development coordinator.

Weaknesses:

The plan highlighted on page e74 to refine sub-grant priorities as well as monitoring protocols and guidelines (Objectives 3 and 4) would seem to slow the awarding of sub-grants to 12 newly authorized charter schools and three high-quality expansions. Without more details and timing of this refinement, this remains a weakness. Also, the applicant provides no real milestones. Further, some of the measurable goals lack actual measurements. As one example, on Page e74, the applicant proposes to “decrease the achievement gap,” but doesn't say by how much – just that it's a mid-term goal. In another example, a mid-term goal on Page e73 states that “by 2021, initial CREDO data analysis will show that ...” and the sentence finishes there, incomplete. Still another example – long term – on Page e74 states that there will be “an increase in the number of high-quality charter school seats,” but there is no target number provided. As a long-term goal, there should be.

Reader's Score: 6

2. (2) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project

Strengths:

As stated above, the hierarchy and the experience in the administration of the Charter Schools Office shows that the education department is committed to quality charter schools. The parties responsible for each of the tasks outlined in the logic plan on Pages e73 to e75 appear aligned to the objectives of the proposal. Additionally, it is impressive to see a full FTE dedicated to dissemination and professional development.

Weaknesses:

Given the number of new schools and school expansions the state aims to support through the CSP, and the amount of money the applicant proposes to award each school, the number of dedicated specialists described on Page e70 seems low. The applicant has planned one fiscal specialist and one fiscal oversight specialist, in addition to a CSP grants manager. This dedicated team seems small for a \$100 million request. The education department also plans to award \$1 million for sub-grantees. This would seem to task the few members of this team, particularly as it has to ensure that fiscal activities are allowable, reasonable, and necessary.

Reader's Score: 3

Selection Criteria - Parent and Community Involvement

1. The State entity’s plan to solicit and consider input from parents and other members of the community on the implementation and operation of charter schools in the State.

Strengths:

The applicant has established on Page e78 that the New York statute provides that a charter authorizer may not consider a proposal that does not reflect a “meaningful” public review process designed to solicit input from the community in which the school will be located. Further, charter school applicants must show how it will keep parents and the community engaged and actively involved in their schools. Given the strength of authorizing in the state, it is difficult to see how an applicant can pay little attention to these needs and still get approval to open and operate. Also, public hearings must be held before an existing charter can be renewed.

Weaknesses:

On Page e79, the applicant states that “most importantly, authorizers are in frequent contact, both with each other, and with school districts with charter schools to ensure that charter school authorization is strategic, taking into account existing and planned schools, as well as actual community need.” It is not clear what this means, or why this is paramount. Also, there is a statement on Page e79 that states that the applicant will gather stakeholder input as part of its CSP evaluation efforts, but there are no details as to how this will happen, nor who the stakeholders will be. Lastly, while the applicant states how schools and sub-grantees must describe how they will engage parents, the state does not identify its own plan. This criterion explicitly asks how the applicant will address parent input and what it will do with the information. While it is clear that no charter can be approved without engaging parents, the education department does not state how it will engage parents.

Reader's Score: 6

Selection Criteria - Flexibility

1. The degree of flexibility afforded by the State’s charter school law and how the State entity will work to maximize the flexibility provided to charter schools under such law.

Strengths:

New York statute exempts charter schools from “all state and local laws, rules, regulations or policies governing public or private schools ...,” with the exception of student assessment, civil rights and health and safety laws (e80). The state scores relatively well on the National Alliance for Public Charter Schools model law ranking, which considers the degree of flexibility afforded charter schools. Further, while charter schools must employ certified teachers, it does have some limited flexibility to hire non-certified teachers to meet specific needs (e81). And while a cap on charter schools is noted in the weakness below, it is clear that the legislature has raised the cap when necessary to allow for growth. This allows the education department to seek aggressive growth under its proposal.

Weaknesses:

The only minor weakness to report is the fact that there is a cap on the number of charter schools in New York. There is still abundant room for growth. But a cap, by definition, is an infringement on a state charter school sector’s flexibility and autonomy.

Reader's Score: 4

Priority Questions

Competitive Preference Priority 2 - Equitable Financing

1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located ensures equitable financing, as compared to traditional public schools, for charter schools and

students in a prompt manner.

Strengths:

The applicant describes on Page e20 charter schools access to all federal funds, including IDEA, and the extent to which it makes charters aware of their eligibility for federal funds. Relatedly, as described on Page e22, New York ensures that all new and expanding charter schools receive a commensurate share of federal funds, verifying enrollment and continued eligibility as the school year progresses. Another benefit to charters is that they can apply for Title funds using a single consolidated application. The applicant has demonstrated that the education department's charter schools office trains all new charter schools on their eligibility for federal funds. Additionally, the applicant shows on page e22 that all new charter schools receive their federal allocations before the first five months of their school year and that charter school allocations reflect current-year enrollment figures.

Weaknesses:

The application indicates there is a funding disparity between school districts and charter schools in terms of state operational funds. And it appears there has been a disparity for some time. There have been some legislative bright spots, including the 2014 passage of the Facilities Access Law, which provided more facility funding to new and expanding charters. Also, the funding formula for New York City charter schools changed to provide a higher level of funding as recently as 2018-19. Largely, however, there has been an inequitable and unpredictable funding stream for charters across the state. This is partly evident by the one-time annual appropriations for charters referenced on Page e23 of the application. These have gone up and down over the past several years.

Reader's Score: 4

Competitive Preference Priority 3 - Charter School Facilities

1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located provides charter schools one or more of the following:

- a) Funding for facilities;**
- b) Assistance with facilities acquisition;**
- c) Access to public facilities;**
- d) The ability to share in bonds or mill levies;**
- e) The right of first refusal to purchase public school buildings; or**
- f) Low- or no-cost leasing privileges.**

Strengths:

To assist charter schools with their funding disparities, New York State, and in particular New York City, has provided ample access to traditional public school buildings. Half of the charter schools in the city are co-located with a district school. This access is further secured by the 2014 Facilities Access Law, described on Page e24. This law, according to the applicant, provided a process for a charter school to request space in a traditional district school facility. And, if the city's education department determines that space is unavailable, it has to provide rental assistance to the charter. If there is further dispute, the law affords an appeal process. There also is a provision in law that allows charter schools to obtain tax-exempt financing through local development agencies, which is of particular importance for charter schools that are unable to locate in a public school facility.

Weaknesses:

While state law allows charter schools access to public school buildings they wouldn't otherwise have, facility funding for those that have not co-located with a district school has grown slowly (though the applicant has reported a 30-percent increase in New York City rental assistance in the 2017-18 school year). Additionally, charter schools not located in New York City have access to a discretionary fund (Page e26) that is subject to annual budgeting, making it an unpredictable source. The 2017-18 school year saw \$1.6 million in this "stimulus fund," but the applicant does not note what the average award to schools outside the city was – only that the maximum award was \$200,000.

Reader's Score: 4

Competitive Preference Priority 4 - Best Practices to Improve Struggling School/LEAs

1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located uses best practices from charter schools to help improve struggling schools and local educational agencies.

Strengths:

The applicant has ably documented, on Page e26, two major sources of dissemination: The CSP dissemination sub-grant program, of which New York has made ample use, and the district-charter collaborations in New York City. Of the dissemination sub-grants, New York has documented as many as 10 distinct activities during a previous grant period, which led to a 2015 dissemination conference aimed at sharing best practices between charter and district schools, which, according to the applicant, led to further collaboration. Similarly, New York City's unique District-Charter Partnership has led to collaboration between more than 100 charter and district schools.

Weaknesses:

While it is implied that some of the activities listed on Page e30 are aimed at helping educationally disadvantaged students, such as the KIPP through College Summer Bridge Program, the applicant does not explicitly note how these dissemination activities and partnerships are aimed at helping struggling schools.

