



Charter Schools Institute
The State University of New York

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Albany, New York 12207

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March 21, 2012

VIA ELECTRONIC AND FIRST CLASS MAIL

Mr. Daniel Nir
Chairperson of the Board
Upper West Success Academy Charter School
145 West 84th Street, 2nd Fl.
New York, NY 10024

Re: First Year School Evaluation Visit

Dear Mr. Nir:

This letter outlines the State University of New York's Charter Schools Institute's observations and findings from its March 6, 2012 first year school evaluation visit to the Upper West Success Academy Charter School. The visit team consisted of Ron Miller, Ph.D., the Institute's Vice President for Accountability, Institute Senior Analyst Lori Clement, Institute Analyst for School Evaluation Danielle Keen and Institute Performance and Systems Analyst Jeff Wasbes. Allow me first to place this letter and the conclusions set forth below into context.

As with all SUNY authorized charter schools, on a periodic basis throughout the term of your school's charter the Institute conducts a number of formal site visits. The Institute reports in writing to the school on data gathered during these visits. Cumulatively, the information in letters such as this, as well as reports provided in later years, forms the foundation of qualitative data on the school's effectiveness. At the conclusion of the school's charter term, the Institute provides the State University of New York's Board of Trustees an analysis of your school's performance over the term of its charter that includes this qualitative information. The Institute makes a renewal recommendation for your school based on two components: the school's attainment of its academic Accountability Plan goals and evidence of the quality of the school's educational program collected during school evaluation visits.

At renewal, the Institute evaluates the academic, organizational, legal and fiscal aspects of the school's program using SUNY's Charter School Renewal Benchmarks. A copy of the Renewal Benchmarks is included for your information. For formal school evaluation visits conducted prior to renewal, the Institute focuses on specific academic and organizational Renewal Benchmarks (called Qualitative Educational Benchmarks). They provide a fixed standard for determining the quality of the academic program as the school progresses toward renewal.

To Learn
To Search
To Serve



For this first year visit, the Institute narrows the expectation for each benchmark in recognition of the school program's limited development. As a first year school is in its formative stage which has not yet completed an annual cycle, the visit focus is on the initial implementation of basic practices and procedures in each benchmark area. The center of attention is on the quality of instruction and related benchmarks, which heavily affect the progress that a school is able to demonstrate in meeting its Accountability Plan goals during the charter period. By the time a school comes to renewal, a school is expected to have moved from the beginning of implementation and the promise of future growth to full and effective implementation of a quality program.

Although the information provided in this letter is not intended as a prescription, the Institute would expect you to review thoroughly the issues highlighted below and, to the extent you find them helpful, use them to assist in guiding the school's leadership team to further develop the school's academic program or other aspects of the school. In this regard, please be aware that although the Institute takes very seriously the conclusions provided, we are cognizant of the fact that a one-day site visit may not yield information on all facets of a school's program.

Please find the team's findings from the first year visit below.

Use of Assessment Data

Upper West Success Academy Charter School ("Upper West Success") gathers assessment and evaluation data and uses it to improve student learning.

- The school regularly administers interim assessments in reading, writing, phonics and math.
- Teachers regularly communicate student assessment results with parents through progress reports and regular meetings. The student achievement coordinator aggregates school-wide data for the Success Network ("the Network") which in turn makes results available to the school board.
- Based on assessment results, teachers develop class, group and individual action plans in the four assessment areas with oversight from the school leader and student achievement coordinator. Teachers and leaders use data to re-teach, create flexible groups and modify the focus of upcoming units.

Curriculum

Upper West Success has a curriculum that supports teachers in the delivery of instruction.

- The Network provides the school with a scope and sequence, unit plans and daily lesson objectives. These tools support teachers in their delivery of instruction.
- The school leaders guide teachers in planning the implementation of new units in grade-level study-group discussions.

- Teachers have access to ample curriculum materials including science labs, leveled libraries, math manipulatives, mobile laptop carts and consumables that support teachers in meeting the educational needs of all children.

Pedagogy

High quality instruction is evident in all classrooms.

- Teachers specify clear expectations for what students should know and be able to do; they implement well-paced, purposeful lessons and maximize learning time.
- With the effective use of daily routines, teachers develop a culture where learning is valued; they tolerate neither low-level misbehavior nor students opting out of learning activities.
- Teachers employ effective checks for understanding through such methods as cold-calling and exit tickets.
- Assignments promote academic rigor, in particular in math problem-solving and science lab activities; the school is developing a comprehensive and rigorous writing program.

