



**Charter Schools Institute**  
**State University of New York**

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**REPORT TO THE BOARD OF TRUSTEES**

**FINDINGS AND RECOMMENDATIONS  
OF THE CHARTER SCHOOLS INSTITUTE AS  
TO THE APPLICATION FOR CHARTER  
RENEWAL OF THE CENTRAL NEW YORK  
CHARTER SCHOOL FOR MATH AND  
SCIENCE**

**FEBRUARY 17, 2005**

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## **INTRODUCTION**

The Charter Schools Act of 1998 (the “Act”) authorizes the State University of New York Board of Trustees (the “Board of Trustees”) to grant charters for the purpose of organizing and operating independent and autonomous public charter schools. Charter schools provide opportunities for teachers, parents, and community members to establish and maintain schools that operate independently of existing schools and school districts in order to accomplish the following objectives:

- improve student learning and achievement;
- increase learning opportunities for all students, with special emphasis on expanded learning experiences for students who are at-risk of academic failure;
- provide parents and students with expanded choices in the types of educational opportunities that are available within the public school system;
- create new professional opportunities for teachers, school administrators and other school personnel;
- encourage the use of different and innovative teaching methods; and
- provide schools with a method to change from rule-based to performance based accountability systems by holding the schools accountable for meeting measurable student achievement results.<sup>1</sup>

In order to assist the Board of Trustees in their responsibilities under the Act, the Board of Trustees authorized the establishment of the Charter Schools Institute of the State University of New York (the “Institute”). Among its duties, the Institute is charged with evaluating charter schools’ applications for renewal and providing its resulting findings and recommendations to the Board of Trustees.

This report is the primary vehicle by which the Institute transmits to the Board of Trustees its findings and recommendations regarding a school’s renewal application, and more broadly, the merits of a school’s case for renewal. It has been created and issued pursuant to the “Practices, Policies and Procedures for the Renewals of Charters for State University Authorized Charter Schools” (the “State University Renewal Practices”).<sup>2</sup> More information regarding this report is contained in the “Reader’s Guide” that follows.

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<sup>1</sup> See § 2850 of the Charter Schools Act of 1998.

<sup>2</sup>The State University Renewal Practices, Policies and Procedures (revised January 25, 2005) are available at [www.newyorkcharters.org](http://www.newyorkcharters.org).

## Statutory and Regulatory Considerations

Charters may be renewed, upon application, for a term of up to five years. The Act prescribes the following requirements for a charter school renewal application:

- a report of the progress of the charter school in achieving the educational objectives set forth in its charter;
- a detailed financial statement that discloses the cost of administration, instruction and other spending categories for the charter school that will allow a comparison of such costs to other schools, both public and private;
- copies of each of the annual reports of the charter school including the charter school report cards and certified financial statements; and
- indications of parent and student satisfaction.<sup>3</sup>

The Institute's processes and procedures mirror these requirements and meet the objectives of the Act.<sup>4</sup>

As a charter authorizing entity, the Board of Trustees can renew a charter so long as the Trustees can make each of the following findings:

- the charter school described in the application meets the requirements of the Act and all other applicable laws, rules and regulations;
- the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; and
- granting the application is likely to improve student learning and achievement and materially further the purposes of the Act.<sup>5</sup>

Where the Board of Trustees approve a renewal application, they are required under the Act to submit the application and a proposed charter to the Board of Regents for its review.<sup>6</sup> The Regents may approve or return the proposed charter to the Board of Trustees with the Regents' comments and recommendation. In the former case, the charter will then issue and become operational on the day the initial charter expires. In the latter case (return to the Board of Trustees), the Board of Trustees must review the returned proposed charter in light of the Regents' comments and respond by resubmitting the charter (with or without modification) to the Regents, or by abandoning the proposed charter. Should the Board of Trustees resubmit the charter, the Regents have thirty days to act to approve it. If they do not approve the proposed charter, it will be deemed approved and will issue by operation of law.<sup>7</sup>

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<sup>3</sup> § 2851(4) of the Act.

<sup>4</sup> Further explication of these policies and procedures is available on the Charter Schools Institute's website. See <http://www.newyorkcharters.org/howto/renewal.html>.

<sup>5</sup> See § 2852(2) of the Act.

<sup>6</sup> See § 2852(5) of the Act.

<sup>7</sup> See §§ 2852(5-a) and (5-b) of the Act.

## Process for Renewal

While that renewal process formally commences with submission of a renewal application, a school must work to make the case for renewal from the time it is chartered. From its inception, the school must build its case for renewal by setting educational goals and thereafter implementing a program that will allow them to meet those goals.

Under the State University's accountability cycle, a school that is chartered enters into a plan (the "Accountability Plan")<sup>8</sup> setting forth the goals for the school's educational program (and other measures if the school desires) usually in the first year of the charter. Progress toward each goal is determined by specific measures. Both goals and measures, while tailored in part to each school's program, must be consistent with the Institute's written guidelines. When the Accountability Plan is in final form, it receives approval from the Institute.

Thereafter, the charter school is required to provide an annual update on its progress in meeting its Accountability Plan goals and measures (the "Accountability Plan Progress Report").<sup>9</sup> This permits the school not only the ability to provide all stakeholders with a clear sense of the school's progress, but forces the school to focus on specific academic outcomes. In the same vein, both the Institute and the State Education Department conduct visits to the school on a periodic basis. The main purpose of the Institute's visits is to determine the progress the school is making in implementing successfully a rigorous academic program that will permit the school to meet its Accountability Plan goals and measures. Reports and de-briefings for the school's Board or leadership team are designed to indicate the school's progress, its strengths and its weaknesses. Where possible, and where it is consistent with its oversight role, the Institute provides general advice as to potential avenues for improvement. To further assist the school in this regard, the Institute may contract with third-party, school inspection experts to conduct a comprehensive third-year visit to the school and to look specifically at the strength of the school's case for renewal at that point.

By the start of the fifth year of a school's charter (as set forth above), it must submit an application for charter renewal, setting forth the evidence required by law and the State University. Applicant charter schools are asked to formulate and report evidence of success in answer to four renewal questions:

- Is the school an academic success?
- Is the school a viable and effective organization?
- Is the school fiscally sound?
- If the school's charter is renewed, what are its future plans?

The application is reviewed by Institute staff. The staff also conducts a desk audit to both gather additional evidence as well as verify the evidence the school has submitted. This audit

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<sup>8</sup> See <http://www.newyorkcharters.org/resource/reports.html> for detailed information on Accountability Plan guidelines.