Reader's Score: 2

Competitive Preference Priority 5 - Serving At-Risk Students

1. To receive points under this priority, an applicant must demonstrate the extent to which it supports charter schools that serve at-risk students through activities such as dropout prevention, dropout recovery, or comprehensive career counseling services.

Strengths:

New York law requires charter school authorizers to give preference to charter school applications aimed at providing "a comprehensive learning experience" (Page e31) to students identified as at-risk. New York statutes provide schools ample flexibility to define what "at-risk" is, the applicant states on Page e32. In essence, New York City is home to charter schools that, for instance, focus on English Language Learners or that heavily recruit for students with autism. Additionally, New York's authorizers have developed a true portfolio review of their charter schools, developing alternative evaluations for some schools that serve certain at-risk populations, while still ensuring outcome-based scrutiny.

Weaknesses:

The description on Page e33 of the "active ingredients" authorizers examine when reviewing schools serving a high-percentage of at-risk students should have included more details and examples. Additionally, while there is no question that New York City charter schools effectively recruit at-risk students, there is no discussion of how schools are serving them. The applicant provides examples of schools that recruit at-risk students, but the reviewer cannot see what activities await those students once there, and that's partly what this criterion seeks to address.

Reader's Score: 2

Competitive Preference Priority 6 - Best Practices for Charter School Authorizing

1. To receive points under this priority, an applicant must demonstrate the extent to which it has taken steps to ensure that all authorized public chartering agencies implement best practices for charter school authorizing.

Strengths:

Praise of New York’s authorizing practices comes from several sources, identified on Pages e34 to e37. These include the National Association of Charter School Authorizers, which holds the state aloft for its authorizing work, and WestEd, the monitor of the Charter Schools Program, which wrote in 2015 that “the SEA demonstrates high-quality authorizing practices and supports the development of high quality authorizing practices of other authorizers in the State.” Indeed, the applicant has persuasively argued that its work to enhance authorizing in the state through its previous grant project has strengthened what was already a strong industry of charter school authorizing. Additionally, the applicant has developed the New York State Quality Charter Authorizing Partnership, described on Page e35, which was aimed at maintaining authorizer accountability. The applicant reported that the major authorizers in New York committed to this partnership.

Weaknesses:

No weaknesses noted.

Reader's Score: 5

Status: Submitted
Last Updated: 06/12/2018 04:27 PM

Status: Submitted

Last Updated: 06/12/2018 04:27 PM

Technical Review Coversheet

Applicant: New York State Education Department (U282A180009)

Reader #2: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
Quality of Project Design		
1. Project Design	15	11
Objectives		
1. Objectives	20	18
Quality of Eligible Subgrant Applicants		
1. Subgrant Applicants	15	13
State Plan		
1. State Plan	20	15
Quality of the Management Plan		
1. Management Plan	15	6
Parent and Community Involvement		
1. Involvement	10	4
Flexibility		
1. Flexibility	5	4
Sub Total	100	71
Priority Questions		
Competitive Preference Priority 2		
Equitable Financing		
1. Equitable Financing	6	3
Sub Total	6	3
Competitive Preference Priority 3		
Charter School Facilities		
1. Charter School Facilities	6	5
Sub Total	6	5
Competitive Preference Priority 4		
Best Practices to Improve Struggling School/LEAs		
1. Struggling Schools	3	2
Sub Total	3	2
Competitive Preference Priority 5		
Serving At-Risk Students		

1. At-Risk Students	3	1
Sub Total	3	1
Competitive Preference Priority 6		
Best Practices for Charter School Authorizing		
1. Best Practices	5	4
Sub Total	5	4
Total	123	86

Technical Review Form

Panel #6 - Panel 6 - New York - 1: 84.282A

Reader #2: *****

Applicant: New York State Education Department (U282A180009)

Questions

Selection Criteria - Quality of Project Design

1. The Secretary considers the quality of the design of the proposed project. In determining the quality of the design of the proposed project, the Secretary considers:

Reader's Score: 11

Sub Question

1. (1) The extent to which the proposed project demonstrates a rationale

Strengths:

The New York State Education Department (NYSED) presents a compelling track record of new charter schools in the state of NY as part of their rationale for the proposed CSP project (e38-41). Meeting the original state cap of 100 charter schools in eight years and after two more amendments to the state law now working with a state cap of 460 charters and unlimited conversion schools, NY has demonstrated its strong support for charter schools and intent to further that support through a CSP grant (e38).

Additionally, per a 2017 Center on Research on Educational Outcome (CREDO) report, the "charter school students receive significant learning gains when compared to their peers in traditional district schools", with statistically significant findings in Reading and Math (e39). The same holds true for the 228 NYC schools.

The NYC performance data present a compelling rationale for NYSED's proposed CSP grant to "fund much needed technical assistance partnerships to serve upstate Western NY," and to continue to support charter schools serving students who are at risk of not meeting state standards, (e41)

The proposed key training areas include: dissemination of best practices by continuing the district -charter partnerships, developing charter-charter partnerships, and strengthening the quality of charter authorizing" (e43).

The NYC performance data present a compelling rationale for NYSED's proposed CSP grant to "fund much needed technical assistance partnerships to serve upstate Western NY," and to continue to support charter schools serving students who are at risk of not meeting state standards, (e41).

Overall, the NYSED has provided a reasonable rationale for this project.

The proposed key training areas include: dissemination of best practices by continuing the district -charter partnerships, developing charter-charter partnerships, and strengthening the quality of charter authorizing" (e43).

Overall, the NYSED has provided a reasonable rationale for this project.

Sub Question

Weaknesses:

While the applicant notes the need to “fund much needed technical assistance partnerships to serve upstate Western NY” (e41) it only has as 1 short term goal to fund “at least 1 TA partnership” (e74). It is unclear why there is only one short term goal if the need is so great.

In addition, the applicant notes that there are “workshops and trainings on high-quality school models and student supports” (e74) but there are no specific topics or activities to support charter schools serving students who are at risk of not meeting state standards. Nor, were the “quality models” noted (e41). Without more specifics is unclear how the NYSED will accomplish these objectives and activities.

Reader's Score: 8

2. (2) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable.

Strengths:

The NYSED provided four project objectives and accompanying activities (e42-e43). The objectives and accompanying activities are clear and aligned to the performance measures as evidenced by the outcomes found in the logic model and the Performance Measures (PM) for the objective on pages e73-e76.

Additionally, the objectives are aligned to the state’s Every Student Succeeds Act (ESSA) plan and the My Brother’s Keeper Initiative (e43).

Weaknesses:

The NYSED has yet to meet its 2011 CSP grant goal of opening 150 high quality charter schools. While it hopes to do so by July 2019 (e41-e42), it has not yet done so, making it unclear as to the applicant’s ability to reach the new long-term goal of 69 subgrants.

While NYSED did provide objectives, as currently written, many of those objectives and activities are not measurable. That is, they are global in nature, not targeted or time bound and in one instance incomplete (e73-e74), or the numbers do not add up correctly. This is in part evidenced by Objective 1 where the total number of short and mid-term goals add up to 60 subgrants and the long -term goal states 69 (e73) making it unclear as to the total number of new subgrants over the course of the grant. This is also true for some of the goals in the logic model. In part evidenced by Objective 2 mid and long-term goals which are not timebound and have no target (i.e. “Subgrantees decrease the achievement gap between historically underserved students and state averages”).

Reader's Score: 3

Selection Criteria - Objectives

1. The ambitiousness of the State entity’s objectives for the quality charter school program carried out under this program.