Instructional Leadership

The school has strong instructional leadership.

- The leadership promotes a culture of learning and scholarship through school-wide “community circles” promoting school values and celebrating individual student achievement.
- With support from the Network, the school’s instructional leadership supports the development of the teaching staff. School leaders provide sustained and systematic coaching through a focus on individual teacher professional goals and school-wide instructional needs.
- The principal conducts teacher evaluations based on clear criteria that include pedagogical and professional standards.
- The school provides extensive professional development on a weekly basis, as well as providing network-led, full-day sessions and an extensive summer professional development program. Sessions focus mostly on effective teaching practices.

At-Risk Students

Upper West Success addresses the educational needs of at-risk students.

- The school has clearly defined screening procedures for identifying students with disabilities and English language learners (ELLs). Leaders report that 15 percent of students (25 of 167) have Individualized Education Programs (IEPs) and eight percent (14 of 167) are ELLs.
- The school provides the range of services specified in students’ IEPs.
- ELL students receive additional support beyond the core ELA program. A special education teacher offers ELLs additional small group instruction and two bilingual

speech teachers help the students prepare for the ELL English proficiency (NYSESLAT) test. ELL students participate in the general ELA program which is print rich, writing focused and emphasizes student-to-student verbal interaction.

- Given the general absence of teacher training in developing the students' second language acquisition skills, the effectiveness of the ELL program is yet to be determined.

Organizational Capacity

Upper West Success's organization supports the delivery of the educational program.

- Through the Network, the school has put in place an administrative structure with staff, operational systems and procedures that allow it to carry out the academic program.
- The school is safe and orderly.
- The school has an abundance of resources.

Board Oversight

Upper West Success's board monitors student achievement and provides oversight to the total educational program.

- The board has financial, educational and organizational expertise and benefits from two members having previous Network board experience. Its structures and procedures are adequate to govern the school.
- The board receives student assessment data through the Network that it uses to monitor school performance. The principal provides the board with school culture reports, organizational information and school-specific student performance data.
- The board has clear criteria for evaluating the school leader and monitors the respective responsibilities of the school leader and the Network in implementing the school program.

These conclusions constitute the beginning of your school's record of progress toward meeting the standards constituted in SUNY's Renewal Benchmarks. The Institute conducts formal evaluation visits multiple times during each school's initial charter term and at least once during subsequent charter terms. The cumulative evidence collected during these school evaluation and renewal visits, as well as the school's record of success at meeting Accountability Plan goals becomes part of the record that informs the Institute's renewal recommendation to the SUNY Trustees.

The number of school evaluation visits the Institute will conduct before renewal depends on a variety of factors. In addition to adhering to a regular schedule of visits, concerns raised in the conclusions of previous visits, the school's progress toward meeting Accountability Plan goals and emergent legal and compliance issues may affect the frequency and timing of the visits.

Mr. Daniel Nir
March 21, 2012
Page 5 of 5

The Institute looks forward to its next visit to Upper West Success and is available at any time to discuss the results of the first year visit, future visits or other concerns you may have as the school moves through its charter term and toward renewal.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Miller Barker". The signature is fluid and cursive, with the first name "Susan" being the most prominent.

Susan Miller Barker
Interim Executive Director

c: Eva Moskowitz
Carolyn Roby



STATE UNIVERSITY OF NEW YORK CHARTER RENEWAL BENCHMARKS 4.0

Introduction

The State University of New York Charter Renewal Benchmarks (the “State University Renewal Benchmarks”) serve two primary functions at renewal:

- They provide a framework for the Charter Schools Institute (the “Institute”) to gather and evaluate evidence to determine whether a school has made an adequate case for renewal. In turn, this evidence assists the Institute in deciding if it can make the ultimate legal and other findings it is required to make in order to reach a positive recommendation for renewal. For instance, the various benchmarks that the Institute uses to determine whether the school has had fiscally responsible practices in place during the last charter period allow the Institute to determine with greater accuracy whether the school will be operated in a fiscally sound manner during the next charter period, a finding that the Institute is legally required to make.
- At the same time that the State University Renewal Benchmarks provide a framework for the Institute to collect and review evidence, they also provide the school with a guide to understand what the Institute is looking for. As the Institute uses the State University Renewal Benchmarks (or some sub-set of them) as a key lens through which it evaluates the school during its inspection visits and as the framework for its reports of those visits, no school should be surprised by the content of the benchmarks at the time of renewal.