<sup>9</sup> See <http://www.newyorkcharters.org/resource/Model%20Progress%20Report1.pdf> for a model Accountability Plan Progress Report.

includes examination of the school's charter, including amendments, Accountability Plan, Accountability Plan Progress Reports, Annual Reports and internal documents (such as school handbooks, policies, memos, newsletters, and Board meeting minutes). Institute staff also examines audit reports, budget materials, and reports generated over the term of the school's charter both by the Institute and the State Education Department.

Thereafter, the Institute conducts a multi-day site visit to the school. Based on a review of each school's application for charter renewal, a lead member of the Institute's renewal visit team works with the school's leadership to design a visit schedule and request any additional documentation the team may require to ensure that analysis of the school's progress is complete (professional development plans, special education plans, school newsletters, *etc.*). Renewal visit team members visit classes, observe lessons, examine student work, sit in on school meetings, interview staff members and speak informally with students. In addition, the team conducts extensive interviews with the school's Board of trustees and administrators.

The evidence that the Institute gathers is structured by a set of benchmarks that are grouped under the four renewal application questions listed above. These benchmarks are linked to the Accountability Plan structure and the charter renewal requirements in the Act; many are also based on the correlates of effective schools.<sup>10</sup>

Following the visit, the Institute's renewal team finalizes the analysis of all evidence generated regarding the school's performance. The Institute's renewal benchmarks are discussed and the lead writer uses the team's evidence and analysis to generate comments under each renewal benchmark. The completed benchmarks present a focus for discussion and a summary of the findings. The benchmarks are not used as a scorecard, do not have equal weight, and support but do not individually or in limited combination provide the aggregate analysis required for the final renewal recommendation.

The Institute then prepares a draft report and provides a copy to the school for its review and comment. The draft contains the findings, discussion and the evidence base for those findings, but does not contain a recommendation. Upon receiving a school's comments, the Institute reviews its draft, makes any changes it determines are necessary and appropriate and determines its findings in their final form. The report is then finalized, recommendations are included, and copies are provided to the members of the Committee on Charter Schools, the other members of the Board of Trustees and the schools themselves. This report is the product of that process.

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<sup>10</sup> See <http://www.effectiveschools.com>.

## **READER'S GUIDE**

This renewal report contains the following sections: Introduction, Reader's Guide, School Description, Recommendations and Executive Summary, Findings and Discussion and completed Renewal Benchmarks. As this guide, the Introduction, and School Description speak for themselves, no guidance is provided for these sections. Guidance as to the remaining sections is set forth below.

### **1. Executive Summary and Recommendations**

The Institute's Recommendations are the end result of its review process. In this section, the Institute provides not only its recommendation as to whether the charter should be renewed, but the recommended terms of any renewal, *i.e.*, short or long-term, grades and number of students it is recommended the school be authorized to serve, conditions under which the charter is renewed, *etc.* Following the recommendations themselves is a short executive summary that lays out in abbreviated form reasons for the recommendation as well as the findings that support the recommendation.

Pursuant to the State University Renewal Practices, the recommendations made by the Institute can take the following forms.

- *Early renewal*: available to schools in the fourth year of the charter that can at that point make a compelling and unambiguous case for renewal. Schools that gain early renewal will then have five full years of instruction before facing renewal again, thus allowing them to concentrate on instruction and providing them with more ready access to capital markets.
- *Short-term planning year renewal*: available to schools that have taken one or more planning years. These schools will be able with limited review to obtain renewal in order to allow them to gather at least four full years of data before facing a full-blown renewal review.
- *Renewal*: available to schools in their fifth year. Schools that have a compelling and unambiguous case for renewal will be eligible for renewal term of five years.
- *Renewal with conditions*: available to schools that 1) have a compelling and unambiguous educational record of success but that have material legal, fiscal or organizational deficiencies that practically cannot be completely corrected by the time of renewal — so long as such deficiencies are not fatal to a determination that the school is fiscally, legally and organizationally sound, or 2) have demonstrated sufficient academic performance for renewal, but require conditions to improve the

academic program. Such conditions may include but are not limited to restrictions on the number of students and grades served.

- *Short-term renewal*: available to schools in their fifth year that present an ambiguous or mixed record of educational achievement, but that have effectively implemented measures to correct those deficiencies and such measures are likely to lead to educational success and students' academic improvement with additional time. Typically, but not always, short-term renewal will be for two years. A short-term renewal may also be coupled with conditions relating to organizational, fiscal or legal deficiencies.
- *Restructuring renewal*: available to schools that have not presented a case for renewal of any kind, but that are voluntarily willing to enter into a restructuring plan whereby the current school would cease instruction at the end of the school's final year of instruction under the current charter and its Board of Trustees would wind up operations of the school. Thereafter, the school's Board would legally commit itself to implementing a wholesale restructuring of the education corporation, including a new Board of Trustees, administrative team, academic program, enrollment and organizational structure, and potentially a new location, which school then could meet and exceed state standards and all the requirements of the Act. Once restructured the education corporation would have authority to recommence instruction.
- *Non-renewal*: where a school does not present a case for renewal (short term, conditional, or otherwise), the charter will not be renewed and the charter will be terminated upon its expiration.

In addition to discussing the recommendations themselves (and any conditions made part of those recommendations), the executive summary also contains the findings required by subdivision 2852(2) of the Education Law, including whether the school, if renewed, is likely to improve student learning and achievement.

## 2. **Finding and Discussion**

The findings are grouped and separated into four sections corresponding to the four questions that a charter school seeking renewal must answer and must provide evidence supporting its answer. They are:

- Is the school an academic success?
- Is the school a viable and effective organization?
- Is the school fiscally sound?
- If the school's charter is renewed, what are its future plans?

Below each group of findings is a summary of the evidence supporting the finding. This evidence is a synthesis of information gathered over the life of the school's charter and is analyzed through the lens of the Institute's Renewal Benchmarks (available on the Institute's website).

The ordering of the findings—with those regarding a school's academic performance and outcomes placed first—reflect the fact that renewal of a State University authorized charter is primarily based on a school's progress towards performance-based goals that the charter school and the Institute agreed to in the school's Accountability Plan. However, while success in meeting these goals is the primary determining factor, the school's ability to demonstrate that its educational program as implemented is effective and that the organization is viable, fiscally stable and in compliance with applicable law are also important factors. So, too, the school must be able to show that its plans for the charter renewal term are feasible, reasonable and most of all achievable.

### **3. Renewal Benchmarks**

The Renewal Benchmarks section contains each renewal benchmark together with a review of the pertinent evidence gathered during the renewal cycle. As noted earlier, the benchmarks, similar to the findings, are grouped under the four renewal questions.

