



A LOOK AT STATE UNIVERSITY OF NEW YORK CHARTER SCHOOLS INSTITUTE

*Case Study Analysis for the
Quality Practice Project*

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ABOUT NACSA

The National Association of Charter School Authorizers (NACSA) is working to double the number of students in great public charter schools by advancing policies and practices that promote quality, autonomy, and choice. As an independent voice for quality charter school authorizing, NACSA uses data and evidence to encourage smart charter school growth. NACSA works with authorizers and partners to create the gold standard for authorizing and build authorizers' capacity to make informed decisions. NACSA also provides research and information that help policymakers and advocates move past the rhetoric to make evidence-based policy decisions. More at www.qualitycharters.org.

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ABOUT THIS CASE STUDY

The Quality Practice Project (QPP), an initiative of the National Association of Charter School Authorizers (NACSA), is designed to build a stronger evidence base linking authorizing practices and student outcomes. The purpose of the QPP is to test, broaden, and deepen our knowledge of how and why authorizers do their work and, above all, what authorizing perspectives and practices correlate with strong student and public interest outcomes. By studying the practices of authorizers with a range of performance profiles—with a focus on authorizers with very strong student and public interest outcomes—NACSA hopes to dramatically accelerate the adoption of practices that lead to stronger outcomes for students and communities.

Outcome-Based Selection

This case study is one of five analyses of authorizers with strong student and public interest outcomes. It represents a description of authorizing perspectives and practices across a number of key domains. The State University of New York's Charter Schools Institute (the Institute) authorizing office was chosen to participate in the QPP and is the focus of this case study. It met a range of rigorous student and public interest outcomes. A complete description of the authorizer selection process, assessment methodology—including the measures and metrics used to assess performance—and case study process can be found [here](#).

In general, authorizers meeting those outcomes have:

- More academically high-performing schools (and associated students) than average-performing schools
 - A small proportion of low-performing schools (and students in low-performing schools)
 - Schools that are financially viable
 - Student enrollment of key socio-demographic groups in the charter school portfolio that is similar or higher than a similarly situated group of schools
 - No widespread instances of unethical behavior among schools in their portfolio;
 - Publicly available data on the academic, financial, and operational performance of individual schools
 - No instances of first-year closures
- Closed schools with egregious academic, operational, financial, or unlawful practices
 - Closed schools in the bottom 5 percent of academic performance
 - Schools with high academic performance that have expanded their enrollment or have replicated to serve more students

Case Study Generation Process

After the assessment of student and public interest outcomes and authorizer selection, a deep investigation of authorizer perspectives and practices ensued. Following the case study process as outlined by Yin (2015), researchers from NACSA and Public Impact engaged in a range of activities designed to provide a comprehensive description of the approach to authorizing, including:

- **Case Study Protocol:** Building from the domains used by NACSA to evaluate the practices of authorizers as well as the advice of an expert advisory group, researchers created a case study protocol and specific domains of inquiry. Key questions and domains of inquiry can be found [here](#).
- **Document and Artifact Review.** Researchers reviewed a range of documents and artifacts (see [here](#) for documents analyzed). This data was used both to describe authorizing practices and to more clearly focus individual interviews.
- **Interviews and Site Visits:** Researchers spent two days at each QPP site interviewing authorizers and other key stakeholders. The purpose of the site visits was to (a) get clarification on authorizing practices after examining documents and artifacts and (b) more clearly understand how and why authorizers engage in specific practices. Individual and small group interviews were conducted at each site. The majority of interviews were with authorizers (e.g., day-to-day decision makers, board members), but researchers also interviewed other key stakeholders (e.g., school operators, charter support organizations) to deepen and triangulate data analysis. The site visit for the Institute was August 24-25, 2016.

- **Member Check:** Draft case studies were shared with authorizers and other key stakeholders at each site. Changes were made to the case study based on feedback received from stakeholders.

Purpose and Use of this Case Study

This is a case study of practices and perspectives of one authorizer that has a portfolio of schools achieving strong results, and caution should be used in making strong claims—good or bad—from it exclusively. Drawing causal inferences between authorizer practices and outcomes based solely on this case study are inappropriate; a high-performing sector of charter schools is inclusive of, not exclusively determined by, authorizer perspectives and practices. In addition, this case study is intentionally descriptive, not evaluative. It is not designed to evaluate authorizer practices against any standard of performance, and the case study does not comment on the degree to which an authorizer’s practices are “good” or “bad.” While this case study may be instructive to the field on its own, it is best used in conjunction with other case studies of authorizers with strong practices. We strongly encourage readers to also view NACSA’s summary of similarities and differences across QPP authorizers, found [here](#).

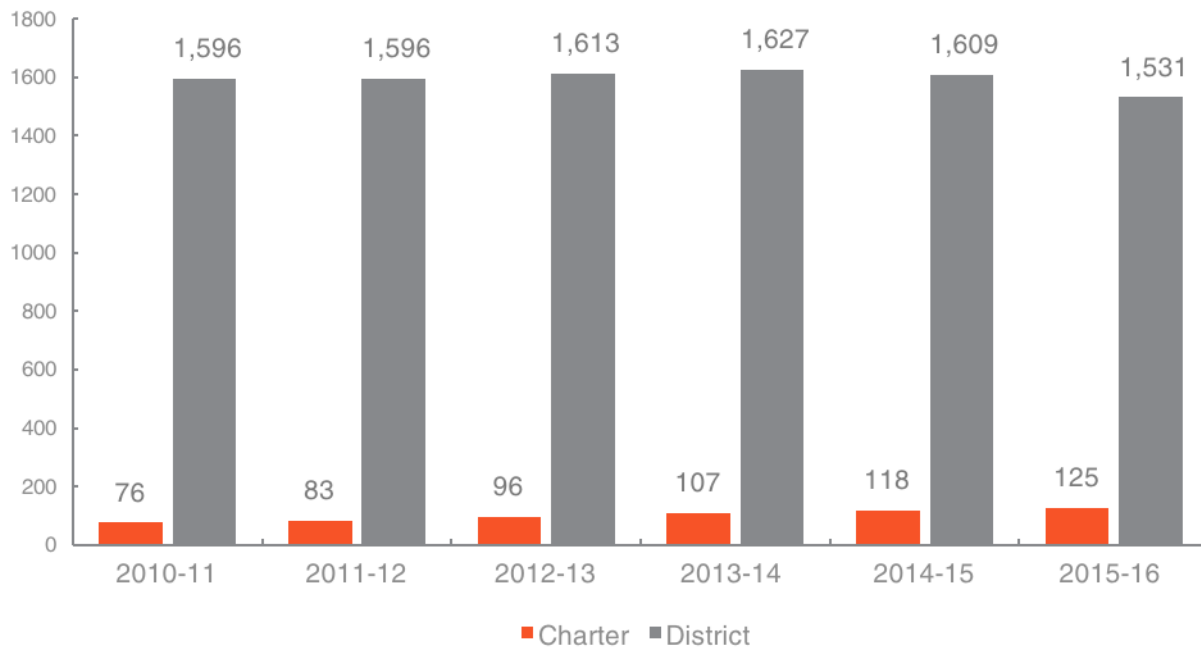
Descriptions of practices are current as of the development of this case study, typically 3-6 months after the site visit. Changes in authorizing philosophy, staff, and practices made after that time are not reflected in this case study.

ABOUT THE AUTHORIZER

State University of New York

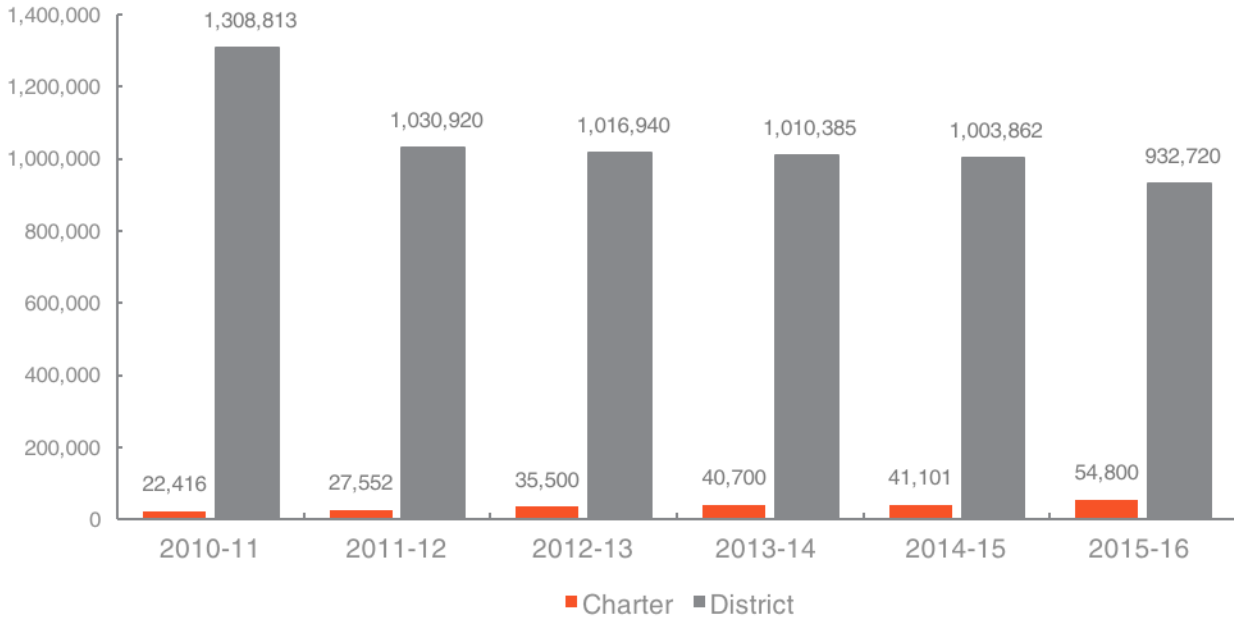
NEW YORK AUTHORIZERS	SCHOOLS (2015–16)
State University of New York Charter Schools Institute	125
New York City Chancellor’s Office	65
New York State Education Department	65
Buffalo Public Schools	2