Note: In response to this criterion, an applicant may address (or cross reference) some or all of the components of application requirements (I)(A)-(G) in this notice, which require the applicant to provide a description of the State entity’s objectives in running a quality charter school program and how the objectives of the program will be carried out.

Strengths:

The NYSED has strong supports already in place to support the opening or expansion of 69 (24) charter schools. This is evidenced by the NYSED's "rigorous and holistic" (e45) CSP application process which is integrated into the authorizer's review and decision-making process, and by implementing a timely \$1,000,000 /36-month start-up and implementation grant upon charter application approval (e44-e45). The immediate start up allows schools a full three years for implementation of their grant.

Potential new charter applicants and replication schools will be able to access information from the SED website, webinars, flyers, conference calls, email blasts, and authorizers (e49).

The NYSED has incentivized replication by establishing a new streamlined replication approval process (using quantitative student achievement and outcome data) and increasing the CSP sub grant replication funds (e45-e46). Additionally, authorizers may "tailor" their replication applications (e46). The peer reviews are largely looking at growth and proficiency achievement, district comparisons, charter performance trend data, attrition, governance, operations and leadership capacities (e47). For a high performing charter school these are readily attainable targets for a subgrant award to pursue replication. Of note: in addition to the subgrant activities, the state authorizers intend to ensure high quality of existing charters through a rigorous renewal process outlined in the law and in the NACSA standards (e49).

As an incentive for charter school to serve the needs of educationally disadvantaged students, the NYSED has provided an incentive for up to 25% of the CSP grant funds to schools that meet one of the 4 incentive priorities: underserved populations, over-age/under credited students, promoting diversity, and authorizer program design priorities (e47-e48).

The monitoring guide and Monitoring Report both exemplify the rigorous standards for maintaining status as a high-quality charter school in New York. Additionally, as noted in selection criteria d, State Plan, the Institute is recipient of the "best-developed charter oversight architecture of any authorizer in the country and received the NACSA Award for Excellence in Improving Authorizer Practice from NACSA e59).

Per the Act in NY, charter schools are obligated to have a dissolution plan as part of their application process (e60). The plan must address student and record transfer and the disposition of school assets to the district in which the charter is located. Both the NYSED and the Institute provide guidance on school closure to the schools they authorize via the Closure Guidance document (Appendix F).

The applicant notes that project Objective I: to increase the number of high quality charter school seats in New York state especially for those charter schools serving students who are at greatest risk of not meeting State academic standards – is the overall goal of the CSP project. Additionally, the activities for both Objective 1 and Objective 4 (Strengthen the overall quality of New York state charter authoring and the CSP grant administration infrastructure) specifically support this (e50).

In an effort to support serving at risk students, a statewide Regents School Diversity Workgroup and the NYC DOE school Diversity Advisory Group are two initial activities. Additionally, New York provides grants to districts to promote diversity and reduce socioeconomic and racial isolation and thus incentivize diverse by design charter schools. Along with training on admissions policies and technical assistance on "interpreting federal guidance on implementing legally permissible school-based policies that further racial diversity in the student body" (e52), these are ambitious goals and activities that when completed have the potential to positively impact student achievement.

As an example, the applicant notes that project Objective I: to increase the number of high quality charter school seats in New York state especially for those charter schools serving students who are at greatest risk of not meeting State academic standards – is the overall goal of the CSP project. Additionally, the activities for both Objective 1 and Objective 4 (Strengthen the overall quality of New York state charter authoring and the CSP grant administration infrastructure) specifically support this (e50).

Weaknesses:

It is unclear exactly how the CSP application process is integrated into the authorizer's review and decision-making process as the applicant only stated that it is integrated (e45).

The applicant states in the proposal that to "work with researchers...to evaluate New York State charter school student achievement and graduation rate outcomes.... and conduct a detailed, comparative study over the five-year grant period" is a powerful data-driven activity that could prove beneficial to future planning, this research was not indicated in the budget. Research could potentially be found under contractual services– but the budget just notes "technical assistance". No narrative or line item detail was provided making it unclear how the research will be funded (e50 and Budget).

Reader's Score: 18

Selection Criteria - Quality of Eligible Subgrant Applicants

1. The likelihood that the eligible applicants receiving subgrants under the program will meet those objectives and improve educational results for students.

Strengths:

Given that the NYSED and the Institute are the two statewide authorizers (one the recipient of multiple authorizer excellence awards), the NYC high quality charter school performance track record and rigorous application criteria the applicant has ably demonstrated that the eligible CSP applicants receiving subgrants under the program have a strong likelihood of meeting those objectives and improve educational results for students.

Prior to even receiving a subgrant award a charter school must meet the rigorous standards of the applicant RFP and go through a risk assessment (e64).

One activity that will lead to the object of charter/district collaboration is the award of 8 collaboration subgrants (e58). The rigor of the collaboration subgrant is evident in the following key features of the process: extensive NYSED outreach to high quality charters, a three-year subgrant period competitive subgrant priorities for serving persistently low performing schools, and a formal evaluation (e55-e56).

Additionally, the applicant has provided, exemplary samples of the Draft CSP Management Guide, Audit Guide Monitoring Reports, Fiscal Oversight Guide Book, New School RFP. These documents, in addition to the policies and procedures described in the narrative, all exemplify the standards and rigor expected in all aspects of charter school operation in NY State and for the CSP Program.

Weaknesses:

While the applicant provided the 2014 Draft of the WestEd monitoring report (Appendix 7) which speaks to necessary subgrant oversight corrections, there was no final report that addressed concerns around oversight of NYSED.

Additionally, it remains unclear due to lack of evidence in the application on how the CSP application review is integrated into the authorizer's review and decision-making process. (e45).

Reader's Score: 13

Selection Criteria - State Plan

1. The State entity's plan to--

- 1) Adequately monitor the eligible applicants receiving subgrants under the State entity's program;
- 2) Work with the authorized public chartering agencies involved to avoid duplication of work for the charter schools and authorized public chartering agencies; and
- 3) Provide technical assistance and support for--
 - i. The eligible applicants receiving subgrants under the State entity's program; and
 - ii. Quality authorizing efforts in the State.

Strengths:

The applicant has extensive experience as a recipient of the "best-developed charter oversight architecture of any authorizer in the country, and the Awards for Excellence in Improving Authorizer Practice from NACSA (e59), the Institute exemplifies high-quality monitoring of charter schools. As the other statewide authorizer and NYSED partner collaborating with the NYSED, there is a strong potential for high quality monitoring of CSP subgrantees. This is evidenced by the "tailored training" and "differentiated monitoring" (e63).

Additionally, once awarded a subgrant, schools have a monitoring site visit within the first 12 months of operation to ensure progress is being made on grant activities. Initial close monitoring and, technical assistance, annual report and audit requirements, all serve to ensure that the subgrant applicant is progressing satisfactorily (e64). Lastly, the NYSED works with the Institute to authorize further monitoring of its schools if necessary.

The NYSED proposes to "involve conversations between authorizers" (e.66) to avoid duplication of work for the charter schools and authorized public chartering agencies by coordinating authoring and review processes and protocols" (e67). The NTSED proposes to refine and revise application procedures and processes and share with all authorizers for their "adoption or adaptation" (e66).

Additionally, per Activity 2, the SED proposes to, along with other authorizers within the state, to continue to participate in the national dialogue regarding high quality authorizing standards. Given the strong expertise and experience partnering with NACSA in the past, there is a very strong likelihood that the NYSED will meet this objective.

The NYSED has proposed an innovative strategy to disseminate effective charter school practices as evidenced in the issuance of "proposals for partnerships to carry out the technical assistance and support activities proposed" for this project (e53). The SED has allocated substantial funds for various entities to enter into cooperative agreements to design, direct or execute a work scope that provides new school or replication applicants, technical assistance and support in pre-application development, post-application support, board governance training and support for special populations (e54). This approach (allowing for smaller, multiple and separately contracted programs and resources) potentially builds training and technical assistance capacity in the charter sector and the State as a whole. They will also bring in external experts and organizations to provide specific training.