## **SCHOOL DESCRIPTION**

The Central New York Charter School for Math and Science (Central New York or CNYCS) was approved by the State University Board of Trustees in January of 2000 and by the Board of Regents in April of that year. The school has been housed since it opened in September 2000 in two connecting buildings at 601 E. Genesee Street in Syracuse that formerly were science teaching and laboratory facilities for Syracuse University. The charter called for 528 students in Kindergarten through sixth grades in the school's first year, rising to 816 students in Kindergarten through 10<sup>th</sup> grades by the end of the five-year charter. At the time of the renewal visit in November 2004, the school enrolled 549 students in Kindergarten through sixth grades.

The mission statement of the Central New York Charter School for Math and Science is as follows:

*To use a partnership between educators, families, and community members to create a school where students learn by doing and achieve at levels that exceed the New York State Performance Standards. Students will learn 21<sup>st</sup> Century Workplace Skills including Digital Age Literacy, Inventive Thinking, Effective Communication, and High Productivity.*

Since the school's inception, the school's Board of Trustees has contracted with Beacon Education Management (later merged with Chancellor Academies to become Chancellor Beacon Academies, and most recently acquired by Imagine Schools) for its management. Beacon Education Management offered the "Lightpoints" curriculum. Imagine Schools ("Imagine") operates elementary and secondary charter and independent schools under contract to local schools' governing boards. Imagine states its goal is "to provide each student with a challenging, effective program of study and strong moral development in a safe, nurturing learning environment."<sup>11</sup>

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<sup>11</sup>[www.imagineschools.com](http://www.imagineschools.com), accessed December 13, 2004.

## **RECOMMENDATION AND EXECUTIVE SUMMARY**

**Recommendation:** The Charter Schools Institute recommends that the State University Board of Trustees not approve the application for charter renewal submitted by the Central New York Charter School of Math and Science and that the educational program of the Central New York Charter School of Math and Science *i.e.*, the school, not be renewed and close at the end of the present school year. As the Central New York charter expires during the course of the current school year, the Institute further recommends that the charter be renewed through and including December 31, 2005, which will allow the school's Board of Trustees to provide instruction under the terms and conditions of the original charter through the end of the current school year, terminate the education program at the end of the 2004-05 school year and wind up the affairs of the school in an orderly fashion. Pursuant to the foregoing recommendation, the school's Board of Trustees will have no authority to provide instruction, including, but not limited to, summer school, beyond the end of the current school year.<sup>12</sup>

### **Summary Discussion**

Central New York is located in Syracuse, New York and partnered with Imagine (formerly Chancellor Beacon), a for-profit educational service provider, *i.e.*, management company. The school provides instruction in grades Kindergarten through six with a current total enrollment of approximately 549 students. The school has applied for a two-year short-term renewal charter.

In order for a charter school to qualify for short-term renewal, the school must be able to present student assessment data that, at the very least, presents a mixed record of academic success. In addition, the school at the time of renewal must have in place the personnel, programs and structures, such that, if the school were allowed more time to operate, the school would be likely in that time to produce improvements in student achievement and meet its Accountability Plan measures and goals, or at the very least make significant and consistent progress towards them. Based on all the evidence gathered during the charter period, the Institute has not made and can not make that finding.

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<sup>12</sup> Pursuant to the *Practices, Policies and Procedures for the Renewal of Charter Schools Authorized by the State University Board of Trustees* (revised January 25, 2005 and available on the Institute's website [www.newyorkcharters.org](http://www.newyorkcharters.org)), the school's Board of Trustees may seek a restructuring of the charter before December 31, 2005, to allow the continued corporate existence of the education corporation and possible re-use of the charter by future applicants.

As set forth in detail in the findings and benchmarks, over the first four years of the charter, the school has not met most of its Accountability Plan goals and key outcome measures in math and English Language Arts. Compared to the Syracuse City School District, the school has consistently posted results on the New York State fourth and eighth grade assessments that are substantially lower than the district's, and the absolute percentage of students who are proficient has been low. In the fourth year of the charter, the scores in the fourth grade dropped substantially. On a value-added basis, the school generally met its Accountability Plan measures in the early years; however, there was little evidence of growth between the 2002-03 and 2003-04 school years. As such, the data the school has amassed is generally not strong. However, as indicated primarily by the early value-added data, it is not uniformly negative. Taken collectively, the student assessment outcomes are appropriately characterized as ambiguous and inconsistent.

However, during the renewal visit conducted in early November, the Institute's renewal inspection team was not able to find that the program and personnel in place were of sufficient strength to warrant that the school be renewed even for a short-term. As the findings and evidence throughout the report indicate, the inspection team found that the education program was severely deficient in several respects. While the administrative team and the teachers had worked hard in the fourth and fifth year of the charter to build a school culture that valued learning, overall the level of instruction was not rigorous. The curriculum of the school existed essentially in outline form—and was not fully aligned to the state's standards. Alignment and creation of seamless scope and sequences grade-to-grade depended on the ad hoc interventions of grade-level teams of teachers: some of those teams were successful; others were not. Notably, at the time of the renewal inspection, the school did not have a fully developed writing program in place. Moreover, the school did not have a remediation program in place in the upper grades; due to a Reading First grant, a remediation program existed in the lower grades.

At the organizational level, the Institute found that the school is not a fully viable entity. While the school's Board of Trustees is to be commended for having taken some steps over the years to pressure Imagine/Chancellor Beacon to provide the school the services due under the management contract, its actions were not sufficiently effective. Based on the evidence gathered, the Board of Trustees' oversight of the educational program did not result in a viable and successful education program—or in the management company (Imagine/Chancellor Beacon) providing the services and personnel that the school required. Indeed, the Institute has found that the program is under-resourced and that Imagine/Chancellor Beacon provided almost no services related to improvement of the educational program in the latter years of the charter. Moreover, even at this late stage, the school is only beginning to conduct a comprehensive review of its program and fashion a corrective action plan for it. Finally, while parents indicate support for the school in surveys, the two essential measures of support (and organizational viability) indicate otherwise. The rate of student turnover during the charter has been consistently high, and the school has not been able to attract enough students to meet its enrollment goals.

Overall, then, the Institute finds that the personnel, programs and structures in place, in quantity or quality, are not sufficient to make it likely that the school would meet its

Accountability Plan goals—or make significant progress towards them—if the school were given more time.

Accordingly, for these reasons, and based on the other findings and evidence set forth in more detail in this renewal report, the Institute recommends that the school not be granted a short- or full-term renewal. Rather, the Institute recommends that the school program that Central New York is currently operating be terminated at the end of the 2004-05 school year and that renewal be granted for the purpose of completing current instruction and allowing the corporation to orderly wind up its affairs.