SUNY CHARTERS AND DISTRICT SCHOOLS



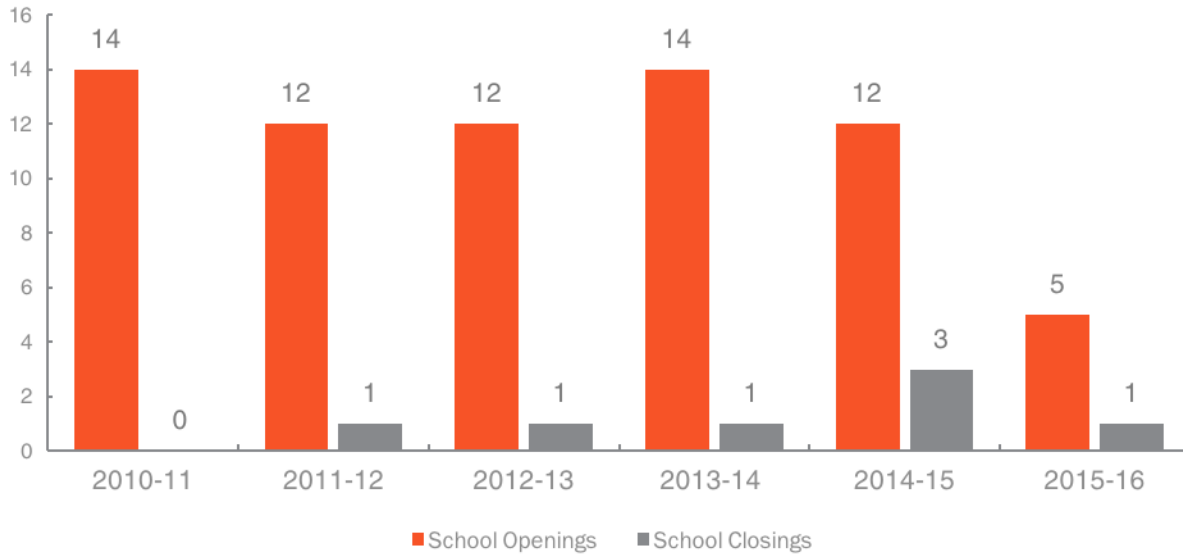
Note: The number of district schools includes the count of district-run schools in the districts where SUNY-authorized schools are present.

SUNY CHARTER AND DISTRICT ENROLLMENT



Note: The number of students in district-run schools includes the count of students in district-run schools in the districts where SUNY-authorized schools are present.

SUNY OPENINGS AND CLOSINGS



Key Facts on Authorizing and Policy Context

- New York State has a cap on the number of new charter schools that can open. In 2010 and again in 2015, the charter cap was expanded in such a way that only the New York State Board of Regents and SUNY may approve new-start charter schools.
- State law allows for the State Comptroller to evaluate the work of authorizers and can, if violations of state law and policy are found, levy sanctions against that authorizer.

- State law requires a charter contract and a performance framework but not a specific performance framework. It requires “a description of the student achievement goals for the school’s educational program and the chosen methods of evaluating that students have attained the skills and knowledge specified for those goals.”¹ The law does not explicitly encourage or address replication of successful schools.
- State law does not provide for default closure for failure to meet minimum academic, organizational, or fiscal standards.

¹ NY Education Law § 2851(2)(b)

ORGANIZATIONAL CAPACITY

Organizational Structure

The State University of New York (SUNY) is governed by an 18-member Board of Trustees (15 of which are appointed by the Governor), which is the final decision maker on charter school authorizing issues. All charter decisions, including high-stakes decisions, and other authorizing responsibilities have been delegated to a four-member Board committee—the Charter Schools Committee—and to the Executive Director of the Charter Schools Institute (the Institute), which handles some charter revisions and extensions. This structure was ratified in 2012. In addition, administrative responsibilities and other authorizing functions are led by staff of the Institute.

The Institute was created by SUNY in 1999 to assist the SUNY Board of Trustees with its functions under the New York Charter Schools Act of 1998. Importantly, for decision making and different than many other Higher Education Institution authorizers, the Institute functionally is not a sub-unit within another entity within SUNY (e.g., not functionally a part of the School of Education, School of Business) nor does the Institute's Executive Director interact frequently with SUNY's Chancellor. For all intents and purposes, the Institute reports directly to SUNY's Board of Trustees (primarily through the Charter Schools Committee).

The Institute currently has 26 total staff positions, 20 based in Albany, New York, next to SUNY's statewide administrative offices, with remaining staff based in the Institute's New York City offices. The Institute organizes its work around three teams: (a) the academic team, which includes new school and existing school accountability functions and analysis; (b) the legal, finance, and compliance team; and (c) the newly formed best practices/research team.

Planning and Priority Setting

The Institute, in collaboration with the SUNY Board of Trustees, has developed its own mission and operational principles:

The Charter Schools Institute assists the Board of Trustees of the State University of New York (SUNY) in meeting its responsibilities under the New York Charter

Schools Act of 1998 and in furthering SUNY's leading role in strengthening public education across the State.

Guided by the Board of Trustees' rigorous standards, the Institute:

- Recommends for charter approval only those schools that have a high likelihood of significantly improving student achievement, especially for students at risk of academic failure;
- Provides ongoing oversight of schools that centers on progress made by schools in improving student achievement, while also reviewing their organizational and fiscal performance; the Institute's oversight serves as a catalyst for improvement, informs the public of each school's performance, and protects the health and safety of students enrolled in each school;
- Vigorously respects, defends, and advocates for each school's independence and autonomy;
- Recommends renewal of only those charter schools that have shown they can improve student performance and operate in a fiscally and organizationally sound manner; and
- Strives to become a nationally recognized repository and disseminator of research, training, and best practices for charter schools, public school choice, and charter authorizing.

The Institute's programmatic operations are guided by important unifying principles and strategically selected activities rather than by a written, multi-year strategic plan. As stated consistently and frequently by staff, their organizational principle is to create "more great seats for kids" and to implement the New York Charter Schools Act as faithfully as possible. Each of the three Institute organizational teams create aligned tactical activities in how work will be achieved. The operating principle of "more great seats for kids" and success in achieving it are not quantified. There is no set number of new great seats the Institute sets at the beginning of each year or across years. Part of the reason the Institute may not set goals around an increase in the number of quality seats may be due to historically having a healthy number of applications

each year: from 2010 to 2015, Institute has received an average of 34 applications each year.

Staff pointed to all-staff retreats as one important method for defining and organizing the Institute's activities. These meetings occur twice a year and are used for team building, skill building, and mapping out work for the next six months. Staff spend times specifically charting—month-by-month—key activities and decisions that need to be made to determine work flow, months where the workload will be heavy and how they will align organizationally to get tasks effectively accomplished.

In addition, specific, measurable, achievable, relevant and time bound (SMART) goals and staff longevity substantially contribute to how the Institute organizes itself to create more great seats for kids. The Institute employs a set of organizational SMART goals that helps to organize key activities and demonstrate success annually. In addition, the Institute has had consistency and longevity at multiple levels of the organization, senior leadership in particular. The Institute has had only four Executive Directors since its founding in 1999. In addition, the current Executive Director has been with the Institute for eight years; the Executive Deputy Director and General Counsel has been with the Institute for 12 years; the Managing Director of Operations and Finance has served the Institute for six years.² Such tenure allows the core of relatively new staff members (four have been with the Institute for fewer than three years) to learn how the Institute functions from experienced, veteran leadership at all levels of the organization.

The Institute's operations are funded through the state budget, developed annually, and do not include an administrative fee from authorized charter schools. The majority of the Institute's budget is devoted to personnel and benefits (70 percent). General services, including any external assistance the organization uses (e.g., site visits, application reviews) (17 percent) and indirect/administrative costs (5 percent), make up the next two highest line items. Travel and building expenses make up roughly 2.5 percent (each) of the annual budget. All other expenses make up less than 1 percent of the Institute's annual budget and include supplies/equipment, leases/services equipment, publishing and postage, telephone and mobile data, and tuition and fees.

² The Director of Administration recently left this Institute after 12 years of service.

Human Capital Identification and Development

Talent Identification and Selection. The Institute has a very robust talent identification process, managed by its Director of Administration. When the opportunity arises to hire new staff, the Institute has developed a list of sources (most of them state- or region-wide) to which it posts jobs. Personal networks and career sites are also used to source candidates. All resumes received are screened for minimum qualifications. The Director of Administration conducts phone screens with applicants and makes a recommendation to the hiring manager and Executive Director on which candidates should advance to the next step of the hiring process. Candidates advancing to this stage interview with the hiring manager and Executive Director and are asked to complete a job-related task (customized to the job they are seeking) and a second task specific to evaluating the degree to which the candidate will be a good culture fit for the Institute. The Director of Administration checks references and makes a recommendation to the hiring manager and Executive Director (between one and three viable candidates). The hiring manager and Executive Director make the final hiring decision jointly. While charter school experience is preferred but not required, new hires in the last five years have almost universally had prior charter school experience.