Additionally, NYSED staff provide direct technical assistance on reporting requirements, fiscal oversight activities" and subgrant fiscal procedures to all newly authorized or replication charter schools. As one example, the Director/grants Manager conducts webinars on pre-opening procedures (e67).

The NYSED proposes to support quality authorizing efforts by 1. Identifying common areas of professional development for charter authoring staff (via a needs assessment) 2. collaboratively working with the other three authorizers to agree upon mutually beneficial trainings and assistance and 3. providing the identified training via statewide authorizer forums for aligning best practices, national conferences, and workshops. Of positive note is the plan to provide "tailored training" (e69).

Weaknesses:

While the NYSED has implemented CSP grants in the past and has staff in the Charter School Office (CSO) who can provide technical assistance, one of the challenges with the current proposal to partner with external technical assistance providers is that sending out RFPs for the work, vetting potential partners, then having those entities develop the training and or TA process - takes time. It is unclear if the required “board of trustee professional development” by a NYSED approved external service provider (e67) will be approved and available within the sub grantee’s first year. Per the applicant, technical assistance for this grant cycle does not start until the third year. This is of potential concern as it is unclear if the CSO staff will provide all necessary TA in the interim. If the CSO will provide technical assistance prior to the external providers, then the need for external TA is unclear.

While the applicant demonstrated strong collaboration and partnership with the other statewide authorizer (the Institute) and notes that it will support other authorizers, it provided little evidence of doing so with the NYC DOE and Buffalo City District, and conversion district authorizers. Thus, it is unclear as to the extent of collaboration and partnership with these other authorizers (e65).

Reader's Score: 15

Selection Criteria - Quality of the Management Plan

- 1. The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers:**

Reader's Score: 6

Sub Question

- 1. (1) 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**

Strengths:

Overall, per the narrative (e69-e71) and attached resumes, the key project personnel bring significant charter authorizing or oversight experience and have the necessary skill and knowledge to implement a grant of this nature. This is in part evidenced by the return of the current CSP Project Director for this new grant (e70). The applicant has provided specifics on staff roles and responsibilities for other key personnel.

Noteworthy is the NYSED’s proposal to add a FTE Dissemination and Professional Development Coordinator (e71).A

Weaknesses:

A number of the goals in the logic model are not timebound (or targeted) and subsequently not measurable (e74-e75). As one example, it is unclear in the objective 2 midterm goal the timeline by when, and target (how much) the “subgrantees decrease the achievement gap between historically underserved students and state averages” (e74). This is important because there is no Management Plan with a timeline. Timebound goals might have provided more clarity.

It is unclear why the applicant proposes to mitigate the achievement gap for schools already at or proficiency levels when the gap exists for students who are below proficiency. This is exemplified by Objective 2, PM 2A: “Each year the percentage of charter school students... in the following categories, that achieve at or above the proficient level on State examinations, in the following subjects will increase by 2% from the prior year (GPRA)” (57). While this

Sub Question

measure may be considered a strengths-based approach (keep improving those that are doing well) – it does not respond to mitigating the achievement gap. Also unclear is the baseline noted in PM 4A. It is unclear as to what the baseline of “3” refers to (e76).

The NYSED has not provided the required management plan complete with a proposed project time line, milestones and/or clearly defined personnel responsibilities. Thus, despite its experience, implementing a CSP, it is unclear whether the applicant will be able to implement the proposed project on time and within budget.

Reader's Score: 4

2. (2) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project

Strengths:

The NYSED currently has 10 FTE professional and 3 FTE support staff in its CSO. These individuals “provide oversight functions for all charter schools in the State” (e70). The applicant proposes 4 FTE to work on CVSP activities (e70).

Of positive note is that the current CSP Project Director will continue in that role. She will bring the necessary years of experience implementing a grant of this scope and size (e70).

For years 2-5 of the grant, the time commitments of the project director (1.0 FTE) and ED (.2FTE) are appropriate and adequate to meet the objectives of the proposed project.

Weaknesses:

While the NYSED CSO current has a strong staffing model (10 FTE) to provide authorization of new schools (3 FTE) and oversight (5FtE), it is unclear from the narrative (52) and the budget how many of those NYSED CSO staff (other than the Project Director and ED) are will be administering and providing subgrantee technical assistance and monitoring. There is concern that staffs already dedicated to CSO authorizing and oversight duties have the capacity for the requirements of this “much larger CSP grant project” (e70).

There is a concern if the Executive Director’s (ED) and Project Director’s time commitments (.2 and 1.0) as the only staff for year are adequate. On page 1 of the budget(no e-page number) it was noted that these positions will develop the grant project team and contractual subgrant applications. Additionally, the key project personnel (Grants manager/fiscal Specialist, Fiscal Oversight Specialist, Professional Development), indicate a “lean” project team. It is unclear if there is enough FTE to provide the technical assistance (TA) and oversight necessary – given the proposed number of subgrants. It is unclear if there is sufficient staffing for a project of this scope and size. The 1 FTE for a professional development/TA specialist seems low given a grant of this scope and size. This concern is in direct alignment with the comment in CCP 3 and 5 noting that other than TA and support to applicants and authorizers oversight, reporting requirements etc. (e67), reference to TA is thus far generic in nature and is proposed to be offered to numerous subgrantees in a differentiated method.

It is unclear if the two Fiscal Specialists (Budget p. 5. No e-page number) are for this grant cycle only or if they are continuing to support past subgrantee recipients. While the CSO has 3 FTE support staff, the CSP grant support FTE is unclear (e70) as there is no line item for CSP support in the budget.

Reader's Score: 2

Selection Criteria - Parent and Community Involvement

1. The State entity’s plan to solicit and consider input from parents and other members of the community on the implementation and operation of charter schools in the State.

Strengths:

Per state law the charter authorization process requires an applicant’s demonstration of “how parent and community will be engaged and actively involved in their schools” as well as, the conduct of a public forum for new and renewing schools (e77-e78). The DOE commits to monitoring the effectiveness of these activities.

In addition to state law requiring active parent and community engagement in their schools, the NYC DOE conducts annual parent, student and staff surveys to inform each charter annual NYC DOE School Quality Report (e79).

Weaknesses:

While there is state law that requires demonstrated parental and community engagement and involvement in the demand for and life of a charter school other than the law and the DOE’s commitment to monitoring the “effectiveness of such opportunities” provided no statewide strategies or activities or plan to solicit and consider input from parents and other members of the community on the implementation and operation of charter schools in the State. The NYC DOE surveys are for NYC schools not all charters in the state (e79).

The NYSED did not describe how it would provide professional development, technical assistance and support to charter schools on how to initiate and maintain parental/community involvement. Nor, did the applicant provide how and when it would evaluate the effectiveness of school/parental/community engagement as a method of obtaining input from parents and the community.

Reader's Score: 4

Selection Criteria - Flexibility

1. The degree of flexibility afforded by the State’s charter school law and how the State entity will work to maximize the flexibility provided to charter schools under such law.

Strengths:

The NYSED has convincingly demonstrated an ample degree of flexibility afforded by the State’s charter school law. This is in part evidenced by: Education Law §2853(1)(3) which states: A charter shall be deemed an independent and autonomous public school, except as otherwise provided in the article (e80). NY state’s charter law rated as including “all of the model law provisions for fiscally and legally autonomous schools with independent charters and boards” (e80-) as noted in the 2018 National Alliance for Public Charter school rating report.