## FINDINGS AND DISCUSSION

### 1. Is the School an Academic Success?

- Finding 1: The Central New York Charter School for Math and Science has for the most part not met the key academic outcomes in English Language Arts (ELA) and mathematics it set for itself. While the school met most of its value-added measures for two years, students showed little value-added progress in 2003-04 and remained far below grade-level. Over the four years of the charter, results on fourth grade state examinations in ELA and math have been low and inconsistent. In 2004, for students who have been at school for two or more years, four of five students were below standards in ELA and three of five students were below standards in math.*
- Finding 2: Even well into the school's fifth year, the school does not have either a comprehensive curriculum and established scope and sequence aligned grade-to-grade with New York State standards or a working and aligned internal assessment system. In their absence, the school relies on fragmented and ad hoc teacher initiatives of varying quality and scope. Of particular note is the absence of a writing program.*
- Finding 3: The recent Reading First initiative is enhancing early reading instruction. However, the quality of instruction overall, while well-meaning and caring, is inconsistent and lacks rigor in the absence of sufficient instructional oversight, professional development and critical feedback to teachers.*
- Finding 4: The school has achieved a marked improvement in student behavior and students largely come prepared to learn. However, the school has not taken full advantage of this important success. Despite efforts to improve instruction, students are under-challenged, and the school does not maximize opportunities for students to move to grade level and beyond.*
- Finding 5: The school's remediation program is ineffective, because of unclear oversight and coordination, as well as limited personnel. The Reading First Program is an exception. There is very limited remediation in fifth grade and none in sixth grade.*
- Finding 6: The school has developed coherent grade level teams of teachers and their concerted, dedicated efforts have yielded common lesson planning and instructional pacing.*

At the end of its fourth year of operation, CNYCS continues to fall far short of the academic outcome objectives set forth in its Accountability Plan (the “Plan”). That Plan (Goal I, Measure 2) called for 75 percent of students enrolled at CNYCS for two or more years to perform at or above Level 3 on the New York State Math assessment. In actuality, in the 2003 administration of the test, only 40 percent of such students enrolled performed at Level 3, and none performed at Level 4. The Plan (Goal I, Measure 3) also called for a greater percentage of CNYCS students enrolled in the school for two or more years to perform at or above Level 3 than students in the Syracuse School District; in actuality, significantly more students scored at Level 3 or above in the district than in CNYCS. In English Language Arts, the Plan (Goal III, Measure 2) called for 75 percent of students enrolled at CNYCS to perform at Level 3 or above on the New York State English Language Arts assessment. In 2003, a remarkably low 19 percent of such students performed at Level 3 or 4. The school also failed to meet its comparative measure of ELA performance; 39 percent of students in the Syracuse school district performed at Levels 3 and 4 in 2003, compared to the school’s 19 percent.

To gauge academic success by measuring year-to-year achievement (the “value-added” the school provides the children it enrolls), CNYCS has administered the Stanford 9 test. This test is a nationally-normed standardized achievement test administered to hundreds of thousands of students across the United States. While the school reports that it met many of its value-added measures in early years, its students made little progress in 2003-04.

At the time of the renewal visit in the fall of the school’s fifth year of operation, CNYCS had yet to establish a rigorous learning environment for its students. In the early years, the school struggled with the unruly behavior of students and poor classroom management by teachers, as noted in annual reports by the Institute. By the fifth year, behavior was markedly improved, but the school had yet to establish a rigorous, focused environment where students are consistently on task, transitions between activities are brisk, students are undistracted, and learning is prized.

The school initially adopted the curriculum, known as Lightpoints from its management company, Beacon Education Management. Later, the school adopted standards devised by Chancellor Beacon Academies (CBA), the company that resulted from the merger of Beacon and Chancellor Academies (subsequently acquired by Imagine Schools). Despite the substantial fee charged by the management company, interviews with school personnel during the renewal visit reveal that Imagine provides minimal academic services to the school.

Imagine provides the standards that, at least in principle, guide teachers in establishing the purpose of their lessons, and Chancellor Beacon has in the past provided some analysis of results on state tests and the Stanford 9. However, there was no evidence that the management company takes any broader responsibility for the school's academic program and operations. Despite the school's chronic poor performance on state and national tests, there was no evidence that the management company provides a detailed and coherent curriculum in every grade and subject;<sup>13</sup> delivers professional development to the school's faculty; selects instructional programs and ensures their accurate implementation; observes, coaches, and provides detailed feedback to teaching staff on their instruction; provides rich and detailed analysis of the school's academic strengths and weaknesses to the school leadership team and its Board; or otherwise provides the kind of instructional management the school so manifestly lacks. Much of the instruction observed during the renewal visit was undistinguished and teacher expectations of students were dishearteningly low.

The school took an important step forward in 2004 with the award of a Reading First grant. The intensive focus on reading skills that the grant program provides is aiding CNYCS students in Kindergarten through the third grade, but the program has no impact on students in the school's upper grades. The school's remedial program is understaffed and inadequate; there was no evidence of remedial assistance to students in the sixth grade.<sup>14</sup>

## **2. Is the School an Effective, Viable Organization?**

*Finding 1: Parents express reasonable levels of satisfaction with the school, although the school did not meet its Accountability Plan goal in this regard. On the ultimate test of satisfaction, enrollment and retention, the school is operating well below capacity with no waiting list. Student turnover is also very high.*

*Finding 2: The Board has failed and is failing to hold the management company accountable for its obligation to assist the school in meeting its Accountability Plan goals, especially as the school receives limited and declining value from its management company, including almost no educational support services; nor to date, has the Board sought in a meaningful way alternative management arrangements. Despite*

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<sup>13</sup> The school has recently reported that Imagine is now in the process of preparing such a curriculum, though a review of the parts that are completed to date do not suggest that it is much different than the present curriculum outlines or that it will provide the detail necessary for the instructional staff to develop a well-constructed scope and sequence.

<sup>14</sup> The school has recently reported that it added an additional staff person as of November 30, 2004.