Precisely how the Institute uses the State University Renewal Benchmarks, during both the renewal process and the charter period, is explained in greater detail in the *Practices, Policies and Procedures for the Renewal of Charter Schools Authorized by the State University of New York* (the “State University Renewal Practices”) available on the Institute’s website at:

www.newyorkcharters.org/schoolsRenewOverview.htm. Key points as to how the State University Renewal Benchmarks are used during the renewal process are highlighted here:

- The Institute does not have a point system for determining whether a school will be renewed. In other words, a school cannot simply tally up the number of benchmarks it has met in order to determine whether it will be renewed.
- A large part of why such a tally is impossible is that some benchmarks are weighed more

- Revised July 2, 2008 -

heavily than others. In particular, the Institute gives the greatest weight to how well the school has met its academic Accountability Plan goals. Despite the fact that the Accountability Plan comprises only a single benchmark, a school's performance on that benchmark is critical. Indeed, it is so important that while fiscal and organizational failures can cause a school to not be renewed (if sufficiently serious), excellence in these areas will not excuse poor academic performance.

- The Institute does not use every benchmark during every kind of renewal review, and how the benchmarks are used differs depending on a school's circumstances. For instance, the Qualitative Academic Performance Benchmarks (Benchmarks 1B-1H) (the "Qualitative Education Benchmarks") are given far less weight when a school that has been renewed one or more times previously applies for renewal again. Similarly, less weight is accorded to these benchmarks during an initial renewal review where a school has shown that it has met or has come close to meeting its academic Accountability Plan goals.
- As set forth in the State University Renewal Practices in greater detail, aside from the benchmark regarding meeting the academic Accountability Plan goals (which is singular in its importance), no school should fear that a failure to meet every element of every benchmark means that it is not in a position to make a case for renewal. To the contrary, the Institute has yet to see a school—or any institution for that matter—that is perfect in every respect. The Institute appreciates that the benchmarks set a very high standard collectively. While the Institute certainly hopes and expects that schools aim high, it is understood that a school's reach will necessarily exceed its grasp in at least some aspects.

The State University Renewal Benchmarks are organized around four inter-connected renewal questions that each school must answer when submitting a renewal application. The benchmarks further reflect the interwoven nature of schools from an academic, organizational, fiscal and/or legal perspective. For instance, many of the benchmarks surrounding academic performance could reasonably be placed under the heading of organizational effectiveness. The benchmark regarding "use of assessment data" (State University Renewal Benchmark 1B) includes as a desired quality that the school has made changes to its curriculum and pedagogy where the data indicate gaps in learning and achievement. More generally, some redundancy exists because the Institute sometimes is looking at the same issue but using a different focus. For example, per State University Renewal Benchmark 1E, the Institute will gather evidence regarding the school leadership's effectiveness at driving the school to excellence; that same issue is raised again in State University Renewal Benchmark 2C, but this time from the perspective of the school board's performance.

It is important that the entire school community understand the renewal process. All members of a school's leadership team and board should carefully review both the State University Renewal Benchmarks and the State University Renewal Practices. Note that a renewal overview document for parents, teachers and community members is available on the Institute's website at:

www.newyorkcharters.org/schoolsRenewOverview.htm. Please do not hesitate to contact the Institute with any questions.

State University of New York Charter Renewal Benchmarks

	Renewal Question 1 Is the School an Academic Success?
<u>Evidence Category</u>	<u>State University Renewal Benchmarks</u>
State University Renewal Benchmark 1A Academic Accountability Plan Goals	<p>Over the Accountability Period, the school has met or come close to meeting its academic Accountability Plan goals.</p> <p>The Institute will determine the extent to which the school has met the Accountability Plan goals in the following areas:</p> <ul style="list-style-type: none"> • English language arts; • mathematics; • science; • social studies, • NCLB; • high school graduation and college preparation (if applicable); and • optional academic goals included by the school.
State University Renewal Benchmark 1B Use of Assessment Data	<p>The school has a system to gather assessment and evaluation data and uses it to improve instructional effectiveness and student learning.</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> • the school regularly uses standardized and other assessments that are aligned to the school's curriculum framework and state performance standards; • the school systematically collects and analyzes data from diagnostic, formative, and summative assessments, and makes it accessible to teachers, school leaders and the school board; • the school uses protocols, procedures and rubrics that ensure that the scoring of assessments and evaluation of student work is reliable and trustworthy; • the school uses assessment data to predict whether the school's Accountability Plan goals are being achieved; • the school's leaders use assessment data to monitor, change and improve the school's academic program, including curriculum and instruction, professional development, staffing and intervention services; • the school's teachers use assessment data to adjust and improve instruction to meet the identified needs of students; • a common understanding exists between and among teachers and administrators of the meaning and consequences of assessment results, e.g., changes to the instructional program, access to remediation,