While held to all open public meetings, public health, safety and civil rights laws, charter schools in NY are “otherwise exempt from all other state and local laws, rules, regulations, or policies governing public or private schools...” (e80) While needing to hire certificated staff and adhere to minimal instructional time – there is flexibility in how charter schools meet these requirements. According to state statute, charters in NY also have “final authority for policy and operational decisions of the school” (e82). This autonomy extends to school budgets and expenditures with accountability in this case in the form of “annual independent audits”. Overall, NYSED has ably demonstrated the state’s efforts to maximize the flexibility provided to charter schools under its law and to sustain the foundation of the charter contract with high degrees of autonomy in exchange for increased accountability.

Weaknesses:

Over the years, the State of New York has moved from a cap of 100 charter schools (original Act) to a cap of 200 (2007), with no more than 50 charters in NYC (2015). While the State seems to keep upping the cap as needed, there is nonetheless a cap on charters in NY. This cap presents a potential negative impact on flexibility (e38-e39).

Reader's Score: 4

Priority Questions**Competitive Preference Priority 2 - Equitable Financing**

- 1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located ensures equitable financing, as compared to traditional public schools, for charter schools and students in a prompt manner.**

Strengths:

The application states Charters in New York are “eligible for all funding available under ESEA, ESSA and IDEA.” (e20), in addition to the basic per pupil funding.

Of positive note, in addition to the per pupil funding and federal funds, the New York State Charter Schools Act (the ACT) requires school districts “to provide student transportation, health services and certain amount of textbooks” (e22). Additionally, charter schools may receive “supplemental” funding from districts for “support above certain thresholds of service” for students with an IEP (e22). This is substantial financial support to charters.

Charters also receive one-time appropriations (currently \$451 per student) and \$4,000 per student in New York City, if they are in a private space (e24).

Lastly, The NYSED informs charter schools of these and other fund sources through the following mechanisms: NYSED website and email distribution lists, and email blasts and the Charter School Office (CSO) in coordination with other NYSED offices (e20). Additionally, the CSO conducts training for new charter schools regarding awareness of the federal funds and programs available to charters.

Overall, the NYSED has adequately demonstrated equitable financing for charter schools and students, as compared to traditional public schools.

Weaknesses:

While the application states policy as, “Each charter school in New York is eligible for all funding available under ESEA, ESSA and IDEA” (e20). It is unclear if the statement is based in statute making it enforceable. Based in policy alone makes for a weaker stance for supporting charters. In addition, it appears as if the “proportional share of per pupil spending... based on each school district expenditures” (e22) creates a funding disparity. It remains unclear if charters receive equitable funding.

Additionally, it is unclear if the CSO ensures that all charter schools in the state (including the NY City Department of Education and Buffalo City School District charters) are made aware of the funds sources or just the NYSDE and Institute charters (e20).

While the district flows through per pupil spending and IDEA to charters, it is unclear as to the timeliness of the flow through. Given that the per pupil amount is based on each school district’s expenditures on school operations based on a formula linked to district operational expenditures as well as other federal and state aid, it appears that it is not a standard

per pupil amount across the state. (p. e22).

Reader's Score: 3

Competitive Preference Priority 3 - Charter School Facilities

- 1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located provides charter schools one or more of the following:**
 - a) Funding for facilities;**
 - b) Assistance with facilities acquisition;**
 - c) Access to public facilities;**
 - d) The ability to share in bonds or mill levies;**
 - e) The right of first refusal to purchase public school buildings; or**
 - f) Low- or no-cost leasing privileges.**

Strengths:

The NYSED has demonstrated that it provides charter schools with assistance in facilities acquisition access to public facilities, and low- or no-cost leasing privileges as evidenced by access to available space in district facilities at a cost of \$1, “allowing new or expanding charter schools to request space in NYC DOE facilities” and/or receive rental assistance per the 2014 Facilities Act (e24). These strong supports are meeting the charter facility need as evidenced by 117 charters out of 227 sharing public space.

Additionally, any eligible charter schools outside of NYC may receive up to \$200,000 “discretionary financial support” funding for facilities. These funds cover, “start-up costs, and costs associated with the acquisition, renovation, and construction of school facilities” (e26) from the New York State Stimulus Fund (SSF).

Lastly, charter schools are eligible to obtain tax exempt financing, inclusive of bond financing, per New York law (e24).

Overall, New York state has provided substantial facilities support to charters in the form of access to public spaces, funding and financing.

Weaknesses:

While the Institute disburses annual stimulus funds to charters outside of New York City, the amount varies because they are discretionary funds. Schools never know how much they will actual receive (e26).

Reader's Score: 5

Competitive Preference Priority 4 - Best Practices to Improve Struggling School/LEAs

- 1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located uses best practices from charter schools to help improve struggling schools and local educational agencies.**

Strengths:

The NYSED has comprehensively demonstrated how it uses best practices from charter schools to help improve struggling schools and local educational agencies. This is in part evidenced by the existing charter-district partnerships (10 NYC CSDs and high school superintendents, the 72 school teachers and leaders in three CSDs in Brooklyn engaged in the NYC DOE Uncommon Schools-Impact Partnership (e31) and the activities noted below.

The activities and outcomes of the NYSED implementation of two CSP dissemination grants are indicative of the department's dissemination of best practices from charter schools to help improve struggling schools and local educational agencies. This is in part evidenced by:

The funding of 11 dissemination subgrants targeted to support underperforming schools in 2015 with the following outcomes: A May 2015 Best Practices conference and dissemination activities for a variety of topics (e27).

The funding of 8 more dissemination grants in 2016 with charters sharing best practices on topics such as Math pedagogy Positive behavior intervention, early literacy, trauma sensitive support systems.

The NYSED facilitated joint school site visits

The creation of the NYC District -Charter Partnerships (DCP) and a District-Charter Special Education Partnership– with over 100 districts and charter schools partnering to share best practices (e29-30).

Overall, the NYSED has demonstrated strong support of charters sharing best practices to improve struggling schools.

Weaknesses:

While the applicant provided a number of ways in which it uses best practices from charter schools to help improve struggling schools and districts, the NYSED did not provide outcome data that demonstrates districts and charters are performing at a high-quality level making the impact of the above noted activities unclear.

Reader's Score: 2

Competitive Preference Priority 5 - Serving At-Risk Students

- 1. To receive points under this priority, an applicant must demonstrate the extent to which it supports charter schools that serve at-risk students through activities such as dropout prevention, dropout recovery, or comprehensive career counseling services.**

Strengths:

The New York ACT “require authorizers to give preference to charter applications that demonstrate the capability to provide comprehensive” services to students at risk of academic failure (13). Of positive note is that charter applicants have the flexibility to define “at risk of academic failure”. This flexibility allows for schools to focus their school services on specific need areas such as English Language Learners (ELLs) or credit accrual schools (e32).

From a national perspective, NYSED is at the “forefront” of exploring alternate methods for measuring student outcomes for at-risk students. This is in part evidenced by the convening of national experts to convene regarding “what it means to evaluate students, inclusive of students’ abilities to read, write, do mathematics, science, draw on lessons from history and civics” (15). The notion of “active ingredients” and alternate measures of accountability is an ambitious effort and one that has the potential to positively impact outcomes for at-risk students (e33).

In NYC charters can receive supplemental funding for students with disabilities (e31).

Weaknesses:

While the law gives preference to schools serving students at risk of academic failure, other than the Active Ingredients initiative (alternative methodology to measure outcomes for at-risk students p. e33) the applicant did not note any strategies in which it uses best practices from charters to help improve struggling schools and local educational agencies serving students at risk of academic failure.

The narrative on page e31, notes that “in NYC, supplemental funding is made available for SWD that are above and beyond the per pupil amounts, yet on pages e22-e23, it notes that, “Charter Schools receive supplemental funding for students with individualized education programs’...that mandate support above certain thresholds of service”. It is unclear if all charters in New York receive these funds or just charters in NYC.