*notice from the administrative staff, the Board does not even appear to understand the extent of this problem.*

*Finding 3: After having opportunities to learn how to properly evaluate the administrative team, even in the fifth year, the Board has failed to set goals for the present administration team and as such has failed in one of its key oversight responsibilities.*

*Finding 4: The school is under-resourced in its staffing and academic supports.*

*Finding 5: In its fifth year, the school is only beginning to establish a science and technology program in accordance with its charter and has acknowledged that it cannot fulfill this part of its mission in the near-term future.*

*Finding 6: Based on evidence to date and a review of relevant policies and procedures, other internal controls, Board minutes and interviews, the school is deficient with respect to certain elements of charter compliance including enrollment notification and maintenance of before-school and after-school programs, Freedom of Information Law compliance, the provision of alternative instruction, the existence of a working complaint policy and conformance of one provision of the school's by-laws to the Open Meetings Law. Otherwise, the school appears to have been, and presently appears to be, generally in compliance with the Charter Schools Act, applicable provisions of the New York Education Law and other New York law, applicable federal law (e.g., I.D.E.A., F.E.R.P.A.), and its by-laws.*

As an organization, CNYCS has suffered from weak and inadequate oversight by its Board of Trustees, repeated changes in its chief executive, and lack of engagement by its management company in the school's academic programs.

Despite the renewal application's assertion that "our current Board structure has provided effective over-site [*sic*] and support for the school" throughout its charter, the Board has failed to hire and retain an administrative team with the skills and capacity to provide strong instructional oversight to the school's faculty.<sup>15</sup> As a result, instructional staff has never been provided the intensive professional development, observation, coaching, feedback, evaluation, and intervention they need to develop their skills and deliver high quality instruction. The current Director, promoted from Assistant Director, is the school's fourth in five years. Moreover, and despite the turnover in leadership, and the attendant learning opportunities for the Board, Trustees indicated that the Board had still not set goals for the

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<sup>15</sup> See renewal application, page 45.

performance of the current Director for the 2004-05 year at the time of the renewal inspection. In their comments on the draft of this report, the Board reports that it is in the process of finalizing such goals in collaboration with its management company.

The Board has also failed to provide appropriate oversight as to its contract with the school's management company, Imagine Schools, resulting in the school being severely under-resourced, especially in regards to development of internal assessment systems, a full and aligned curriculum, and ongoing, intense and effective professional development of teachers. Despite having contracted to do so, the management company has demonstrably failed to provide academic services to the school and to ensure that the school meets its Accountability Plan. At the time of the renewal visit in November, such services, which had been sparse throughout the first four years of the charter, were almost nonexistent.

Despite this critical fact, the Board has done little to hold the company accountable in this regard and insists that it take all necessary steps to improve the quality of the school's academic program and meet the measures set forth in the school's Accountability Plan. In an interview with Board members, held as part of the renewal visit, Trustees offered no evidence that they had held the management company accountable for its performance as regards to the educational program.<sup>16</sup> Indeed, the Board did not appear to regard the present level of services as inadequate in this regard; some Board Trustees even asserted that services were being provided that were not.<sup>17</sup>

In contrast with its inadequate performance in regards to oversight over the educational program, the Board has taken steps to hold Imagine/Chancellor Beacon accountable for providing organizational and fiscal support. In particular, the Board of Trustees has negotiated a reduction in fees and a loan forgiveness based on the management company's failure to provide such services. In the fifth year, the Board also took steps to seek local alternatives to Imagine for the provision of fiscal and organizational supports—and appeared to have reached an agreement with the company to reduce the fees owed on a dollar-for-dollar basis.

Despite the school not receiving the necessary services to support excellence in its core business of educating students entrusted to it, and having to repeatedly threaten the management company to receive

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<sup>16</sup> In response to the draft report, the Board noted that it did object successfully to Beacon's proposed reductions in staffing levels in 2002, which Beacon had suggested when the school could not meet its enrollment targets.

<sup>17</sup> This lack of awareness is difficult to understand given that the Board had asked for, and received from the school administration, a report on the services that the management company was and was not providing.

important but ultimately less important financial and organizational supports, the Board at the time of the renewal visit appeared focused on making the relationship with its management company work rather than seeking alternatives to Imagine. And while the Board has cited stability as a concern, and has indicated that if performance during this year does not improve, it would seek alternative arrangements, the Board had made this determination based upon a history of inadequate and non-performance—and no showing by the new entity, Imagine, of a track record of success in successfully raising achievement in schools similar to Central New York.

Organizational weaknesses are not limited to the Board and administrative level. Unsurprisingly, given the school's weaknesses and undistinguished reputation, CNYCS is not fully enrolled. The school's Accountability Plan (Goal I, Measure 2) calls for enrollment levels of 85 percent of capacity and a waiting list equal to 15 percent of the school's population. While the school has made slow but steady progress in increasing enrollment and reports in its renewal application that it was operating at 94 percent of capacity in 2003-2004 (up from 55 percent in the first year), the school has not met the measure's requirement for a waiting list. On another measure of the school's organizational viability, parental satisfaction (Goal I, Measure 1), the school also fell short of its plan (despite the renewal application's assertion of "goal met"), with 73 percent of its parents in the most recent survey rating the school's academic program, communication, and child's progress as good or excellent, versus the measure's requirement of at least 80 percent. Moreover, the school has seen high rates of student turnover throughout the charter period.

The school has also failed to live up to its mission of becoming a school of math and science. At the end of the school's charter, and despite some efforts to bolster the science curriculum in particular, students perform below that of the Syracuse district in both math and science, and the school's Board and staff acknowledge that the school is, for the time being, largely a math and science school in name only.

### **3. Is the School Fiscally Sound?**

*Finding 1: The Board has provided effective financial oversight during the term of its first charter.*

*Finding 2: Throughout the life of its charter, the school has consistently and in a timely fashion met its financial reporting requirements and maintained appropriate internal controls.*

*Finding 3: The school's financial condition has been weak throughout its existence. While it has not always operated with a balanced budget, cash flow has never been a problem. Employees and vendors were all paid in a timely fashion.*

Over the life of the charter, the Board has conducted the mechanical functions of overseeing the financial operations of the school. In addition, there is evidence that the Board took steps to address concerns about financial and budget related issues directly with its management partner, including seeking loan forgiveness, fee rebates and additional resources directed to the school. However, the value and level of services received from its management partner appeared to decline over the charter period and, as to the educational program, was clearly inadequate (see Benchmarks 2C.1-2 and findings regarding Question 2).

The school has complied with financial reporting requirements and submitted annual financial statement audit reports with unqualified opinions indicating that the school's financial statements fairly represent its financial position. Reports have been prepared and the school has followed generally accepted accounting principles. The school has established and maintained appropriate internal controls. The school has operated pursuant to a long-range fiscal plan and has produced realistic budgets over the term of the charter.

From a purely financial perspective, the school is a marginally viable entity. Although the school had a deficiency of revenues versus expenses in three of its first four years, cash flow has never been a problem. The school completed its latest year in weak financial condition although it made some significant progress toward eliminating its accumulated deficit. The school had an increase in net assets of \$432,322 and finished with a net asset deficiency of \$342,804.