	<p>promotion to the next grade;</p> <ul style="list-style-type: none"> the school regularly communicates each student's progress and growth to his or her parents/guardians; and the school regularly communicates to the school community overall academic performance as well as the school's progress toward meeting its academic Accountability Plan goals.
<p>State University Renewal Benchmark 1C</p> <p>Curriculum</p>	<p>The school has a clearly defined curriculum and uses it to prepare students to meet state performance standards.</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> the school has a well-defined curriculum framework for each grade and core academic subject, which includes the knowledge and skills that all students are expected to achieve as specified by New York State standards and performance indicators; the school has carefully analyzed all curriculum resources (including commercial materials) currently in use in relation to the school's curriculum framework, identified areas of deficiency and/or misalignment, and addressed them in the instructional program; the curriculum <i>as implemented</i> is organized, cohesive, and aligned from grade to grade; teachers are fully aware of the curricula that they are responsible to teach and have access to curricular documents such as scope and sequence documents, pacing charts, and/or curriculum maps that guide the development of their lesson plans; teachers develop and use lesson plans with objectives that are in alignment with the school's curriculum; the school has defined a procedure, allocated time and resources, and included teachers in ongoing review and revision of the curriculum; and the curriculum supports the school's stated mission.
<p>State University Renewal Benchmark 1D</p> <p>Pedagogy</p>	<p>High quality instruction is evident in all classes throughout the school.</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> teachers demonstrate subject-matter and grade-level competency in the subjects and grades they teach; instruction is rigorous and focused on learning objectives that specify clear expectations for what students must know and be able to do in each lesson; lesson plans and instruction are aligned to the school's curriculum framework and New York State standards and performance indicators; instruction is differentiated to meet the range of learning needs represented in the school's student population, e.g. flexible student grouping, differentiated materials, pedagogical techniques, and/or assessments; all students are cognitively engaged in focused, purposeful learning activities during instructional time; learning time is maximized (e.g., appropriate pacing, high on-task student

	<p>behavior, clear lesson focus and clear directions to students), transitions are efficient, and there is day-to-day instructional continuity; and</p> <ul style="list-style-type: none"> teachers challenge students with questions and assignments that promote academic rigor, depth of understanding, and development of higher-order thinking and problem-solving skills.
<p>State University Renewal Benchmark 1E</p> <p>Instructional Leadership</p>	<p>The school has strong instructional leadership.</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> the school's leadership establishes an environment of high expectations for student achievement; the school's leadership establishes an environment of high expectations for teacher performance (in content knowledge, pedagogical skills and student achievement); the school's instructional leaders have in place a comprehensive and on-going system for evaluating teacher quality and effectiveness; the school's instructional leaders, based on classroom visits and other available data, provide direct ongoing support, such as critical feedback, coaching and/or modeling, to teachers in their classrooms; the school's leadership provides structured opportunities, resources and guidance for teachers to plan the delivery of the instructional program within and across grade levels as well as within disciplines or content areas; the school's instructional leaders organize a coherent and sustained professional development program that meets the needs of both the school and individual teachers; the school's leadership ensures that the school is responding to the needs of at-risk students and maximizing their achievement to the greatest extent possible in the regular education program using in-class resources and/or pull-out services and programs where necessary ; and the school's leadership conducts regular reviews and evaluations of the school's academic program and makes necessary changes to ensure that the school is effectively working to achieve academic standards defined by the State University Renewal Benchmarks in the areas of assessment, curriculum, pedagogy, student order and discipline, and professional development.
<p>State University Renewal Benchmark 1F</p> <p>At-Risk Students</p>	<p>The school is demonstrably effective in helping students who are struggling academically.</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> the school deploys sufficient resources to provide academic interventions that address the range of students' needs; all regular education teachers, as well as specialists, utilize effective strategies to support students within the regular education program; the school provides sufficient training, resources, and support to all teachers and specialists with regard to meeting the needs of at-risk students; the school has clearly defined screening procedures for identifying at-risk students and providing them with the appropriate interventions, and a