For purposes of human resource administrative needs, the Institute functions under the rules and policies of SUNY. Salaries and benefits (including any salary increases) are approved by SUNY. For all new hires, SUNY must approve the request for a new hire and the salary range that may be offered prior to the candidate search process. Institute staff indicated that while this structure has added additional time to the front end of the hiring process, they have never felt that this structure has prevented them from acquiring the talent they have identified and desired. Staff also indicated that they have never been (or felt) pressured to hire any internal candidates or candidates favored by non-Institute SUNY staff members.

Onboarding. The Institute has a well-developed and deliberate onboarding process, managed by the Director of Administration. Among the key tenets of that system,

according to staff, are cross-function training and knowledge. Staff relayed that they strongly believe that new hires need to have more than just knowledge of their job and responsibilities, and it is equally important for staff to understand how their role fits into the larger authorizing functions. They believe the best way to accomplish that goal is by actually doing parts of the work of other teams and positions. Thus, part of the onboarding process is job shadowing other staff members and actually doing some parts of the work of other staff members. That work develops organically depending on what is happening at the time; staff provided examples of cross-functional work on application processes if hiring occurs during the application season (even if staff roles will not be related to applications long term) or taking on specific parts of school reviews during renewal season. In addition, new staff spend meaningful time with longer tenured staff. “Car rides between [Albany] and New York City” with senior staff were noted as an intentional and important onboarding function to acquaint new staff with organizational history and culture, as well as accompanying the Executive Director on school visits.

Professional Development. Internal Institute activities and dialogue with education leaders form the basis of most Institute professional development activities. Staff activities, including book studies, relevant articles, and discussion of news clips, were provided as examples. In addition, the Institute has developed its “Noodle & Nosh” program that takes advantage of key leaders and important people visiting New York. The Executive Director stays abreast of people that have pre-existing trips to New York and attempts to cultivate presentations and informal meetings between those visitors and Institute staff. If individual staff members have specific professional development requests, those are taken up individually and in relation to organizational importance and budgeted resources.

Some professional development opportunities are due to the Institute’s relationship with SUNY. Staff take advantage of SUNY-offered training programs, such as a recent active-shooter training, ethics training, transgender legal issues training, and changes to New York laws.

Performance Evaluation and Development. As part of SUNY staff requirements, all Institute staff have individual performance goals and plans. Those goals and plans are individualized and driven by staff member-and-supervisor

jointly agreed-upon work goals. Institute managers conduct annual performance evaluations of staff. There is a formalized process for these performance evaluations. When a staff member is not successful in meeting their individual performance goals, as part of policies required by SUNY, there are a menu of options, including the development of performance improvement plans and specific training.

Senior leadership sees it as a positive development when staff move on to positions of responsibility in other organizations. They noted at least three instances when staff members moved on from the Institute to other authorizing organizations with much greater responsibility, including as Executive Directors. In fact, senior leadership indicated that they encourage conversations between senior leadership and staff should staff desire to grow into roles of more responsibility than the Institute is able to offer. As indicated by one senior staffer, “If folks are interested in the next big thing, tell me so we can make that happen.”

Relationships with Entities Outside the Authorizing Office

A number of entities in New York—including governmental, philanthropic, new school development, and community organizations—were noted as being instrumental to the strong positive outcomes observed among charter schools across the state and especially in New York City. Some of those entities and organizations intersect with the Institute’s authorizing work and were noted by stakeholders, described below.

SUNY. As an autonomous entity within SUNY, Institute staff noted a number of benefits of being affiliated with SUNY: “They are great partners when we need them.” Staff noted the relationship increases visibility across the state, given SUNY’s strong statewide reputation. Staff also noted some instances where its relationship with SUNY has benefited Institute-authorized schools. There have been some SUNY student teachers in Institute-authorized charters, some early college high schools that have worked with SUNY, and at least one professor working with two schools on curriculum re-development. Stakeholders—both staff and schools—were quick to point out that there has never been any actual or implied mandate to do any work with SUNY and that the Institute has no infrastructure, goals, or plans to intentionally foster

relationships between SUNY and Institute-authorized schools.

New York City Department of Education (NYCDOE).

The NYCDOE plays a unique role in charter schools in New York City (NYC) authorized by the Institute. The NYCDOE is the legal Local Education Agency (LEA) for all charter schools operating in NYC for purposes of special education administration, funding, and in some cases, food service and transportation. It is also the landlord for a number of schools and the financial pass through for state- and city-provided facility funding. For most of these functions, the NYCDOE works directly with charter schools and not the Institute. In some ways, therefore, the NYCDOE serves a charter support and oversight function in specific areas. In other settings across the country—specifically when each charter school is its own LEA—such roles are filled by external charter support organizations, and/or authorizers are required to create more robust oversight systems. That is not to say the Institute does not have oversight systems for these functions (described in other parts of this case study). Rather, the presence of the NYCDOE as the LEA for Institute-authorized charters in NYC creates different kinds of oversight relationships between the Institute and NYC-based charters in those areas.

The NYCDOE also provides other voluntary services for all charter schools in NYC, including Institute-authorized charters. Those include the creation of professional learning communities for teachers and school leaders, as well as the facilitation of partnerships between charter schools and district-run schools. For example, the NYCDOE has recently created a partnership with Uncommon Schools, Inc. (a large and successful charter management organization operating on the East Coast and including many SUNY-authorized charters) and district-run schools on school leadership development and effective teaching practices.

New York City Charter School Center. The relationship between the Institute and the New York City Charter School Center (Center) is multifaceted. The CEO of the Center (present in this capacity since 2007) has a close working relationship with the Institute and its Executive Director. The Center CEO was a staff member at the Institute at its inception in 1999 and spent seven years at the Institute, including five years as its Executive Director.

The Center is not a charter school membership organization and sees as its mission to advocate for the charter school model—not necessarily for individual schools—and provide comprehensive support systems for those seeking to open new schools, as well as for existing school operators in New York City. The Center offers a suite of resources for schools in operation, including special education resources. In addition, the Center’s Apply Right program has enabled a number of potential school operators to receive meaningful feedback on their new school plans prior to applying for a charter. The Apply Right program provides start-up services and advice; will read charter school applications prior to them being submitted to an authorizer; and, unlike some other organizations focused exclusively on leadership development, the Center focuses on capacity building at multiple levels of organizational leadership (staff, school leaders, board members, etc.) as part of the application and new school development process.

By advocating for the charter model and typically not for individual schools, the Center supports difficult and high-stakes decisions made by the Institute—including non-renewals and closures—and this has positioned the Center to be an important organization for policymakers. While the Center does not advocate for specific legislation, it is frequently asked for (and provides) its opinions and information to state policymakers.

Charter Management Organizations. As noted by multiple stakeholders, the role and influence of large, high-performing and growing charter management organizations (CMOs) on the charter sector in New York, New York City in particular, cannot be underestimated. While the Institute’s portfolio contains many independent charter schools and the vast majority of CMOs started with a single school, a slight majority of the Institute’s portfolio contains network-affiliated schools: as of June 2016, 58 percent of Institute-authorized schools were affiliated with a school network. Multiple stakeholders noted that New York’s charter sector would have a dramatically greater need for a much more robust human capital, school development, and school support infrastructure were it not for the presence of CMOs. Stated differently, because such functions are typically managed by the CMO networks internally—and an increasing number of independent charter and district-run schools are collaborating with those networks—the result has been less need for such services. “There isn’t

as much need for human capital and development work [as in the past] because CMOs are doing it and innovating around it themselves...In some cases, they are competing directly with other well-known human capital providers,” noted one stakeholder. Most of the networks “have their stuff together,” as stated by one NYCDOE stakeholder, noting that they spend the vast majority of their time troubleshooting and problem solving special education, funding, and transportation issues with independent charter schools compared to CMO-managed schools.

ORGANIZATIONAL CULTURE

Basic Values

The State University of New York (SUNY) Charter Schools Institute's (the Institute) official mission statement is longer and more detailed than most, with five dense bullets addressing approval, oversight, autonomy, research, and other facets of its stated purposes.

But according to the Institute's senior leadership, the real mission statement is simply "more great seats for kids." This is a driving message for the organization and was repeated verbatim by several other staff members during the site visit. According to one of the Institute's external partners, it's also the lens through which any new initiative is viewed—from considering whether to set retention targets to dealing with schools that want to transfer from another authorizer.

From the Institute's origins, the commitment to expanding quality options has been fostered by its structure of political accountability. The Institute is not part of the State Education Department, home of New York's other statewide authorizer, and the Governor appoints SUNY's Trustees (the final decision makers on high-stakes authorizing functions and decisions) to seven-year terms. The arrangement provides the Institute with a layer of electoral accountability, as well as some insulation from influences and agendas unrelated to the Institute's mission.

There is a balance of accountability and freedom to act in the Institute's DNA. Although fostered by a Republican administration in 1998, the Institute was not intended as a free-market venture. An early Institute executive explained that by the time New York's charter law was passed, "the Arizona model was already being discredited," referring to that state's relatively wide-open approach to chartering. The state's GOP leadership, beginning with then-Gov. George Pataki, "was about decentralization but not necessarily deregulation."

Finally, transparency has been a hallmark of the Institute since its early days. A researcher could find on its website not only clear and well-defined standards and processes but also voluminous documentation about its decisions—for example, renewal recommendations that ran to scores of pages of data and narrative. Although those documents

have been streamlined, the Institute is still clear that everything they publish is public.

How Values and Intentions are Communicated

Internally, the Institute makes its mission and values explicit and reinforces them among staff with a high degree of intentionality. There is an annual staff retreat with required readings—this year it was *Smarter, Better, Faster* and *Charter Schools in Action*—which guided staff conversations on both the current urgency of chartering well and a refresher course on the original purposes of chartering.