Reader's Score: 1

Competitive Preference Priority 6 - Best Practices for Charter School Authorizing

- 1. To receive points under this priority, an applicant must demonstrate the extent to which it has taken steps to ensure that all authorized public chartering agencies implement best practices for charter school authorizing.**

Strengths:

The NYSED has provided exemplary examples of how it and the Institute has taken steps to ensure that all authorized public chartering agencies implement best practices for charter school authorizing, This is evidenced by the following:

The Institute being “identified by NACSA as one of five exemplary authorizers at the heart of... the Quality Practices project” (17).

The NYSED worked with NACSA to “evaluate and improve its methods of authorization and oversight monitoring of schools” (17). This is a noteworthy endeavor as NACSA standards are the national authorization and oversight standards that authorizers work towards.

The Institute, in partnership with the Federal National Charter School Leadership Activities Grant, worked with NACSA and the Counsel of Chief State School Officers to define and implement policies and practices regarding charter school authorization. Partnering with national leaders on best practice is indicative of strong standards and practices.

One of the outcomes of the establishment of the New York State Quality Charter Authorizer Partnership (NTSQCAP) is an agreement demonstrating “a commitment on the part of all the major authorizers in New York to ensure the highest standards of quality charter authorizing” (e35).

The NYSED was noted as “demonstrating high quality authoring practices” in WestEd’s 2015 monitoring report (19).

The NYSED identified the following areas as authorizer professional development (PD): exploring new trends in authoring, participation in NACSA conferences and webinars and dialogue regarding charter school outcome data. (e37).

Additionally, activities through the New York State Quality Charter Authorizer Partnership (NYSQCAP) partnership include: systemically revising and aligning NYSED oversight protocols and guidelines, state and national charter authorizing dialogue, technical assistance and PD to NY charter authorizer staff. Of positive note is the collaborative efforts between the two statewide authorizers to “work around deficiencies in state policy” (e34) to implement strong authorizing practices

Weaknesses:

There were no weaknesses

Reader's Score: 4

Status: Submitted
Last Updated: 06/12/2018 04:27 PM

Status: Submitted

Last Updated: 06/12/2018 04:27 PM

Technical Review Coversheet

Applicant: New York State Education Department (U282A180009)

Reader #3: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
Quality of Project Design		
1. Project Design	15	11
Objectives		
1. Objectives	20	20
Quality of Eligible Subgrant Applicants		
1. Subgrant Applicants	15	12
State Plan		
1. State Plan	20	13
Quality of the Management Plan		
1. Management Plan	15	9
Parent and Community Involvement		
1. Involvement	10	6
Flexibility		
1. Flexibility	5	4
Sub Total	100	75
Priority Questions		
Competitive Preference Priority 2		
Equitable Financing		
1. Equitable Financing	6	4
Sub Total	6	4
Competitive Preference Priority 3		
Charter School Facilities		
1. Charter School Facilities	6	4
Sub Total	6	4
Competitive Preference Priority 4		
Best Practices to Improve Struggling School/LEAs		
1. Struggling Schools	3	1
Sub Total	3	1
Competitive Preference Priority 5		
Serving At-Risk Students		

1. At-Risk Students	3	2
Sub Total	3	2
Competitive Preference Priority 6		
Best Practices for Charter School Authorizing		
1. Best Practices	5	5
Sub Total	5	5
Total	123	91

Technical Review Form

Panel #6 - Panel 6 - New York - 1: 84.282A

Reader #3: *****

Applicant: New York State Education Department (U282A180009)

Questions

Selection Criteria - Quality of Project Design

1. The Secretary considers the quality of the design of the proposed project. In determining the quality of the design of the proposed project, the Secretary considers:

Reader's Score: 11

Sub Question

1. (1) The extent to which the proposed project demonstrates a rationale

Strengths:

The CSP grant project is aligned with New York State Charter Schools Act to increase learning opportunities for all students, with special emphasis on expanded learning experiences for students who are at-risk of academic failure (pgs. e38-e42). The applicant documented the significant learning gains charter school students in New York City receive when compared to their peers in traditional district schools, which increases the likelihood that the proposed project can effect outcomes for students in New York (pg. e39, Appendix F: CREDO report, pgs. 9, 11-15). Appropriate and aligned activities and outcomes are addressed in the applicant's logic model (pgs. e73-e74)

Weaknesses:

Applicant did not meet all objectives from previous CSP grant making it difficult to assess the project rationale. Specifically, the prior grant had an objective to issue 150 new charters, but New York only issued 144 (pg. e41). They indicated this was due to competition with charter schools receiving funding directly through the replication and expansion grant (pg. e42). The CREDO report indicated that students in charter schools not affiliated with CMOs had lower academic gains than their counterparts in schools affiliated with CMOs (pg. 42), twelve percent (12%) of charter schools have results that are significantly worse than TPS for reading, and seventeen percent (17%) of charter schools have results that are significantly worse than TPS for mathematics, and students attending charter schools in Upstate New York do not achieve the same gains as those attending charter schools in New York City (pg. 42).

Reader's Score: 8

2. (2) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable.

Strengths:

The applicant indicated it will increase the number of high-quality charter school seats, including opening 69 new schools over the five-year grant period (objective 1, pgs. e43, e73); improve student achievement outcomes, particularly for students who are greatest risk of not meeting state academic standards (objective 2, pgs. e43, e74); promoting the dissemination of effective practices (objective 3, pgs. e43,74); and strengthening the overall quality of charter authorizing (objective 4, pgs. e43, e74-e75). The applicant will use a tracking system to measure its progress toward meeting the objectives, including, for example, tracking the number of charters issued, evaluating

Sub Question

subgrantee performance against its renewal performance benchmarks, etc. (pgs. e75-e77).

Weaknesses:

The applicant indicates priority for new schools that is given to schools serving at-risk populations (pg. e31) but it is not clear how the applicant will specifically prioritize this in the CSP grant (pg. e47). The applicant does not demonstrate how each current subgrantee charter school in the state has successfully served students who are at greatest risk of not meeting state academic standards. In fact, the CREDO report shows the students in Upper New York charter schools receive a lower quality education than those in traditional district schools (Appendix F: CREDO report, pg. 43).

Reader's Score: 3

Selection Criteria - Objectives

1. The ambitiousness of the State entity's objectives for the quality charter school program carried out under this program.

Note: In response to this criterion, an applicant may address (or cross reference) some or all of the components of application requirements (I)(A)-(G) in this notice, which require the applicant to provide a description of the State entity's objectives in running a quality charter school program and how the objectives of the program will be carried out.

Strengths:

The applicant demonstrates the ambitious nature of their quality charter school program focused on increasing the number of high quality charter schools through numerous key activities. These five activities described include: (objective 1) Activity 1 described how it will award timely grants to all new or expanding schools based on charter approval – so as not to duplicate efforts through a separate grant application (pg. e44). The base grant amount would be up to \$1,000,000, which gives new, expanding, and replicating charter schools a stronger foundation to create high -quality schools (pgs. e44, e45). Activity 2 describes how authorizers would encourage replication of high quality schools through its streamlined replication approval process, including making approvals as measured by quantitative student achievement and outcome data (pg. e46). Activity 3 would provide increased post-charter planning and implementation grant awards for applicant groups meeting incentive priorities (pg. e47). Incentive priorities include underserved student populations, over-aged/under-credited students, state approved career and technical education program, racially and socioeconomically diverse student populations, and authorizer program design priorities (pgs. e47-e48). Activity 4 is to clearly communicate information about charter schools and CSP grant funding through collaboration with charter school support organizations and using a variety of forums, such as regional information sessions, conference calls, webinars, flyers, email blasts, state website, etc. (pgs. e48-e49). Activity 5 is to ensure all existing charter schools remain high quality through a rigorous renewal process outlined in state law, compliance monitoring activities, and specific CSP grant monitoring (pgs. e49-e50).