	<p>common understanding among all teachers of these procedures;</p> <ul style="list-style-type: none"> • all regular education teachers demonstrate a working knowledge of students' Individualized Education Program goals and instructional strategies for meeting those goals; • the school provides sufficient time and support for on-going coordination between regular and special education teachers, as well as other program specialists and service providers; and • the school monitors the performance of student participation in support services using well-defined school-wide criteria, and regularly evaluates the effectiveness of its intervention programs.
<p>State University Renewal Benchmark 1G</p> <p>Student Order & Discipline</p>	<p>The school promotes a culture of learning and scholarship.</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> • the school has a documented discipline policy that is consistently applied; • classroom management techniques and daily routines have established a culture in which learning is valued and clearly evident; • low-level misbehavior is not being tolerated, e.g., students are not being allowed to disrupt or opt-out of learning during class time; and • throughout the school, a safe and orderly environment has been established.
<p>State University Renewal Benchmark 1H</p> <p>Professional Development</p>	<p>The school's professional development program assists teachers in meeting student academic needs and school goals by addressing identified shortcomings in teachers' pedagogical skills and content knowledge.</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> • the school provides sufficient time, personnel, materials and funding to support a comprehensive and sustained professional development program; • the content of the professional development program dovetails with the school's mission, curriculum, and instructional programs; • annual professional development plans derive from a data-driven needs-assessment and staff interests; • professional development places a high priority on achieving the State University Renewal Benchmarks and the school's Accountability Plan goals; • teachers are involved in setting short-term and long-term goals for their own professional development activities; • the school provides effective, ongoing support and training tailored to teachers' varying levels of expertise and instructional responsibilities; • the school provides training to assist all teachers to meet the needs of students with disabilities, English language learners and other students at-risk of academic failure; and • the professional development program is systematically evaluated to determine its effectiveness at meeting stated goals.

	Renewal Question 2 Is the School an Effective, Viable Organization?
<u>Evidence Category</u>	<u>State University Renewal Benchmarks</u>
State University Renewal Benchmark 2A Mission & Key Design Elements	<p>The school is faithful to its mission and has implemented the key design elements included in its charter.</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> • stakeholders are aware of the mission; • the school has implemented its key design elements in pursuit of its mission; and • the school meets or comes close to meeting any non-academic goals contained in its Accountability Plan.
State University Renewal Benchmark 2B Parents & Students	<p>Parents/guardians and students are satisfied with the school.</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> • the school has a process and procedures for evaluation of parent satisfaction with the school; • the great majority of parents with students enrolled at the school have strong positive attitudes about it; • few parents pursue grievances at the school board level or outside the school; • a large number of parents seek entrance to the school; • parents with students enrolled keep their children enrolled year-to-year; and • the school maintains a high rate of daily student attendance.
State University Renewal Benchmark 2C Organizational Capacity	<p>The school has established a well-functioning organizational structure with staff, systems, and procedures that allow the school to carry out its academic program.</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> • the school demonstrates effective management of day-to-day operations; • staff scheduling is internally consistent and supportive of the school's mission; • the school has established clear priorities, objectives and benchmarks for achieving its mission and Accountability Plan goals, and a process for their regular review and revision; • the school has allocated sufficient resources in support of achieving its goals; • the roles and responsibilities of the school's leadership and staff members are clearly defined; • the school has an organizational structure that provides clear lines for accountability;

	<ul style="list-style-type: none"> the school's management has successfully recruited, hired and retained key personnel, and made appropriate decisions about removing ineffective staff members when warranted; the school maintains an adequate student enrollment and has effective procedures for recruiting new students to the school; and the school's management and board have demonstrated effective communication practices with the school community including school staff, parents/guardians and students.
State University Renewal Benchmark 2D Board Oversight	<p>The school board has worked effectively to achieve the school's mission and provide oversight to the total educational program.</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> the school board has adequate skills and expertise, as well as adequate meeting time to provide rigorous oversight of the school; the school board (or a committee thereof) understands the core business of the school—student achievement—in sufficient depth to permit the board to provide effective oversight; the school board has set clear long-term and short-term goals and expectations for meeting those goals, and communicates them to the school's management and leaders; the school board has received regular written reports from the school leadership on academic performance and progress, financial stability and organizational capacity; the school board has conducted regular evaluations of the school's management (including school leaders who report to the board, supervisors from management organization(s), and/or partner organizations that provide services to the school), and has acted on the results where such evaluations demonstrated shortcomings in performance; where there have been demonstrable deficiencies in the school's academic, organizational or fiscal performance, the school board has taken effective action to correct those deficiencies and put in place benchmarks for determining if the deficiencies are being corrected in a timely fashion; the school board has not made financial or organizational decisions that have materially impeded the school in fulfilling its mission; and the school board conducts on-going assessment and evaluation of its own effectiveness in providing adequate school oversight, and pursues opportunities for further governance training and development.
State University Renewal Benchmark 2E Governance	<p>The board has implemented and maintained appropriate policies, systems and processes, and has abided by them.</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> the school board has established a set of priorities that are in line with the school's goals and mission and has effectively worked to design and implement a system to achieve those priorities;