Historic perspective seems quite present in current Institute operations. Looking at the original "charter bargain" of increased autonomy for high accountability is a vital matter for the staff. As one member explained, they are constantly weighing that balance, for example, by asking whether they're making too many document requests of schools. And if Trustees are having a hard time making the call on a difficult non-renewal, as explained by staff, staff direct them back to the original purposes of a five-year performance contract: "It's in the law and part of our job."

Externally, SUNY and the Institute sent a loud and clear message early in its existence with several high-profile closures. Several interviewees stressed that signaled SUNY and the Institute would put the interests of students above all else and that both Trustees and staff were serious about upholding standards. These early moves helped improve the quality of their portfolio in another way: stronger operators who value tough but supportive oversight have flocked to them, while those desiring to fly under the radar or not interested in strong accountability have tended not to apply to the Institute for a charter.

View of Charters and Relationship to Schools

Schools appear to regard the Institute highly, and that perspective appears to be mutual. A support-organization executive characterized the Institute's attitude: "We have

the best schools in the state! We are the best club.” And a school-network official echoed: “They view us with pride.”

One official at the New York City Department of Education (NYCDOE), who formerly worked for an Education Management Organization (EMO) and dealt with several authorizers, said the Institute’s feedback on their school’s performance was so clear that “the school board was able to run with it.” Unlike the “finger-wagging approach” of some other authorizers, this official said the Institute focused on what next steps could be taken: “We want you to win.” This sentiment was underscored in a remark by the Institute’s current Executive Director: “More communication is better than less communication,” especially when bad news has to be delivered.

For a statewide agency, the Institute makes a point of being modest about its own wisdom and deferential and supportive with its schools. “I was a teacher; we’re all learners,” explained a senior staff member. “Our schools know we’re abundantly focused on the kids.” That senior staff member noted that sometimes s/he will “just pop in,” perhaps to show support for the leader in a tough school.

External vs. Internal Focus

Like other successful authorizers, the Institute benefits from external partnerships, although their functions and roles have changed somewhat over time. The most important is the New York City Charter School Center (Center), which originally focused on incubation and technical support but is increasingly the linchpin for advocacy, at least in relation to the city’s charters. The Center is an important ally in political challenges but is careful to note that “we advocate for the [charter] model, not for schools.” As a result, the Center does not second-guess the authorizer and supports difficult decisions, including school closure.

In terms of developing their practice, Institute staff are frequent participants in national conferences and use trainings offered by other organizations (including NACSA).

Although the Institute is nominally part of SUNY’s research arm, it has actually not made research *per se* a significant part of its work, except to the extent that looking at data has been useful in adjusting its own course. As the portfolio grows, staff may consider making data more

available to external researchers and examining best practices in high-performing schools.

Role Of Leadership

The Institute has two tiers of leadership, and both have had important effects on its direction. When one early Executive Director opted to forgo serious due diligence, that person was reined in by the then-chair of the SUNY Board of Trustees and eventually replaced. Since then, there has been a series of able and savvy administrators, one a former aide to the Governor, another who has gone on to head a national leadership-development program. The current Executive Director has helped bolster support from the SUNY Board of Trustees by taking members on tours of schools. The fact that the Institute has among the strongest portfolio of any district in the state is a compelling argument for the validity of its practice, and staff knows how to leverage that asset.

Growth Mindset

The rate of growth has been tempered somewhat by a succession of caps, so the Institute’s portfolio has experienced periods of rapid expansion—but not for its own sake. Because the Institute is the authorizer of several nationally recognized charter management organizations (CMOs), there is something of the misconception that the Institute is just a CMO authorizer and approves only “safe” applications. But staff stress that they’ve always been open to independent operators (i.e., operators not affiliated with a management company) and allow them to come back in subsequent application rounds armed with articulate feedback.

Entrepreneurial vs. Compliance-driven

Attitude

As stated by the Executive Director, Institute staff see themselves as “venture bureaucrats.” One staff member explained that “the charter is a plan—it’s not carved in stone.” So the Institute sets a relatively high threshold for amendments, describing many potential charter changes as “non-material” and letting schools make their own decisions wherever feasible.

A school network executive said the Institute’s political independence gives the organization a kind of nimbleness; they avoid the “silly or intrusive questions” that come from other authorizers they have had experience with. If the

Institute uncovers a deficiency, they'll send a letter, but it won't be accompanied by a "threat to shut us down."

One observer at a school-support organization said, "The Institute is usually on the right side of the autonomy issues." And, as an Institute staffer put it, "We've evolved. We have made a conscious effort to strip out nonessential reporting, reducing the duration of the site visits, and putting more focus on schools that need it."

Process vs. Professional Judgment

The Institute has some of the best-developed oversight architecture of any authorizer in the country—including detailed benchmarks for site reviews and innovations, such as the initial statements of readiness for financial self-management. Indeed, many of the systems the Institute has developed have been used by a number of other authorizers. But as one of their external partners observed, "You have to have a playbook, but you also have to make tough decisions."

Teamwork and longevity are key to making sound decisions. As one staffer put it, "The way we function as a team is more important than specific goals." So part of the onboarding process is giving new staff an opportunity to work in all phases of authorizing. Longevity of some key staff is one important way in which the Institute has built "judgment capital." As previously noted, the average staff tenure is fairly long, especially among senior leadership. As one staffer said, there is a balance between "youthful curiosity and more experienced staff with commitment to the mission."

APPLICATION SYSTEMS AND PROCESSES

The Application Process

The State University of New York (SUNY) Charter Schools Institute's (the Institute) charter application review is a rigorous, multi-step process, including an in-depth academic, financial, and legal review by Institute staff; a review by a panel of external experts; two separate interviews with the founding team and proposed board (with Institute staff and later with members of SUNY's Board of Trustees); a final recommendation to the Board of Trustees; and a vote on that recommendation by the Board. The SUNY Board of Trustees has charged the Institute with recommending for their consideration only those proposals with the highest likelihood of success. Interviews highlighted the importance of both strong practice and expert staffing in the success of the Institute's authorizing work. One external stakeholder noted that the Institute "has the strongest authorizing team and schools [in the state]."

Priorities for New Charter School Authorization/

Application Philosophy. The Institute does not currently set priorities for particular school models, replications, or school locations. "Excellence is the priority," said one staff member. They treat all applicants as though they have the potential to open a charter school, whether those applications come from new or existing operators. Individual Trustees may emphasize the arts or safety or mindfulness, but academic outcomes are the first and foremost priority driving application decision making. In the past several years, the Institute has approved applications from new operators, first-time replicators, and existing network operators. While 58 percent of the Institute's portfolio is made up of schools affiliated with school networks, this pattern does not reflect a deliberate decision-making strategy on the part of the Institute. Interviewees suggested that existing operators apply for new charters at a higher rate than potentially new operators. Existing operators have also already demonstrated that they can open successful charter schools and are consequently more predictable and straightforward to evaluate. In addition, the Institute's renewal process and application process tend to overlap. As a consequence, what is learned about successful schools in their portfolio may influence Trustee decision making, leading to higher approval rates for known models and operators. The Institute's philosophy is to "seed the

ground and create the environment for great schools to thrive." They are focused on quality and are hesitant to encourage schools in their portfolio to grow too quickly. They don't let operators that are not "knocking it out of the park" grow until they are ready.

Resources for Applicants/Initial Conversations.

The Institute provides charter applicants with a range of resources to support application development and submission. The Institute treats every applicant as if it has the potential to be a successful school. Institute staff are generous with their time and respond to informal inquiries from charter applicants on a regular basis. The Institute's general counsel also gives guidance to potential charter boards and replicating boards as they ask for it. The Institute also works closely with the New York Charter Center (Center). The Center has regular contact with Institute staff about applicants, what they are looking for in applicants, and where applicants need to improve. According to one stakeholder, the Institute has shifted from simply approving or denying an application with little feedback, and now provides denied applicants with helpful information to enhance the chances those applicants can be successful in a future application cycle.

The Institute's *2016 Request for Proposal (RFP) Guidance Handbook* provides detailed information to guide applicants in developing their responses to the Institute's RFP. The Handbook is organized by individual questions contained in the RFP and provides specific guidance to applicants regarding how to respond to each RFP question. Guidance provided distinguishes between new applicants and replicators, often allowing replicators to incorporate responses by reference if there are no changes from the original charter.

The Institute's RFP and supporting documents are very detailed, providing step-by-step guidance for operators applying to open a charter school. The RFP is posted online in draft form for several weeks so that the public can comment on it and suggest changes. Those comments and suggestions are posted online, and changes are incorporated into the final document, as appropriate. The Institute also redacts and posts every received application online for the public to read and comment on. When applicants withdraw, their applications are generally

removed from the website. Successful applications remain online and become part of the school's record. Consistent with its orientation of continuous improvement, when particular issues or problems occur during an application cycle, Institute staff modify the guidance provided to address those issues. Institute staff review guidance documents in an attempt to ensure that the guidance is comprehensive and clear.