The ambitious and strategic activities described for project objectives 1 and 4 also improve student achievement outcomes (objective 2) and disseminate charter school effective practices (objective 3) (pg. e50). In addition, to support objective 2, New York will provide grants to districts to promote diversity and reduce socioeconomic and racial/ethnic isolation and will incentivize the creation of more diverse by design charter schools (pg. e51).

To support objective 3, the applicant proposes two activities. In activity 1, NYSED will issue requests for proposals for partnerships to carry out technical assistance and support activities (pg. e53) focusing on pre-application development, post-application support, board governance training, and support for special populations (pg. e54). Other areas of training include improving student retention, reducing suspension, increasing parent outreach, service students with disabilities, replicating high-quality charter schools, supporting leadership development, and creating diverse by design schools (pg. e55). In activity 2 NYSED will coordinate efforts with other charter authorizers and charter support groups to identify and disseminate the best or promising practices of charter schools to traditional district schools and other charter schools (pg. e55) through a competitive subgrant process to high-quality charter schools. The collaboration subgrant activities must be aligned with the state's performance standards, supported by research, and show documented results (pg. e56).

Support for objective 4 also includes two proposed activities. Activity 1 is to eliminate redundant review and reporting processes (pgs. e58, e44-e45) and activity 2 is to strengthen the collaborative working relationships between active authorizers (pg. e58).

Weaknesses:

No weaknesses found.

Reader's Score: 20

Selection Criteria - Quality of Eligible Subgrant Applicants

1. The likelihood that the eligible applicants receiving subgrants under the program will meet those objectives and improve educational results for students.

Strengths:

Applicant shows charter school student success through increased performance over the course of the current CSP grant (pgs. e40, Appendix F: CREDO Report, pgs. 11-15). NACSA recognized the Institute's authorizer practices as exemplary (pgs. e35, Appendix C: Letters of support). Applicant indicates the Institute's and NYSED applications are rigorous (pgs. e60, e75, Appendix F: NYSED 2018 Application Kit pgs. 1-83, Appendix F: Institute's 2018 RFP for New and Replicating Schools pgs. 1-101) and charter schools not meeting performance expectations are closed (Appendix F: Risk Assessment pg. 1).

Weaknesses:

The applicant provides the WestEd draft report on New York's CSP program oversight plan (April 2015) that indicated NYSED could make improvements to the CSP program (Appendix F: WestEd Report, pgs. 10-12). The applicant responded to the report, but WestEd's final report was not included to assess how NYSED has changed some of their processes. Therefore, it is not clear if NYSED's included CSP subgrant process will meet the objectives of the project and improve educational results for students (Appendix F: NYSED 2018 Application Kit, Appendix F: Institute's RFP for New and Replicating Schools).

Reader's Score: 12

Selection Criteria - State Plan

1. The State entity's plan to--

1) Adequately monitor the eligible applicants receiving subgrants under the State entity's program;

2) Work with the authorized public chartering agencies involved to avoid duplication of work for the charter schools and authorized public chartering agencies; and

3) Provide technical assistance and support for--

- i. The eligible applicants receiving subgrants under the State entity's program; and**
- ii. Quality authorizing efforts in the State.**

Strengths:

The monitoring plan for subgrantees includes ensuring the subgrants are implemented with fidelity to the activities described in their application (pg. e63). Each participating school is required to submit annual reports and have an annual independent fiscal audit mandated by state education law (pg. e64). In addition, the progress report will delineate its

progress against stated outcomes and, if necessary, will explain adjustments to its plan to ensure all outcomes and goals are met (pg. e64). Additional monitoring will be based in part on their annual reports and annual fiscal audits (pg. e64). The applicant provided an explicit list of factors that will contribute to the need for further monitoring (pg. e64).

The applicant described its plan to avoid duplication of work for the charter schools and authorized public chartering agencies, which includes ensuring its oversight protocols and guidelines are aligned with CSP grant program goals and requirements as well as general oversight activities (pg. e65). In addition, New York's authorizers are committed to continual improvement of authorizing and monitoring (inclusive of CSP grant monitoring) practices (pg. e65). State authorizers will work together to align authorizing practices to industry best standards, develop state-level policy around implementation aspects of the amended charter school statute, coordinate authorizing and review processes and protocols, especially as they relate to the timely flow of CSP grant funds, and provide a forum for discussing the professional development needs of charter authorizing staff (pgs. e66-e67).

The applicant indicated New York will provide technical assistance to eligible applicants prior to them receiving planning and implementation subgrants, including requiring each subgrantee to apportion part of their CSP funds for the purpose of engaging in ongoing board professional development throughout the subgrant period by an external service provider with experience providing board training and who is approved by the authorizer (pg. e67). In addition, NYSED provides technical assistance through its application kit (Appendix F), pre-opening procedures (Appendix F), and webinars to support CSP subgrantees (pg. e67).

Weaknesses:

On-site technical assistance and monitoring visits within the first 12 months of school operation are based solely on a risk assessment process (pgs. e64, Appendix F: Risk Assessment). The oversight practices during the current CSP grant are an area of concern according to the WestEd Charter Schools Program Monitoring Report Draft 2015 (pg. 11, Appendix F: Oversight Plan).

The applicant indicated nearly all CSP subgrantees were satisfied or very satisfied with the high level of support, training, and assistance provided by NYSED to oversee, train, and monitor CSP subgrantee onboarding and ongoing operation (pg. e68), but the independent evaluation provided in the application contained only feedback from school year 2016-2017 and not for the other years of the previous CSP grant (Appendix F: Oversight Plan).

Despite the applicant indicating there are several authorizers in New York (pg. e19), the state plan focuses on providing oversight and technical assistance to only a few specific authorizers rather than all (pg. e68).

Reader's Score: 13

Selection Criteria - Quality of the Management Plan

- 1. The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers:**

Reader's Score: 9

Sub Question

- 1. (1) 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**

Sub Question

Strengths:

The applicant has developed a strong management plan through various avenues. They identified 4.0 FTE professional positions to work on CSP activities, including a full-time project director, full-time grants manager and fiscal specialist, full-time fiscal oversight specialist, and full-time dissemination and professional development coordinator (pgs. e70-e71). The budget is clearly explained and appears to provide enough funding for the applicant to meet its proposed objectives.

The project director is responsible for ensuring proper stewardship of CSP funds and compliance with all State and Federal laws and regulations (pgs. e70-e71). In addition, s/he is charged with overseeing project staff and coordinating with other active authorizers in the state to ensure their processes adhere to grant requirements. The grants manager and fiscal specialist are responsible for fiscal and programmatic oversight of participating charter schools (pg. e71). S/he will ensure the smooth onboarding of new subgrantees and provide fiscal and grant-related technical assistance. The financial oversight specialist is responsible for assisting in fiscal oversight of all subgrantees and coordinating ongoing fiscal risk management (pg. e71). The dissemination and professional development coordinator is charged with promoting dissemination of charter school best practices to other entities throughout the state and will administrate the dissemination grant competition (pgs. e71-e72). S/he is also responsible for coordinating all aspects of ongoing professional development activities.

Weaknesses:

Several goals don't provide a specific level of achievement making a 0.1% increase (or decrease) good enough to meet the goal (pgs. e73-e77). There are no milestones in the logic model (pgs. e76-e77). Also, assigning specific staff to each activity, rather than the generic assignment of NYSED, would make it clearer who is responsible.