#### **4. What Are the School's Plans for the Renewal Period and Are They Reasonable, Feasible and Achievable?**

*Finding 1: CNYCS's curricular and assessment proposals for the term of a future charter do not provide the Institute confidence that the school has a reasonable, feasible, and achievable plan for rapidly improving the quality of instruction at CNYCS, and in turn, elevating student outcomes.*

*Finding 2: Under the Accountability Plan proposed by Central New York Charter School for Math and Science for the renewal period, the school would be considered performing ten years after the school's founding even*

*while between 25 percent and 40 percent of students were not meeting the state's standards. With so many students continuing to fall short of state standards, the Plan is not reasonable, and the school would neither meet the statutory objectives of the New York charter law nor represent a worthy continuing investment of public funds.*

*Finding 3: The school faces significant challenges in regard to maintaining its fiscal viability and there can be no certainty it will meet them.*

While the recent implementation of the Reading First Program represents an important first step in improving instruction at CNYCS, the school has not provided in its renewal application compelling plans for significantly and rapidly improving instruction at the school, and in turn, elevating student performance on state tests. CNYCS's plans for changes to curriculum and pedagogy, governance, assessment, and staff development are vague and platitudinous. In light of current performance levels at the school, the Institute would have expected the school's Board and administration to, at a minimum, set out a comprehensive turnaround plan for the school, along with evidence that it had the leadership, resources, and discipline to implement the plan successfully. That important work has not been done, though in a response to this report in draft form, the Board of the school reports that such a review is now underway.

The proposed Accountability Plan for a second charter term submitted by CNYCS as part of its renewal application sets out academic performance goals for which the school would be held accountable. The goals reflect an unacceptably low level of student performance at CNYCS, even in the school's tenth year of operation. Under the proposed plan, between 25 and 40 percent of students, depending on the subject and grade, would still not meet the state's academic standards. While the Plan may be "feasible" as required by the Institute's benchmarks, it is not reasonable. With so many students falling short of proficiency, CNYCS would not advance the fundamental statutory purpose of the Charter Schools Act of 1998, namely, to improve student learning and achievement and to provide children with new educational opportunities superior to existing options. As such, the school's proposed Accountability Plan undermines the school's case that it represents a compelling continuing investment of public funds.

At the end of this charter period, the school is in a weak but improved financial position. Looking forward, the school's fiscal stability would depend on its ability to meet the following four challenges. First, the school would face increased competition from the city school district for students, which would impact whether it can achieve its enrollment

goals. Second, the per-pupil funding that the school receives is substantially lower than other charter schools in the state and the school has not developed a track record of fundraising to offset this imbalance. Third, the existence of relatively high fixed costs related to its facility would limit the Board's flexibility in allocating resources. Fourth and last, the status of the school's relationship with its management partner remains uncertain.

## RENEWAL BENCHMARKS

Evidence Category	Benchmarks	
<p><b>Renewal Question 1</b></p> <p><b>Is the School an Academic Success?</b></p>		
<p><b>Benchmark 1A</b></p> <p><b>Academic Attainment &amp; Improvement</b></p>	<p><b>1A.1.1</b></p>	<p><b>Absolute Measures (New York State Assessments):</b> The school meets or has made meaningful and consistent progress towards meeting the outcome measures contained in its Accountability Plan over the term of the school’s charter.</p>
	<p><b>1A.1.2</b></p>	<p><b>Comparative Measures:</b> The school meets or has made meaningful and consistent progress towards meeting the outcome measures contained in its Accountability Plan over the term of the school’s charter.</p>
	<p><b>1A.1.3</b></p>	<p><b>Value Added Measures:</b> The school meets or has made meaningful and consistent progress towards meeting the outcome measures contained in its Accountability Plan over the term of the school’s charter.</p>
	<p><b>1A.1.4</b></p>	<p><b>NCLB Measure:</b> The school has made adequate yearly progress as required by NCLB.</p>
	<p><b>1A.1.5</b></p>	<p><b>Unique Academic Measures:</b> The school meets or has made meaningful and consistent progress towards meeting the outcome measures contained in its Accountability Plan.</p>

The Central New York Charter School for Math and Science has for the most part not met the key academic outcomes it set for itself in English Language Arts (ELA) and mathematics. While the school met most of its value-added measures for two years, students showed little value-added progress in 2003-04 and remained far below grade-level. Over the four years of the charter, results on the fourth grade state examinations in ELA and math have been low and inconsistent. In 2004, for students who have been at the school for two or more years, four of five students were below standards in ELA and three of five students were below standards in math.

In its absolute level of performance on the fourth grade state examinations, CNYCS has remained far from meeting its criterion of success. While the school made

progress from 2000-01 through 2002-03 in the percent of students meeting standards on the fourth grade ELA and math tests, there was a notable decrease in 2003-04 on both examinations.

The absolute outcome measures in the school's Accountability Plan are stated as the percent of students enrolled in the school for at least two years who score at Levels 3 and 4 on the state examinations. The year-to-year trend for the performance of these students follows the same pattern as that for all fourth graders: in 2001-02 and 2002-03 (its second and third years), there was a steady increase in the percentage of students enrolled for two years who scored at Levels 3 and 4. In 2003-04 (its fourth year), the percentage fell strikingly, especially in ELA. Indeed, in 2003-04, students enrolled in the school for at least two years performed *no better* on the ELA and math examinations than the entire population of 2003-04 fourth graders.<sup>18</sup> In addition, these fourth-year ELA results were *lower* than those of the fourth graders who took the test in 2000-01, the first year of the school's charter.

In science, Central New York showed minimal improvement over the three years in which the fourth grade science test was reported. In 2003-04, the school remained far below the stated absolute level of performance, despite being the "charter school for math and science."

In its comparative level of performance on the fourth grade state examinations, CNYCS has consistently performed below the Syracuse City School District. The trend-line parallels that of the absolute results. In 2002-03 (the third year of its charter), the school narrowed the gap compared to 2000-01 and 2001-02 (the first two years) between it and the city district, especially in ELA, but in the fourth year the school fell much further behind the district in both ELA and math.

In its renewal application, Central New York includes a comparison to four Syracuse city schools. These comparisons had not been included in the Accountability Plan that the school presented to the Charter Schools Institute. The four schools are presented as comparable schools to CNYCS, but in fact only one of these Syracuse City School District schools is in the same Similar Schools Comparison Group according to the most current State Education Department (SED) analysis.<sup>19</sup> Setting these demographic differences aside, in 2002-03 CNYCS did have a higher percent of students at Levels 3 and 4 on the mathematics examination than three of the four schools, and the same as three but lower than one on the ELA examination. In 2003-04, the performance level for all these schools along with those of Central New York decreased, such that CNYCS's performance relative to them was essentially unchanged from the previous year. Despite differences in its school profile, CNYCS performed about the same as the other four schools, where the vast majority of students failed to meet state standards.