Letter of Intent (LOI). Groups interested in applying for a charter with the Institute are required to submit a LOI. The LOI requirement ensures that Institute staff are aware of the number of applications they are likely to receive during a given application cycle. The Letter of Intent is not a "mini-application." It consists of a letter with key school design details and evidence of community outreach efforts. Applicants are required to provide basic information about the applicant, the founding group, any proposed CMO partner, school location, school opening date, planned grades and enrollment, a description of the school model, initial facilities plans, a description of academic performance of existing schools, and an analysis of community outreach. Applicants can be denied at the LOI stage. The primary criterion for moving forward during the LOI stage is demonstration by the applicant that they have begun to engage with the community the school plans to serve; this is an absolute statutory requirement. In addition to providing evidence of community outreach, if an applicant is in a district with 5 percent or more of its students enrolled in charters, the applicant has to either provide evidence of district support or prove why the school would create a significant educational benefit for the students expected to attend the school. Institute staff review LOIs and community outreach documentation to determine if submissions meet the requirements specified in the LOI requirements section. If the applicant does not meet the requirement of beginning outreach, Institute staff cannot recommend the applicant submit a full application. The Institute will inform applicants whose letters do not meet the requirements that they may not submit a proposal for review during the current cycle. The determination of the adequacy of the LOI is at the sole discretion of the Institute. There is no appeal of a negative determination. Institute staff invite applicants whose letters meet LOI requirements to submit full proposal(s). Later in the application process, Institute staff look for evidence that the applicant has made progress toward incorporating community feedback into the final proposal. Institute staff

provide brief feedback to denied applicants at this stage. Nothing prohibits applicants who submit an unsuccessful LOI from submitting a new LOI in response to any future review rounds.

Standard vs. Replication Proposal. The Institute's application process distinguishes between standard proposals and replication proposals. Standard proposals address 23 different areas related to the establishment of a successful school, covering a wide and detailed range of issues related to school operations, academics, and finances. The Institute's response requirements are described in detail in its *2016 Request for Proposals* and related *Guidance Handbook*.

Applicants may submit a replication proposal if the replication is a SUNY-approved school that the applicant already operates but only if the SUNY Board of Trustees approved the initial application after August 2010 and if the proposed school will replicate all or a vast majority of the academic program of the existing school. The standard proposal is used when there is not yet a SUNY-approved charter to replicate or the conditions have changed significantly enough since the Institute reviewed the existing charter that there are likely to be material changes. Proposals for replication are significantly streamlined. Replication proposals address all statutorily required elements of a new school proposal but emphasize the following replication specific issues:

- A SUNY-approved charter school seeking to replicate already has one or more SUNY-approved charters, which contain exhibits describing the replicating school's academic program and organizational structure. If there are no material changes to the exhibits, applicants may respond to some requests by incorporating by reference the applicable documents on file at the Institute. The Institute's Replication Checklist describes detailed information about the responses that must be provided compared to those that can be incorporated by reference.
- With replications, the Institute's application reviewers can utilize qualitative data about the strength of the existing schools collected through the Institute's school evaluation process, and quantitative data collected through the analysis of the replicating school's (or network's) academic

outcomes instead of detailed plans submitted as part of a proposal.

- The Institute's due diligence regarding fiscal and human capital capacity also becomes more rigorous when considering the award of multiple charters to one charter school operator.

Business Plan Requirement. Institute staff and, at the Institute's discretion, external experts review applicant groups' business plans along with their proposals to gauge the organizational and fiscal capacity of the existing school(s) and partner organizations to effectively fulfill their obligations to the proposed school(s). SUNY-approved charter schools seeking to add one or more new charter schools that will contract with a charter management organization (CMO) to manage the proposed school(s) may have to submit two business plans in conjunction with the proposal: one completed by the CMO, and one completed by the education corporation. If the plans overlap, only one plan need be submitted.

Application as Detailed Blueprint. Staff noted that the application is designed to be a comprehensive description of every facet of the school rather than a broad description of school plans. Both the quantity of information and the level of detail required of respondents are significant. The average application submitted to the Institute is approximately 500 pages in length, and schools have been approved with applications ranging from 300 to 1,100 pages. In those pages, the Institute expects more than a collection of ideas about a new school. Instead, Institute staff expect to "visualize the school in the reading of the application." They require applicants to think through and present many details of school operation from teacher schedules to food services. Successful SUNY applicants are expected to have thought through most details of school operation. According to staff, by the end of the process, applicants are more prepared to open a new school. According to interviews, the rigor of the application process sets up new schools to succeed. According to the Institute's *2016 Request for Proposals*, "The hard work up front translates into greater autonomy for schools once chartered."

Initial Staff Review. Invited applicants must submit their application four to six weeks after submitting the Letter of Intent. Upon receipt, each application is reviewed for completeness and a preliminary review is conducted to confirm that all necessary content has been included.

When applicable, an in-depth analysis of student performance data from the applicant's existing schools is conducted to identify areas of strength and deficiency, and to gauge the proposed program's likelihood of producing exemplary academic outcomes. This analysis includes, but is not limited to, a review of the past three years of student performance data on state assessments, with an emphasis on growth percentile scores; student attrition rates from year to year; graduation rates; and authorizer evaluation, renewal, and regulatory compliance reports.

External Expert Review. The Institute hires external reviewers to evaluate each submitted application, whether that application is from a new operator or an operator seeking to replicate. The Institute has a bench of expert reviewers from which a review panel is selected. Reviewers may be other authorizers, leaders from successful charter schools, or finance experts. In some cases, Institute staff will identify specialized reviewers (e.g., applied behavior analysis experts to review an application from an operator who wants to open a school for students with autism). The more specialized the school program, the more work Institute staff do to identify appropriate expert reviewers. Many application reviewers also consult for the Institute in other capacities, including staff professional development and site visits. Each reviewer individually reviews the application. Following the individual review by external reviewers, Institute staff schedule panel calls with all of the reviewers. During these calls, reviewers discuss the strengths and weaknesses of the application and are asked to provide questions to ask applicants during the capacity interview. Individual reviewers are also asked to give their recommendation regarding whether or not an applicant should move to the interview stage. Those recommendations are taken into consideration but are not binding. According to Institute staff, "You learn so much from watching them [the reviewers] debate. The external reviewers add a lot of value to the process."

Staff Meeting. After panel calls are concluded, Institute staff members involved in application review meet to decide whether the applicant group should move forward in the process. At this stage, staff members try to err on the side of giving the applicant the benefit of the doubt: applicant groups "on the edge" are typically allowed to come for interviews.

Interview by Institute Staff. If a proposal is deemed strong enough to move on in the review process, members of the school’s founding team, proposed board, and representatives of any proposed CMO and/or other partner organizations are interviewed by Institute staff. Multiple staff members participate in each interview, including the Executive Director, a lawyer, a staff member focused on finances, the Director of New Charters, and other Institute staff.

The Institute does not rely on a formal rubric or bank of questions to evaluate the applicant during the interview. Staff members use professional judgment to create a customized interview protocol based on each applicant’s written application and circumstances. Institute staff construct an agenda along with capacity interview questions. Answers to questions in areas of concern may lead to detailed questioning with an eye toward either future requests for amendment or elimination of the application. Interviews typically take place in the geographic region where the applicant seeks to open. Interviews typically last one–and-a-half to two hours.

Institute staff have identified several red flags at this stage in application evaluation. Some applicant groups may hire external consultants to write a charter application. Interviews allow Institute staff to evaluate the experience and capacity of the applicant group and board directly, without guidance from consultants. One staffer said, “What’s on paper can look really great, but then in person, folks aren’t ready.” School leadership issues are often a red flag. Institute staff will specifically ask board members hard questions about how to hold school leaders accountable. If the school leader has not yet been identified and the applicant group is heavily invested in finding “a magical person” to lead the school, that is a sign that the school may not have the capacity to succeed. If the school leader is identified and present but answers all questions and the board members aren’t answering anything, it’s clear that the school may be too dependent on one person. If they don’t have a clear description of their intended culture, that’s also a red flag.

Following each interview, Institute staff meet again to establish consensus regarding whether the applicant is ready to move on to the next stage in the application process.

Request for Amendments. Proposals of sufficient strength may then undergo a Request for Amendments (RFA) process to resolve Institute concerns and assure compliance with all applicable laws and regulations. Institute staff review and redline the school’s bylaws, policies, budget, and other areas of deficiency and provide the applicant group with a summary document. The Institute gives applicants seven to 10 business days to submit revisions. Sometimes there are multiple rounds of the amendment process. After the applicant group has answered all questions posed by the Institute, staff meet to come to consensus regarding a recommendation to SUNY Trustees. Applicants not recommended for further interviews are contacted by phone, provided high-level reasoning for the decision, and given an opportunity to withdraw their application.

Preference Scoring. SUNY’s 2016 RFP includes preference criteria to prioritize proposals that the Institute intends to recommend to the SUNY Board of Trustees at the conclusion of the review process. Preference scoring does not occur until the conclusion of a review process and applies to only the proposals that the Institute determines could result in academically, fiscally, and legally sound charter schools. Institute staff conduct a norming session, and two staff members score each application. Only one scorer may be a member of the New Charters team. If the application scores are close, a third staff scorer is required. While required by statute, preference scoring applies only when there are more viable applications than available charters under the state or New York City charter cap. Because the cap has not been reached, preference scoring has not been a factor in application decision making. However, Institute staff still complete the scoring as a part of every application cycle and report on the scores within each summary of findings report.

SUNY Charter Schools Committee Meeting. If the RFA process yields an application that the Institute identifies as strong enough to move on in the process, a representative of the Charter Schools Committee (Committee) will meet with the applicant(s) and proposed education corporation trustees. As described previously, the Charter Schools Committee is a 4-member subcommittee of the SUNY Board of Trustees (composed of members of the SUNY Board of Trustees) that oversees SUNY-authorized charter schools. Institute staff provide a Summary of Findings. The Summary of Findings provides a detailed summary of

the application, reviewing school mission and key design elements, calendar and schedule, academic program, school culture and discipline plans, and the organizational capacity of the applicant group. The Summary of Findings also includes a review of whether the applicant meets statutory requirements and provides summary evidence that the proposed school is likely to be academically, organizationally, and financially successful. For applications with less typical educational plans, Institute staff may provide additional briefing documents to the Committee.