	<ul style="list-style-type: none"> the school board has in place a process for recruiting and selecting new members in order to maintain adequate skill sets and expertise for effective governance and structural continuity; the school board has implemented a comprehensive and strict conflict of interest policy (and/or code of ethics)—consistent with those set forth in the charter—and consistently abided by them through the term of the charter; the school board has generally avoided creating conflicts of interest where possible; where not possible, the school has managed those conflicts of interest in a clear and transparent manner; the school board has instituted a process for dealing with complaints (and such policy is consistent with that set forth in the charter), has made that policy clear to all stakeholders, and has followed that policy including acting in a timely fashion on any such complaints; the school board has abided by its by-laws including, but not limited to, provisions regarding trustee elections, removals and filling of vacancies; the school board and its committees hold meetings in accordance with the Open Meetings Law, and minutes are recorded for all meetings including executive sessions and, as appropriate, committee meetings; and the school board has in place a set of board and school policies that are reviewed regularly and updated as needed.
<p>State University Renewal Benchmark 2F</p> <p>Legal Requirements</p>	<p>The school has substantially complied with applicable laws, rules and regulations and the provisions of its charter.</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> during its charter period, the school has compiled a record of substantial compliance with the terms of its charter and applicable state and federal laws, rules and regulations including, but not limited to, submitting items to the Institute in a timely manner, and meeting teacher certification (including NCLB highly qualified status) and background check requirements, FOIL, and Open Meetings Law; at the time of renewal, the school is in substantial compliance with the terms of its charter and applicable laws, rules and regulations; over the charter period, the school has abided by the terms of its monitoring plan; the school has designed and put in place effective systems and controls to ensure that legal and charter requirements were and are met; and the school has an active and ongoing relationship with in-house or independent legal counsel that reviews relevant policies, documents, transactions and incidents and makes recommendations and handles other legal matters as needed.

	<p>Renewal Question 3</p> <p>Is the School Fiscally Sound?</p>
Evidence Category	State University <u>Renewal</u> Benchmarks

<p>State University Renewal Benchmark 3A</p> <p>Budgeting and Long Range Planning</p>	<p>The school has operated pursuant to a long-range financial plan. The school has created realistic budgets that are monitored and adjusted when appropriate. Actual expenses have been equal to or less than actual revenue with no material exceptions.</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> • the school has clear budgetary objectives and budget preparation procedures; • the budget process includes appropriate input from board members, school management, and staff; • the school's long-range fiscal plan is compared frequently to actual progress and adjusted to meet changing conditions; and • budget variances are routinely analyzed and material variances are discussed and addressed at the board level including any necessary budget revisions.
<p>State University Renewal Benchmark 3B</p> <p>Internal Controls</p>	<p>The school has maintained appropriate internal controls and procedures. Transactions have been accurately recorded and appropriately documented in accordance with management's direction, laws, regulations, grants and contracts. Assets have been and are safeguarded. Any deficiencies or audit findings have been corrected in a timely manner.</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> • the school follows a set of comprehensive written fiscal policies and procedures; • the school safeguards its assets; • the school identifies and analyzes risks and takes mitigating actions; • the school has controls in place to ensure that management decisions are properly carried out; • the school monitors and assesses controls to ensure their adequacy; • the school's board members and employees adhere to a code of ethics; • the school makes purchasing decisions that consider price, quality and dependability and makes each purchasing selection with the intention of maintaining a top-quality school; • the school ensures duties are appropriately segregated, or institutes compensating controls; • the school ensures that employees performing financial functions are appropriately qualified and adequately trained; • the school has systems in place to provide the appropriate information needed by staff and the board to make sound financial decisions and to fulfill compliance requirements; • a staff member of the school reviews grant agreements and monitors compliance with all stated conditions; • the school prepares payroll according to appropriate state and federal regulations and school policy;