On the value-added outcome measures, based on year-to-year gains on the Stanford 9 test administered in each grade, the pattern of results over the charter aligns with those discussed above. In 2001-02, CNYCS met its value-added goals in both reading and math. In 2002-03, the school did better than 2002-02, exceeding its goals in both subjects. In 2003-04, there was again a fall-off in performance. Neither the

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<sup>18</sup> Among students enrolled in the school for at least four years, a higher proportion did score at Level 3 and 4 on the 2003-04 mathematics examination. However, the proportion is still far below the school's desired level of performance on the absolute outcome measure. Further, these students represent only one-fourth (19 of 71) of all tested fourth graders.

<sup>19</sup> SED's 2002-03 School Report Cards indicate that three of the four schools reported considerably higher free-lunch-eligibility statistics than Central New York reported. This proxy for family income is highly correlated with academic achievement.

school's reading goal nor math goal was met. In fact, the reading performance of this cohort showed a year-to-year decrease.<sup>20</sup>

Ultimately, the purpose of the value-added analysis is to demonstrate not only the annual impact of the instructional program on that year's cohort of students, but, more importantly, that the program has added sufficient value to achievement such that the progress of students in a grade cohort over time is enough to put them/keep them on track to attaining a desired achievement level (*e.g.*, grade level or proficiency) by the time they graduate. The value-added data do not support this conclusion. Students in the CNYCS's upper grades have not come closer to achieving grade level, suggesting that they are not being prepared adequately to succeed in middle school. The overall results for the school in fall 2004 are about the same as they were in spring 2001. The cohort of students included in the 2003-04 analysis scored at about the 30<sup>th</sup> percentile in both reading and math compared to the Stanford 9's national samples.<sup>21</sup>

The State Education Department has deemed CNYCS to be a *Charter School in Good Standing*, which indicates that the school has not failed to make adequate yearly progress for two successive years under the NCLB requirements. CNYCS includes a unique outcome measure in science (see below) in its Accountability Plan.

Overall, the small proportion of students that are attaining proficiency on fourth grade state examinations indicate that most CNYCS students are not being prepared for middle school. CNYCS has consistently under-performed the district and has had mixed results when contrasted to the Syracuse schools it included in its renewal application for comparison purposes. Over the life of the charter, achievement in ELA and math, based on all three key outcome measures, increased from the first to the third year and dropped off in the fourth year. These results leave the school at the end of the charter period at the same low level of achievement as it had in its first year.

### ***Accountability Plan Outcome Measures***

In its Accountability Plan, CNYCS set outcome measures to demonstrate its academic success in the key subjects of English Language Arts (ELA) and mathematics, as well as science and social studies. The outcome measures include the following three required types: 1) the absolute level of student performance on state examinations; 2) the comparative level of student performance on state examinations; and 3) the value-added to student learning according to year-to-year comparisons of student cohort performance on a school-selected standardized test.

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<sup>20</sup> In the renewal application, the value-added analysis reaches similar conclusions to what is presented here. However, the analysis and data on which its conclusions are based diverge to some extent from those of the Institute. The results in the renewal application do not include 2003-04, because at the time of submission 2003-04 post-test data were not available. As tests were lost in transit to the publisher in spring 2004, the school administered the tests again in the fall and recently submitted year-to-year results for fall 2003 and fall 2004. Secondly the renewal application reports results in NCEs rather than percentiles, which is the metric stated in its Accountability Plan. The Institute converted the NCEs to percentiles. Thirdly, the renewal application presents an analysis of the cohort of students who have been in the school for two years (2001-03), which is additional information, not stated in the Accountability Plan's outcome measure. Finally, the Institute's analysis of the school's math data files yields slightly different result from those presented in the renewal application.

<sup>21</sup> A fall administration of a test typically yields lower scores than a spring administration. Nevertheless, given that grade level is the 50<sup>th</sup> percentile, these scores are still extremely low.

The following tables indicate the specific outcomes CNYCS set for itself and the school's annual results.<sup>22</sup>

In addition to being held to these accountability measures, CNYCS is expected, under the federal No Child Left Behind Act (NCLB), to make adequate yearly progress toward enabling all students to score at the proficient level on the state ELA and math examinations. In holding charter schools to the same standards as other public schools, the state issues a school accountability report. CNYCS's accountability status in the most recent report is indicated below.

Besides the three required outcome measures, and the NCLB outcome measure, the school may also have included as part of its Accountability Plan additional self-selected academic outcome measures. These various outcome measures constitute the renewal benchmarks for academic attainment and improvement.

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<sup>22</sup> Social studies scores are not available for 2002-03. As 2000-01 was the school's first year of operation, there are no value-added cohort results for that year.

*Absolute Level of Performance on State Examinations*

Accountability Plan		Results				
Subject	Outcome Measure	Grade	School Year			
			2000-01	2001-02	2002-03	2003-04
ELA	<b>Seventy-five percent</b> of students enrolled at CNYCS for Math and Science for <b>two or more years</b> will perform at or above Level 3 on the New York State English Language Arts Assessment, administered to 4 <sup>th</sup> grade students every year.	4	26.0% <sup>1</sup>	<b>31.6%</b>	<b>45.0%</b>	<b>19.1%</b>
Math	<b>Seventy-five percent</b> of students enrolled at CNYCS for Math and Science for <b>two or more years</b> will perform at or above Level 3 on the New York State Math Assessment.	4	34.1% <sup>1</sup>	<b>26.3%</b>	<b>52.0%</b>	<b>40.0%</b>
Science	<b>Seventy-five percent</b> of students enrolled at CNYCS for Math and Science for <b>two or more years</b> will perform at or above Level 3 on the New York State Science Assessment, <sup>2</sup> administered to 4 <sup>th</sup> grade students every year as soon as the test, in its final format, is made ready.	4	N/A	26%	34%	<b>53.6%</b>
Social Studies	<b>Seventy-five percent</b> of students enrolled at CNYCS for Math and Science for <b>two or more years</b> will perform at or above Level 3 on the New York State Social Studies Assessment, administered to 5 <sup>th</sup> grade students every year.	5	N/A	N/A	N/A	<b>54%</b>

<sup>1</sup>Results are for all tested students irrespective of time enrolled.

<sup>2</sup>Results on the science exam in 2000-01 to 2002-03 represent the proportion of students answering a pre-determined number of questions correctly (*i.e.*, the state designated level).