SUNY Charter Schools Committee Vote. After completing the review process, the Institute makes any positive recommendations to the Charter Schools Committee, which renders the final determination. There is no appeal of a negative determination at any stage of the process. Committee Trustees review the Summary of Findings and any additional information but typically do not examine in detail the full application; the full application is available, however, online. If Trustees have any remaining questions or concerns, the Institute’s senior leadership is available to respond. Applicants are encouraged to attend the meetings. Trustees have significant experience in charter school authorizing and have “learned a lot over the years” and are not “rubber stamps.” During the Committee meeting, Trustees often ask questions of applicants and Institute staff. Applicants that the Institute will not recommend for approval are permitted to withdraw their application rather than publicly receive a recommendation for non-approval. The vast majority of those applicants choose to withdraw their application.

Feedback to Denied Applicants. After the conclusion of the application cycle, all rejected applicants receive letters of justification regardless of the stage in the application process at which their application was cut or withdrawn. Institute staff are generous with their time and discuss applications with denied applicants. Institute staff strive to help applicants understand the strengths and weaknesses of their application and how much additional development is required for a given application to be approved. Institute staff reported that “there is no shame in waiting [and applying again later].”

Continuous Improvement/Learning from Experience

The Institute’s application process reveals an orientation toward continuous improvement and learning from past experience. This orientation is reflected both in its charter practice and in its attitude toward charter applicants. When appropriate, the Institute removes components of its charter application that are not required by law. The Institute has also revised and enhanced its charter application review process over time to reflect lessons learned. The Institute provides significant support to new charter applicants during the charter application process with staff open to informal inquiries, robust written guidance, and support to applicants that fail to receive a charter. The Institute does not view a denied or withdrawn application as a failure on the part of the applicant. Instead, they often view them as applicants with potential who need more guidance and time to develop.

Access and Equity Issues in the Application Process

The Institute focuses on what is required by law and allows as much school autonomy within those boundaries as possible. Amendments to the Charter Schools Act in 2010 require all charter schools to meet enrollment and retention targets for students with disabilities, English Learners, and students eligible for the federal free and reduced-price lunch program. Targets must be comparable to the population of students attending public schools in the district where the charter school is located. The Institute’s philosophy is that if a school has programming for special student populations (e.g., special education and English Learners), the school will attract those students. To that end, in the review of applications, Institute staff require clear explanations of English Learner and special education programming in applications. In their proposals, applicants are required to describe how the school will identify and serve struggling students, students with disabilities, English Learners, and gifted and advanced students. The Institute identifies enrollment targets for its schools, but those targets are not “hard and fast.”

PERFORMANCE MANAGEMENT

Pre-Opening Systems and Practices

During a new charter school's planning year, the school is required to finalize its draft Accountability Plan developed as part of its charter application, as well as the State University of New York (SUNY) Charter Schools Institute's (the Institute) pre-opening checklist.

The Accountability Plan lays out the specific student achievement goals that a school agrees to meet and the specific measures that define what constitutes meeting these goals. These plans establish a common set of goals and outcome measures that represent expectations the Institute and the SUNY Board of Trustees hold for student learning and achievement. Progress in meeting the Accountability Plan is used in evaluating whether a school receives approval to continue operating. The initial Accountability Plan is finalized during a school's first year of operation and covers the initial "Accountability Period," the first four years of its charter term. At the end of the Accountability Period, schools develop a new Accountability Plan as part of their application for renewal.

The Institute requires that the Accountability Plans for all SUNY-authorized charter schools contain a common set of goals with specific measures for each school. These required outcome measures for student performance represent the Institute's expectations for student learning. In addition to these required academic measures, schools may also choose optional goals to include in their Accountability Plan—both academic and non-academic goals and measures.

New schools must also complete the Prior Action Checklist (often referred to as a Pre-opening Checklist by other authorizers) in preparation for opening. Schools are required to have the Checklist substantially completed at least 10-15 days before the school is scheduled to commence instruction. The Checklist includes eight categories (described below). Each category has multiple deliverables that the school must provide to ensure it is ready to begin operation. Institute staff conduct a site visit in August or September to collect the required pre-opening deliverables and determine if the school can open.

1. **Compliance:** The Institute requires schools to provide the name and contact information for

the person on staff who will be responsible for providing compliance documentation.

2. **Finance:** Includes deliverables related to the school's internal controls and fiscal management. For example, the Institute requires evidence that an accountant or bookkeeper is employed and copies of the payroll contract or other provision for payroll.
3. **Facilities and Fixtures:** Includes deliverables related to the space where students will attend classes. For example, a copy of the certificate of occupancy must be provided unless the school is located in occupied district school space.
4. **Operations:** Includes deliverables related to student safety, transportation, and food safety. For example, the Institute requires written assurance that each student has had proper immunizations, a copy of the transportation service provider contract, and a copy of the food service provider agreement.
5. **Students and Parents:** Includes deliverables related to student discipline, the Family Educational Rights and Privacy Act (FERPA), and the Student and Family Handbook. For example, the Institute requires a copy of FERPA procedures, as well as a copy of the Student and Family Handbook. The Institute also requires a summary roster of students with individual education plans (IEPs) and any information related to their settings or related services that are known at the time of the pre-opening visit.
6. **Curriculum and Instruction:** Includes deliverables related to curriculum and compliance with special education laws. For example, the Institute requires curricula being selected and documentation that the school is adequately prepared to identify students with disabilities, as well as a copy of the school's 504 policy.
7. **Staffing:** Includes deliverables related to readiness of the school's staff to be responsible for students. For example, the Institute requires proof of certification for teachers, as well as copies of fingerprint clearance for all staff that will interact with students.

8. **Governance and Management:** Includes deliverables related to the charter board’s ability to operate. For example, the Institute requires proof of ratified bylaws and written notice that a head of school has been named.

The Institute does not consider the pre-opening activities to be evaluative. However, failure to complete certain pre-opening requirements can lead to delays for a school’s opening and an increase in monitoring. There is not a formal list of which deliverables are most prioritized—Institute staff uses professional judgment to make this determination. For example, the Institute team referenced an instance in which a charter leader had failed to verify that teachers at the school had been fingerprinted and background checks had been completed. The Institute did not allow teachers in classrooms until this was addressed, so the students participated in team- and culture-building activities for the first days of school instead. Due to this, Institute staff monitored the school closely during the first semester, including organizing additional site visits.

While the Prior Action Checklist is a compliance-based document, the Institute views the overall planning phase for charters, including the pre-opening phase, as a time to provide schools with support. One team member explained that they maintain an “open door and phone policy” for new schools and that they don’t want the schools to feel that they need to hire a lawyer or other staff just to complete the pre-opening process.

Performance Framework

In order to determine whether a school has met a high standard of performance, each school that SUNY authorizes is required to enter into a performance agreement. This agreement’s purpose is to lay out the specific student achievement goals that a school needs to meet and the specific outcome measures that define what constitutes meeting these goals. This agreement, known as the Accountability Plan, becomes part of the school’s charter. The Institute requires that the Accountability Plans for all SUNY-authorized charter schools contain a common set of goals, along with specific measures, that set the same criteria for success for each school. In addition to the required measures, schools can also choose to include optional academic and organizational goals and measures in their Accountability Plan.

The academic indicators measure performance across absolute, growth, and comparative metrics.

- Absolute measures use fixed criteria to measure the school’s performance. The target is an absolute standard, meaning that a certain level of mastery of knowledge or a skill must be attained. SUNY-authorized charter schools are required to set their absolute measures for success at 75 percent mastery. This means that 75 percent of students should be proficient on state assessments.
- Comparative measures measure the school’s performance against the performance of other selected schools. For example, SUNY-authorized charter schools must compare their students’ performance on the state tests to that of the school district that students would have attended if they were not enrolled in that charter school, as well as to schools across the state with similar demographic factors.
- Growth measures show progress towards an absolute target based on year-to-year growth of the same students.

Elementary and Middle Schools. English language arts and math are the most important subjects for elementary and middle school students. These subjects are tested every year between Grade 3 and Grade 8. There are five required outcome measures for each of those subjects. Science is tested in Grades 4 and 8 and has two required outcome measures, one absolute and one comparative.

GOAL	REQUIRED OUTCOME MEASURES FOR K-8 SCHOOLS				
	<i>Absolute</i>		<i>Comparative</i>		<i>Growth</i>
	75% Proficiency on State Exam	Performance Level Index (PLI) Meets Annual Measurable Objective (AMO)	Percent Proficient Greater Than That of Local School District	School Exceeds Its Predicted Level of Performance Compared to Similar Schools	The School's Mean Growth Percentile Exceeds the State's Median Growth Percentile
English Language Arts	×	×	×	×	×
Mathematics	×	×	×	×	×
Science	×		×		

High Schools. Accountability Plans for charter high schools include the same academic subject goals as elementary and middle schools: English language arts, math, and science, with the addition of social studies. Charter high schools are held accountable for student performance on Regents exams. High school Accountability Plans must also have a graduation goal, and any high schools with a college preparatory mission must additionally have a college prep goal. High school accountability in academic subjects is based on the performance of a student cohort—a group of students who entered Grade 9 at the same time.