Reader's Score: 6

2. (2) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project

Strengths:

The applicant identified 4.0 FTE professional positions specifically assigned to the CSP grant (pgs. e70-e71), including a project director, grants manager and fiscal specialist, fiscal oversight specialist, and dissemination and professional development coordinator.

Weaknesses:

It is unclear if these 4.0 FTE have adequate time to meet the objectives of the proposed project given the lack of specific assignment in the timeline and logic model (pgs. e73-e77). For example, which staff at NYSED is responsible for the activities associated with objective 1? (i.e., awarding grants to all newly authorized and expanding charter schools, encouraging replication through a streamlined approval process, communicating information about CSP grant funding, ensuring ongoing high quality of all existing charter schools) (pg. e73) Does s/he have enough time to meet all of these objectives by the milestones identified for 2019, 2021, and the end of the grant period?

Reader's Score: 3

Selection Criteria - Parent and Community Involvement

1. The State entity's plan to solicit and consider input from parents and other members of the community on the implementation and operation of charter schools in the State.

Strengths:

New York identified education law stating authorizers may not consider a charter school proposal that does not reflect a meaningful public review process designed to receive community input (pg. e78). Currently, authorizers conduct a public

hearing as part of every charter school application and renewal (pgs. e78-e79). The applicant will monitor the effectiveness of parental and community involvement in planning and implementing decision making (pg. e78). In addition, NYSED will intentionally solicit and review stakeholder comments specific to their experiences with subgrant recipients about the services provided to them by nonprofit organizations, professional organizations, and authorizers specific to the purpose of CSP grant dollars (pg. e79) and the stakeholder input will be part of evaluating the effectiveness of CSP-funded training and technical assistance services.

Weaknesses:

While NYSED stated it would intentionally solicit and review stakeholder comments specific to their experiences with subgrant recipients about the services provided to them, the applicant did not explain how it would be accomplished (pg. e79). In addition, the applicant has not addressed how it would solicit and consider input from parents and other members of the community on the implementation and operation of charter schools in the State, in general (pg. e78).

Reader's Score: 6

Selection Criteria - Flexibility

1. The degree of flexibility afforded by the State's charter school law and how the State entity will work to maximize the flexibility provided to charter schools under such law.

Strengths:

The applicant identified state statute granting charter schools as independent and autonomous public schools (pg. e80). The National Alliance for Public Charter Schools notes New York's law as including all of the model law's provisions for fiscally and legally autonomous schools (pg. e80). The applicant highlights sections of the law showing where charter schools are exempt from state and local laws, rules, regulations, or policies, including those related to school personnel, students, unionized teachers, school administrators, and length of school day and year (pgs. e81-e82).

Weaknesses:

State law imposes a cap on the number of charter schools allowed in the state. As such, there is a lack of complete flexibility in state law for the growth of charter schools.

Reader's Score: 4

Priority Questions

Competitive Preference Priority 2 - Equitable Financing

1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located ensures equitable financing, as compared to traditional public schools, for charter schools and students in a prompt manner.

Strengths:

Applicant demonstrated charter schools are eligible for all funding available under ESEA, ESSA, and IDEA (pg. e20). Applicant identified the 2014 Facilities Access Law makes facility funding accessible to new and expanding charter schools in New York City, but it is limited to 30 percent of the per pupil amount for rental assistance (pg. e23). Per pupil funding has been frozen since FY2011, although the New York Assembly has provided one-time appropriations to charter schools the past three fiscal years (pg. e23).

Weaknesses:

The applicant stated the charter school per-pupil funding level from the Assembly is based on a formula to ensure that students receive a comparable amount of funding compared to their peers in traditional district schools. Neither details about the formula nor statutory evidence were provided (pgs. e23-e24).

Reader's Score: 4

Competitive Preference Priority 3 - Charter School Facilities

1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located provides charter schools one or more of the following:

- a) Funding for facilities;
- b) Assistance with facilities acquisition;
- c) Access to public facilities;
- d) The ability to share in bonds or mill levies;
- e) The right of first refusal to purchase public school buildings; or
- f) Low- or no-cost leasing privileges.

Strengths:

The applicant indicated the 2014 Facilities Access Law supports charter school access to space and rental assistance by allowing new or expanding charter schools to request space in NYC DOE facilities (pg. e24). The NYC DOE decision can be appealed and if the appeal results are in favor of the charter school, the NYC DOE may pay the charter school equal to the actual rental cost of a privately-owned site or 30% of the charter school's basic tuition for the current year (whichever is less). Alternately, charter schools located out of New York City have access to the New York State Stimulus Fund which provides discretionary financial support for start-up costs and costs associated with facilities (pg. e26). New York Law also grant charter schools access to obtain tax-exempt financing (e.g., bond financing) and loans (pg. e26).

Weaknesses:

Funding options to charter schools located outside of New York City appears to be decided annually by the Institute and is limited to the total amount of dollars available in the State Stimulus Fund (pgs. e25-e26) or it requires financing with an entity that charges interest. Additional information about the number of applicants, high and low amounts granted, and percent interest charged would increase understanding about the State Stimulus Fund program.

Reader's Score: 4

Competitive Preference Priority 4 - Best Practices to Improve Struggling School/LEAs

1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located uses best practices from charter schools to help improve struggling schools and local educational agencies.

Strengths:

The applicant described in detail its dissemination program funded by their prior CSP grant (pgs. e27-e31) indicating it created collaboration between district and charter schools where they had not previously existed.

Weaknesses:

While the applicant described in detail its dissemination program funded by their prior CSP grant (pgs. e27-e31), it is not clear if the dissemination program had a positive impact or displays effective evidence for struggling schools other than creating collaboration between district and charter schools where they had not previously existed, as indicated by survey

results from participating schools (pg. e30).

Reader's Score: 1

Competitive Preference Priority 5 - Serving At-Risk Students

- 1. To receive points under this priority, an applicant must demonstrate the extent to which it supports charter schools that serve at-risk students through activities such as dropout prevention, dropout recovery, or comprehensive career counseling services.**

Strengths:

The applicant provides evidence the New York Charter Schools Act requires authorizers to give preference to charter school applications that demonstrate the capacity to provide comprehensive learning experiences to students identified (and defined) by the applicants as at risk of academic failure (pg. e31). Numerous examples of charter schools in New York City are provided, including Central Queens Academy and American Dream Charter School, both of which work with immigrant youth (pg. e32); New York Center for Autism that serves students with disabilities (pg. e32); John V. Lindsay Wildcat, Urban Dove, New Dawn, and New Visions AIM I and II, which serve over-aged and under credited students (pgs. e32-e33); Mott Haven Academy, Broome Street Academy High School, and Cardinal McCloskey Community Charter School that serves foster care and homeless youth (pg. e33).

The applicant describes the alternative evaluations for some schools that serve certain at-risk populations (pg. e33). The report from CREDO, show that charter schools provide a high-quality education to students (Appendix F: CREDO report pgs. 11-15).

Weaknesses:

Although the applicant provides multiple examples of charter schools in New York City that serve at-risk students, the applicant does not demonstrate how it supports these charter schools through specific activities.

Reader's Score: 2

Competitive Preference Priority 6 - Best Practices for Charter School Authorizing

- 1. To receive points under this priority, an applicant must demonstrate the extent to which it has taken steps to ensure that all authorized public chartering agencies implement best practices for charter school authorizing.**

Strengths:

The applicant demonstrated it follows the National Association of Charter School Authorizer's Principles & Standards for Quality School Authorizing Guidance (pg. e34). In addition, the Institute was identified by NASA as one of five exemplary authorizers (pg. e35). Part of this application is to continue to improve authorizing practices by systematically revising and aligning NYSED oversight protocols and guidelines (pg. e36).

Weaknesses:

No weaknesses found.

Reader's Score: 5

Status: Submitted
Last Updated: 06/12/2018 04:27 PM