	<ul style="list-style-type: none"> the school ensures that employees, board members and volunteers who handle cash and investments are bonded to help assure the safeguarding of assets; and the school takes corrective action in a timely manner to address any internal control or compliance deficiencies identified by its external auditor, the State Education Department, or the Institute, if needed.
State University Renewal Benchmark 3C Financial Reporting	<p>The school has complied with financial reporting requirements. The school has provided the State University Trustees and the State Education Department with required financial reports on time, and such reports have been complete and have followed generally accepted accounting principles.</p> <p>The following reports will have generally been filed in a timely, accurate and complete manner:</p> <ul style="list-style-type: none"> annual financial statement audit reports, including federal Single Audit report if applicable; annual budgets and cash flow statements; un-audited quarterly reports of income and expense; and bi-monthly enrollment reports to the district and State Education Department; and grant expenditure reports.
State University Renewal Benchmark 3D Financial Condition	<p>The school has maintained adequate financial resources to ensure stable operations and has monitored and successfully managed cash flow. Critical financial needs of the school are not dependent on variable income (grants, donations and fundraising).</p> <p>Elements that are generally present include:</p> <ul style="list-style-type: none"> the school maintains sufficient cash on hand to pay current bills and those that are due shortly; the school prepares and monitors cash flow projections; the school provides education services at a level that meets the needs of all students demonstrated by student results that meet or exceed state performance standards; and the school accumulates unrestricted net assets that are equal to or exceed two percent of the school's operating budget for the upcoming year.

	<p align="center">Renewal Question 4</p> <p align="center">If the School's Charter is Renewed, What are its Plans for the Term of the Next Charter Period, and are they Reasonable, Feasible and Achievable?</p>
<u>Evidence Category</u>	<u>State University Renewal Benchmarks</u>

<p>State University Renewal Benchmark 4A</p> <p>Renewal Charter Exhibits</p>	<p>Key structural elements of the school, as defined in the Renewal Charter Application Exhibits, are reasonable, feasible and achievable.</p> <p>Elements that are generally present in the Renewal Application, and for which the Institute will look during its review include:</p> <ul style="list-style-type: none"> • a mission statement that reflects the school’s overall plans for the next charter period and evidence that the school will be able to fulfill the mission; • an enrollment chart that indicates the grades the school proposes to serve in each year of the renewal charter, the number of students in each grade, the age range of students in each grade, and the total number of students to be enrolled each year; • a school calendar and daily schedules that clearly provide sufficient instructional time to meet all legal requirements, reflect consistency with, and will allow the school to meet, its proposed Accountability Plan goals and the school’s proposed budget; • key design elements that set forth the essential elements of the school’s academic program in a comprehensive yet succinct form; • if the school is seeking to add grades, a curriculum framework template that demonstrates the curriculum for the added grades is in alignment with the learning standards for New York as measured by the New York State performance standards; • a staffing plan that includes a detailed organizational chart outlining key educational staff positions for each year of the proposed charter; • evidence that the school has submitted a proposed Accountability Plan that is consistent with the Institute’s current guidelines for such plans; • a set of legally sufficient by-laws; • a list of school board members that indicates the structure of the school board during the charter term and that is consistent with the school’s by-laws; • a code of ethics detailing the conduct expected of the school’s stakeholders and setting forth standards and procedures for avoiding and/or handling conflicts of interest; • if the school is planning to contract with an educational service provider or a charter management organization, a negotiated (but not executed) management contract; and • a five-year budget projection that supports the school’s educational program and fiscal plan.
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<p>State University Renewal Benchmark 4B</p> <p>Plans for the Educational Program</p>	<p>The school has clearly laid out its plans for implementing an educational program that will allow it to meet its Accountability Plan goals.</p> <p>Elements that are generally present in the Renewal Application, and for which the Institute will look during its review include:</p> <ul style="list-style-type: none"> • for those grades served during the last charter period, the school has plans for sustaining and (where possible) improving upon the student outcomes it has compiled during the last charter period including any adjustments or additions to the school's educational program; • for a school that is seeking to add grades, a complete description of how the school will meet its Accountability Plan goals and the State University Renewal Benchmarks at the new grade levels; and • where the school is providing secondary instruction, the requirements for graduation are clearly outlined and are and consistent with the graduation standards set by the Board of Regents.
<p>State University Renewal Benchmark 4C</p> <p>Plans for Board Oversight and Governance</p>	<p>The school has provided a reasonable, feasible and achievable plan for board oversight and governance for the term of the next charter.</p> <p>Elements that are generally present, and for which the Institute will look during its review include:</p> <ul style="list-style-type: none"> • evidence that school board members will possess a range of experience, skills, and abilities sufficient to oversee the academic, organizational and fiscal performance of the school; • plans by the school board to orient new members to their roles and responsibilities, and, if appropriate, to participate in ongoing board training; • if the school is to be no longer associated with the partnering organization with which it filed its original application, rationale for the disassociation and an outline indicating how those functions previously associated with that partnering organization will be handled; and • if the school is either moving from self-management to a management structure or vice-versa, or is changing its charter management organization/educational service provider, sufficient information to allow the Institute to conclude that the school will be managed in an effective, sound and viable manner, including how the school board will appropriately oversee the academic and fiscal performance of the school or the management organization.
<p>State University Renewal Benchmark 4D</p> <p>Fiscal & Facility Plans</p>	<p>The school has provided a reasonable, feasible and achievable fiscal plan for the term of its next charter, including plans for an adequate facility.</p> <p>Elements that are generally present, and for which the Institute will look during its review, include a fiscal plan that:</p> <ul style="list-style-type: none"> • includes a discussion of how future enrollment and facility plans are