GOAL	REQUIRED OUTCOME MEASURES FOR HIGH SCHOOLS					
	<i>Absolute</i>				<i>Comparative</i>	
	65% of Students Demonstrate College-Ready Proficiency on Regents Exams After 4 Years	65% of Students Not Proficient in 8th Grade Demonstrate College-Ready Proficiency on Regents Exams After 4 Years	75% of Students Passing Regents Exams After 4 Years	Accountability Performance Level (APL) Meets Annual Measurable Objective (AMO)	Accountability Performance Level (APL) Exceeds That of Local School District	Percent Passing Regents Exams After 4 Years Is Greater Than That of Local School District
English Language Arts	×	×		×	×	
Mathematics	×	×		×	×	
Science			×			×
Social Studies			×			×
Graduation	<ul style="list-style-type: none"> 75 percent of students in first-and second-year high school graduation cohorts must earn ten credits (if 44 needed for graduation) or five credits (if 22 needed for graduation) each year. 75 percent of students in the second-year high school graduation cohort must score proficient on at least three different New York State Regents exams required for graduation. 75 percent of students in the fourth-year high school graduation cohort and 95 percent of students in the fifth-year high school graduation cohort must graduate. The percent of students in the high school graduation cohort graduating after the completion of their fourth year must exceed that of the cohort from the local school district. 					

<p>College Prep (Only if Applicable)</p>	<ul style="list-style-type: none"> • The average performance of students in Grade 10 must perform above the state average on the PSAT tests in critical reading and mathematics. • The average performance of students in Grade 12 must perform above the state average on the SAT or the ACT test in reading and mathematics. • The percent of graduating students meeting the aspirational performance measure (APM), currently defined as the percent of students in a cohort who graduate with a score of 80 or better on a Math Regents exam and 75 or better on the English Regents exam, must exceed the statewide average. • The percent of students will graduate with a Regents diploma with advanced designation must exceed that of the local district. Charter Schools Institute Guidelines for Creating an Initial Charter School Accountability Plan May 7, 2013.³ • 75 percent of graduating students must demonstrate their preparation for college by passing an Advanced Placement (AP) exam or a College Level Examination Program (CLEP) exam or by passing a college-level course. • 75 percent of graduating students must matriculate at a college or university in the year after graduation.
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Institute staff explained that using these kinds of measures “gives schools multiple opportunities to meet goals and set high standards via different points of view.” Neither the required academic indicators nor the optional academic and/or operational indicators “roll up” into an overall performance grade or rating for schools. Instead, at the time of renewal, the Institute organizes schools into three bands, based primarily on academic performance. The bands are not shared publicly but are used to determine which schools are struggling and may need a “closer look.” To determine the bands, the accountability team uses a set of heuristics. The comparative data is most important, with growth data and absolute indicators being secondary. For each indicator, they also look at subgroup performance—particularly, special education and English Learners.

As mentioned above, schools can choose to include optional academic and organizational goals and measures in their Accountability Plan. To the extent that assessments other than the state exams have been rigorously developed and scored, are aligned with state performance standards, and can demonstrate meaningful student progress, the Institute will consider this evidence along with state exams in determining if the school has improved student learning and achievement. The burden is on the school to demonstrate that these other assessment measures provide notable and reliable evidence of achievement.

Organizational goals, including parent and student satisfaction, legal compliance, and fiscal soundness, are optional components of the Accountability Plan. Unique aspects of a school’s non-academic program may also be included as optional measures.

The Accountability Plan remains in effect for the duration of a school’s charter. However, it may be amended upon request and with the Institute’s permission.

³ Charter Schools Institute Guidelines for Creating an Initial Charter School Accountability Plan May 7, 2013

Performance Accountability

Multiple stakeholders mentioned that the Institute is seen as a “tough” authorizer, meaning one that has very high standards for entry and then holds schools accountable to a very high standard. This reputation is clearly something that the Institute staff are proud of, and it seems to drive their desire to regularly revisit and improve their practices.

In order to monitor their portfolio, the Institute requires their authorized schools to submit reports and documents throughout the school year. The Institute provides a reporting deadline calendar so it is clear what documentation is due and when.

School Visits. Additionally, the Institute conducts site visits at each SUNY-authorized charter in its first year of operation and potentially at other times throughout the charter term (at least once in subsequent charter terms). The site visit teams interview school leaders, board members, staff, and students, observe classroom instruction, and review school documents and student work to determine the effectiveness of the school in certain areas.

The Institute examines SUNY-authorized charter schools through the lens of the SUNY Charter School Renewal Benchmarks during all site visits. These visits provide evidence to the Institute and feedback to the schools regarding the extent to which schools are meeting SUNY’s Qualitative Evaluation Benchmarks at the time of the visit. After school site visits, the Institute generates letters and reports that summarize the conclusions of the site visit team regarding the school’s performance. The reports focus on various benchmarks in more detail depending on the strengths and weaknesses of the school.

Because the Institute respects and values charter autonomy, the Institute does not make direct recommendations about changes a school should make in response to the site visit evaluation data. Evidence documented in site visit letters and reports, including actions a school has taken in response to Institute feedback, is used along with other data to inform the Institute’s Renewal Recommendation Reports.

School Renewal Visits. In order to continue operating, a charter school must apply to renew its charter at the end of each charter term. To be renewed, SUNY-authorized charter schools must provide to the SUNY Board of

Trustees conclusive evidence that the school has met its benchmarks and accountability goals.

A renewal visit is conducted in the last year of the charter term. These visits are typically in the fall and are more intensive than other school visits. Institute teams generally conduct renewal visits over the course of one to three days, depending on the size and structure of the school. The Institute team conducting the site visit collects and reviews documents, observes classrooms, and interviews a variety of school leaders and teachers.

Typically, the Institute school renewal visits follow the process below:

1. Before the Renewal Visit
 - » Submission of Pre-visit Documents: According to Institute staff, they use pre-visit documents in order to gain familiarity with the organizational structure and programs of each school prior to the site visit. This practice allows the site visit team to maximize time spent in classrooms and speaking with school leaders and teachers during the visit.
2. During the Renewal Visit
 - » Document Review: Visit team members examine a broad range of documents during the visit. Schools are asked to have those documents labeled and organized for the site visit team upon arrival.
 - » Classroom Observations: Members of the visit team often begin visiting classrooms at the start of the visit. They attempt to observe a representative sample of classrooms, particularly those in the core areas of instruction.
 - » Interviews: The school evaluation team conducts interviews with a variety of school stakeholders. Those interviews always include the school’s governing board. Interviews typically take 45-60 minutes.
 - » Debrief with School Leaders: At the end of the renewal visit, the evaluation team typically generates preliminary conclusions based on the information collected during the visit and shares them with school leaders.

3. After the Renewal Visit

- » Interview with School Board: Generally, the Institute staff members, including site visit team members, a lawyer, and a fiscal representative, interview the school board regarding governance, legal issues, and school finances. Key findings from the site visit are also shared with the school’s board but not the renewal recommendation.
- » Renewal Recommendation Report: After a renewal visit, the Institute produces a draft Renewal Recommendation Report, based on the cumulative evidence collected over the course of the charter term, including the renewal visit and previous evaluation visits, as well as Accountability Plan data. The draft report also contains a preliminary renewal recommendation. Schools have an opportunity to provide factual corrections and to comment on the draft report. The Institute then generates a final report. The Institute submits this final Renewal Recommendation Report to the SUNY Board of Trustees (copies also go to the chair of the school’s board and the school leader).

Here is a sample schedule for a school renewal visit.

<i>Team Member Focus Area</i>	<i>Academics</i>	<i>Academics</i>	<i>Academics</i>	<i>Legal</i>	<i>Fiscal</i>
DAY ONE (HALF DAY)					
12:00–12:15	Team Arrives				
12:15–12:45	Document Review				
12:45–1:45	Interview School Leader				
1:45–3:00	Classroom Observations			Interview School Nurse	Interview Director of Operations
3:00–4:00	Interview School Education Coordinator	Interview Director of Instruction		Interview Special Education Coordinator	Interview CMO Finance Liason
4:00–4:45	Follow-up with School Leader	Interview Data Coordinator	Interview Dean of Students	Document review	
4:45–5:45	Team Meeting				

DAY TWO (FULL DAY)					
7:30–7:45	Team Arrival				Off-site
7:45–8:45	Interview ELL Coordinator	Interview Teacher	Classroom Observations	Interview ELL Coordinator	
8:45–10:00	Interview Teacher	Classroom Observations	Interview Special Education Teacher	Document Review	
10:00–11:00	Interview ELL Teacher	Interview Reading Specialist	Interview Teacher	Interview Dean of Students	
11:00–12:30	Classroom Observations			Interview Director of Operations	
12:30–1:30	Lunch and Follow-Up with School Leader				
1:30–3:30	Classroom Observations				
3:30–4:30	Interview Director of Staff Development		Interview Special Education Teacher	Document Review	
4:30–5:30	Team Meeting				
DAY THREE (FULL DAY)					
7:30–7:45	Team Arrival				Off-site
7:45–8:45	Interview Social Worker	Interview Teacher	Classroom Observations		
8:45–10:00	Classroom Observations				
10:00–11:00	Interview Teacher	Interview Teacher	Interview Teacher		
11:00–12:00	Classroom Observations				
12:00–1:00	Lunch and Follow-up with School Leader				
1:00–4:30	Team Meeting: Preliminary Conclusions and Report Drafting				
4:30–5:00	Debrief with School Leader	Off-site			

Performance Accountability Systems and Perspectives.

The Institute uses professional judgment throughout their performance management processes. For example, when asked how they determine which schools are in need of intervention or should be considered for non-renewal, one staffer said:

We use professional judgment in conjunction with quantitative analysis. When making big decisions about schools, like at renewal, there is an ‘all-hands-on-deck’ meeting that includes all of our staff. We look at the school’s fiscal/ financial health, how that affects performance, legal compliance, and regulatory compliance, all of the qualitative side of the school’s academic program (transitions in teachers, robust supports for at-risk students, stability of board). Then we sit around a table and hash this out.

While professional judgment is used extensively in the performance management processes at the Institute, they try to create norms across staff and external consultants in order to reduce subjectivity and bias and increase inter-rater reliability. For example, Institute staff and external consultants conduct renewal site visits. The consultants are typically from other authorizing organizations or leaders from successful charter schools. The Institute will also sometimes ask former Institute employees to serve as consultants or find content experts to serve on the teams. To ensure that everyone on the visits are informed and as objective as possible, SUNY hosts internal norming meetings on Fridays where staff watch video observations of classroom visits and then debrief together: “What did you see? How did you rate it? Why?” Consultants are invited to participate in at least one of these meetings. Additionally, the Institute uses their first-year site visits as an opportunity for norming, bringing in new consultants and new staff to observe how the visits are done.

As previously mentioned, Institute staff visit all new schools in their first year of operation and again before renewal. Schools that are struggling may be visited more often and monitored more intensely. When asked whether struggling schools are provided technical assistance, Institute staff were quick to point out that they do not consider that as part of their job as it relates to academics. One staffer put it this way:

We don’t give TA [technical assistance] on the program side. We are there to hold up the mirror. We will give you [the school] the analysis against standards, but we won’t give specific recommendations. We have done governance and organization (training) stuff. Those are the things that would show up in a corrective action plan. Most of the time, we draw the line on academics.

If the Institute determines that a charter is not progressing toward its goals or that the charter is not in compliance with the terms and conditions of its charter agreement, then Institute staff, in consultation with the charter’s board, may develop and require the school to implement a corrective plan. Should the Institute determine that one of the grounds for termination or revocation has occurred or is occurring, the Institute can then decide to recommend the Charter Schools Committee take one of the following actions:

- Terminate the charter or terminate the charter school education corporation’s authority to operate one or more programs, schools, or sites or any combination thereof.
- Place the charter on probationary status and require them to implement a remedial action plan.

Extension, Renewal, and Revocation

There are three possible outcomes when a school applies for an initial renewal, meaning the first time that a school applies for renewal. These include full-term renewal, short-term renewal, or non-renewal.

Full-term renewal is for the maximum term of five years. It is awarded to schools that have a strong record of student performance (as measured by students’ test scores) and an effective academic program, along with being organizationally and fiscally sound organizations.

Short-term renewal is awarded to schools whose evidence regarding students’ test scores is mixed or ambiguous. This type of renewal is awarded to schools that demonstrate insufficient student academic performance yet have in place a strong educational program and strong board governance. In addition, schools that have demonstrated strong student performance but have inadequate educational programs at the time of the renewal visit may receive a short-term renewal. As with

full-term renewal, schools that are granted short-term renewal are required to show that they are organizationally and fiscally sound. Short-term renewal is usually, but not always, for a term of three years.

In cases where the school fails to present sufficient evidence for renewal, the Institute will recommend non-renewal. If the SUNY Trustees accept this recommendation, the school will generally close at the end of the current school year.

The renewal process begins with the submission of the charter's application for renewal. The application is an opportunity for SUNY-authorized charter schools to answer the four questions comprising SUNY's renewal process:

1. Is the school an academic success?
2. Is the school an effective, viable organization?
3. Is the school fiscally sound?
4. If the school's charter is renewed, what are its plans for the next charter term and are they reasonable, feasible, and achievable?

The application includes an executive summary; a statistical overview—enrollment and demographic numbers, retention rates, number of faculty and staff, etc.; an analysis of academic success—a report on the school's progress towards its current Accountability Plan; an analysis of organizational viability—including parent and student satisfaction survey results, Student Handbook, and various assurances; as well as an assessment of fiscal soundness—copies of the fiscal policies manual and other financial management documentation. It also requires the school to discuss its future plans.

After receiving a school's renewal application, the Institute allows public comment on its website. Institute staff then review the application, as well as the existing data and records in its files collected on the school over the life of the charter term. The Institute also prepares a summary of issues and questions to address during the renewal visit.

The Institute notifies public and non-public schools in the same geographic area as the charter school of the receipt of an application for renewal. The Charter Schools Committee must consider comments from the school district in which the charter school is located and forward

those comments to SUNY Trustees if it approves any type of renewal. The Committee also reviews a summary of public comments.

As described above, the Institute conducts a renewal site visit to the school and produces a written draft report of findings that ultimately include a recommendation.

When the Institute makes a preliminary recommendation of non-renewal, it provides the school with an opportunity to provide written comments in opposition to the recommendation. If the Institute's preliminary recommendation remains non-renewal, at the school's invitation, the Institute will appear at the school to listen to a presentation of evidence in opposition to the preliminary non-renewal recommendation.

Upon completion of the prior activities, the Institute prepares its final recommendation report for the Charter Schools Committee of the SUNY Board of Trustees. The Institute sends the final report to the Committee and the school, along with any comments received from the local school district where the school is located. When the Institute's renewal report recommends non-renewal, the school may petition the Committee for an opportunity to make its case in opposition to the recommendation. If the petition is granted, the school may present evidence as well as any legal arguments to the Committee. The Charter Schools Committee determines the form, time, manner, and place, as well as other practices related to the appeal. At its sole discretion, the Charter Schools Committee may but is not required to appoint a subcommittee to act for it in a manner that is consistent with the SUNY Trustees' by-laws.

The Charter Schools Committee takes final action (by vote during a public meeting) to renew a school for any term or not renew a school based on its discretion. The Committee acts on behalf of the full SUNY Board of Trustees, and the Committee's action is final.

The SUNY Board of Trustees use a set of "general guidelines and methods" that define what evidence a charter school must meet and how to evaluate and weigh the various sources of evidence the Institute gathers during the renewal inquiry. The guidelines are intentionally broad and are "neither self-defining nor self-executing," meaning that a great deal of professional judgment and interpretation is needed. The following guidelines are taken from the SUNY Renewal Policies:

1. Full-Term Renewal: available to a school in its fifth year of operation for the maximum term of five years. In order for a school to be eligible for full-term renewal, a school must during the Accountability Period either
 - a. have compiled a strong and compelling record of meeting or coming close to meeting its academic Accountability Plan goals and have in place at the time of the renewal review an educational program that, as assessed using the Qualitative Education Benchmarks, is generally effective or
 - b. have made progress toward meeting its academic Accountability Plan goals and have in place at the time of the renewal review an educational program that, as assessed using the Qualitative Education Benchmarks, is particularly strong and effective.
2. Short-Term Renewal: available to a school in its fifth year of operation, typically for a term of three years. In order for a school to be eligible for short-term renewal, a school during the Accountability Period must either
 - a. have compiled a mixed or limited record of educational achievement in meeting its academic Accountability Plan goals but have in place and in operation at the time of the renewal inspection visit (1) an academic program of sufficient strength and effectiveness, as assessed using the Qualitative Education Benchmarks, which will likely result in the school's being able to meet or come close to meeting those goals with the additional time that renewal would permit and (2) a governing board and organizational structures that have demonstrated the capacity to meet the school's academic Accountability Plan goals and to operate the school in an educationally and fiscally sound fashion or
 - b. have compiled an overall record of meeting its academic Accountability Plan goals but, at the time of the renewal inspection visit, have in place an educational program that, as assessed using the Qualitative Education Benchmarks, is inadequate in multiple and material respects.
3. Renewal with Conditions: available to a school that
 - a. meets the standards for full-term renewal or short-term renewal with regard to its educational program but that has material legal, fiscal, or organizational deficiencies that cannot be fully corrected by the time of renewal—so long as such deficiencies are not fatal to making each and every other required finding or
 - b. meets the standards for full-term renewal or short-term renewal with regard to some portion of its educational program but requires conditions to improve the academic program. Such conditions may include but are not limited to restrictions on the number of students and grades served. Conditions may also be imposed that are consonant with the requirements of No Child Left Behind as to schools requiring corrective action. Where appropriate, conditions may be imposed which if not met by the education corporation shall be deemed a substantial and material violation of the charter and therefore expose the education corporation to probation or charter revocation.
4. Non-Renewal: where a school does not apply for renewal (voluntarily surrenders its charter) or fails to meet the criteria for any other type of renewal, the charter will not be renewed, the charter will be terminated upon its expiration, and the education corporation will be dissolved.

There are no limits on the number of times that a charter school's charter can be renewed. However, taking into account the fact that schools that have been renewed at least once have been in existence for a longer time, the SUNY Board of Trustees have established different outcomes and criteria for schools that are applying for renewal in their second, third, or later charter periods (subsequent renewals). A school that has been previously renewed must either show that it has performed well enough to merit being renewed for a full term of five years (full-term renewal) or it will face non-renewal.

Replication and Growth

Institute staff shared that while they are pleased to expand high-quality seats for more students, growth is not a priority focus. Such an orientation could be due, in part, to the steady growth they have seen over the years and healthy number of applications for new and replicating schools they receive each year. While the Institute is very much interested in continuing to serve more students with quality seats, having a fairly robust growth pipeline allows their focus and systems to be primarily on quality and capacity for growth. To be sure, if excellent schools approach them with intentions to grow, then they focus on helping them do so.

While there is not a separate process for schools seeking to replicate, numerous schools within SUNY's portfolio have replicated and become charter management organizations (CMOs). One staffer described the Institute's orientation well:

Sometimes you're surprised about who comes for more schools and how many they want. We have to keep our sense of possibility. So we have to ask, 'Is there capacity?' Do they have the means and capacity to grow? For us, it's not anything we've sought, but it's more about the schools [that] are coming to us and wanting this...We've had conversations with growth and venture funders. They want to know where we think the money should go. But we're hesitant to encourage people to grow too quickly. We work really hard to make sure that schools have real plans for pipelines. And we don't let schools that ask for more schools who aren't knocking it out of the park grow until they're ready.