	<p>supported and/or impacted by the school's fiscal plan for the term of its next charter;</p> <ul style="list-style-type: none"> • reflects sound use of financial resources that support academic program needs; • describes all major assumptions used in its development; • discloses anticipated staffing levels; • is accurate, complete and based on reasonable assumptions; • includes information on enrollment demand to support the reasonableness of projected enrollment; and • clearly describes how the school's facility plans will meet the needs of the educational program.
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May 2, 2012

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

Dear Susie:

We received your letter, dated March 21, 2012, summarizing the Charter School Institute's ("CSI") observations and findings from its March 6, 2012 first year evaluation visit to Upper West Success Academy Charter School (the "School" or "Success Academy").

While we generally concur with the letter's observations and findings, we would like to correct a few statements and characterizations made in the letter, as described below:

- The letter states that our leaders reported that 25 out of 167 students (15%) have Individualized Education Programs ("IEPs"). In fact, the School has 162 students. Additionally, while only 25 students had IEPs on the date of CSI's visit, currently, the School has 28 students with IEPs, which means that approximately 17% of the students at Success Academy have IEPs.
- The letter states that our leaders reported that 14 out of 167 students (8%) are English Language Learners ("ELLs"). As stated above, the School has 162 students. Thus, the overall percentage of ELLs is approximately 9%.
- CSI correctly observed, on pages 3 and 4 of its letter, that the School's English Language Learners receive "additional support beyond the core ELA program," noting that "[a] special education teacher offers ELLs additional small group instruction," and "bilingual speech teachers help the students prepare" for the NYSESLAT test. Yet the letter also states the following: "Given the general absence of teacher training in developing the students' second language acquisition skills, the effectiveness of the ELL program is yet to be determined." We disagree with this latter characterization that there is a "general absence of teacher training" with respect to developing ELLs' language acquisition skills. On the contrary, all of our teachers receive the necessary training and materials to help advance our ELLs and provide them

with the supports they need. The School's core literacy curriculum is inherently differentiated and, as such, aims specifically to support the needs of ELLs. Moreover, our success in educating ELLs speaks volumes. Success Academy, as a Network, has consistently outperformed New York City District schools on the NYSESLAT. In the 2009-2010 school year, Success Academy ELL students across all the Success Academy schools (in Kindergarten to 4th Grade) had a NYSESLAT passage rate of 36%, while NYC District school ELL students had a passage rate of just 17%. Our success in educating ELLs is also apparent in our state test results: 82.6% of Success Academy's ELL students in 3rd to 5th Grades passed the 2011 state English Language Arts exam compared to 18.9% of ELL students in 3rd to 5th Grades citywide.

- The letter states that "Assignments promote academic rigor, in particular in math problem-solving and science lab activities; the school is developing a comprehensive and rigorous writing program." This latter part of this sentence is not entirely correct. We have already developed a comprehensive and rigorous writing program and implement it on a daily basis. We continue to refine and improve this program as we deem necessary and appropriate to ensure that our students achieve at the highest levels.

We appreciate the opportunity to provide the above corrections. Please let us know if you have any further questions or comments.

Sincerely,



Eva Moskowitz
Chief Executive Officer

Cc: Daniel Nir
Carolyn Roby