*Comparative Level of Performance on State Examinations*

Accountability Plan		Results					
Subject	Outcome Measure	Grade	Comparison	School Year			
				2000-01	2001-02	2002-03	2003-04
ELA	A greater percentage of CNYCS for Math and Science students enrolled in the school for two or more years will perform at or above Level 3 on the New York State Language Arts Assessment than will students in the Syracuse City School District.	4	CNYCSMS	N/A	31.6%	45.0%	19.1%
			Syracuse	N/A	36.0%	48.5%	39.1%
Math	A greater percentage of CNYCS for Math and Science students enrolled in the school for two or more years will perform at or above Level 3 on the New York State Math Assessment than will students in the Syracuse City School District.	4	CNYCSMS	N/A	26.3%	52.0%	40.0%
			Syracuse	N/A	45.0%	69.7%	63.1%
Science	A greater percentage of CNYCS for Math and Science students enrolled in the school for two or more years will perform at or above Level 3 on the New York State Science Assessment than will students in the Syracuse City School District.	4	CNYCSMS	N/A	26%	34%	36%
			Syracuse	N/A	53%	61%	65%
Social Studies	A greater percentage of CNYCS for Math and Science students enrolled in the school for two or more years will perform at or above Level 3 on the New York State Social Studies Assessment than will students in the Syracuse City School District.	5	CNYCSMS	N/A	N/A	N/A	54%
			Syracuse	N/A	N/A	N/A	N/A

*Value-Added to Student Learning According to Spring-to-Spring Cohort Gains*

Accountability Plan		Results				
Subject	Outcome Measure	Grades	School Year <sup>1</sup>			
			2000-01	Sp 2001- Sp 2002	Sp 2002- Sp 2003	F 2003- F 2004
Reading	Each cohort of CNYCS for Math and Science will achieve an average of a <b>4 point percentile rank improvement</b> per year on the total reading score on the Stanford 9.	All	N/A	5.8	7.0	(-2.8)
Math	Each cohort of CNYCS for Math and Science will achieve an average of a <b>4 point percentile rank improvement</b> per year on the total math score on the Stanford 9.	All	N/A	3.7	12.1	1.0

<sup>1</sup> Year-to-year results are based on the spring administration of the Stanford 9 test. Because the tests were lost in transit to the publisher in spring 2004, spring 2003-to-spring 2004 results are not available. For the 2003-04 school year, the fall administrations of the test are used instead.

*Adequate Yearly Progress as Required by NCLB*

The State Education Department's School Accountability Report states CNYCS's 2003-04 School Accountability Status: *Charter School in Good Standing*, which indicates that the school has not failed to make adequate yearly progress for two successive years.

*Student Achievement According to Unique Academic Measures*

Accountability Plan		Results	
Subjects	Outcome Measure	Grades	School Year
			2003-04
Science	<b>Seventy-five percent</b> of students enrolled in CNYCSMS in grade five and above will demonstrate 21 <sup>st</sup> Century skills of inventive thinking, effective communication, and high productivity through their participation in the Annual Science Fair. Student work will be evaluated through a rubric created by staff.	5-6	An evaluation of student work using a staff-created rubric is not reported in the Renewal Application.

<p><b>Benchmark 1B</b></p> <p><b>Use of Assessment Data</b></p>	<p><b>1B</b></p> <p><b>The school effectively and systematically uses assessment and evaluation data to improve instructional effectiveness and student learning.</b></p> <p>A school that fully meets this benchmark will have put in place during the life of the charter a system for the effective use of assessment data. Such a system would include at least the following elements.</p> <ul style="list-style-type: none"> <li>● the collection and analysis of student performance data, including data gathered from an analysis of student work pursuant to a set of well-defined and well-aligned standards;</li> <li>● the use of assessment instruments and data to determine accurately whether State performance standards and other academic goals are being achieved;</li> <li>● the use of assessment data to make changes and improvements, where the data indicates a need, to curriculum and instruction;</li> <li>● the regular communication between teachers and administrators of assessment results and a common understanding between and among teachers and administrators of the meaning and consequences of those results; and</li> <li>● the regular communication to parents of assessment data to assist them in their efforts to improve student learning and achievement.</li> </ul> <p>More generally, a school should be able to demonstrate a system where performance standards, instruction, required student work and assessments are integrated and have led to increased student knowledge and skills.</p>
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Interviews with staff members during the Institute’s renewal visit consistently described a very limited involvement by the school’s contracted management company, Chancellor Beacon Academies, now known as Imagine Schools, in the school’s academic program. That involvement appears to be confined to the provision of curriculum standards and some analysis of student scores by Chancellor Beacon’s assessment specialist on the Stanford 9 test, administered to all students. This analysis, which the leadership team finds valuable, breaks down results by skill area, but does not drill down to the strengths and deficits of individual students. By the time of the renewal visit in November, the school had still not received an analysis for the current year. Grade-level teams of teachers review the standardized test results themselves, without the benefit of assessment expertise: “The team discussed results for the entire grade—how it looked, how we felt about it,” explained one teacher.

The school does not use assessment data in a systematic way to inform teachers’ practice throughout the school year. In the fourth grade (where the state’s tests are administered), teachers administer on Fridays a portion of previous years’ state tests. The teachers score the tests over the weekend and reconstitute student groupings on Monday. The school’s Curriculum and Assessment Specialist consultant said the

school is trying to do this at other grade levels, but “there were no available instruments.” The Director reported that some grade-level teams make use of “informal assessments,” but this was not school policy; the teams develop tests at their own discretion. For example, the sixth grade team decided on its own to give the Brigance test. There are no consistent grade-level expectations for student writing at CNYCS and no program of writing assessment.

Stanford 9 data are one factor used to determine eligibility for the school’s remedial program, but staff did not describe a systematic and consistent practice for referring students to the Academic Intervention Services (AIS) program. There is no evidence that staff at Imagine interact with the school’s instructional leaders to redirect and modify instruction in response to assessment data. A review of lesson plans found that teachers rarely incorporated in their lessons an assessment to determine if their students had mastered the pertinent New York State Standards.

According to the school’s renewal application, an “Individual Learning Plan” (ILP) is developed for each student to “provide for appropriate curriculum and instruction.”<sup>23</sup> However, a review of some 20 student portfolios found only two that contained ILPs, and these provided only two or three broad goals for the child’s academic development. Rubrics were not used to assess the quality of work in the portfolios, and many students’ errors in spelling, grammar, comprehension, punctuation, and capitalization were uncorrected.

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<sup>23</sup>See renewal application, page 32.

**Benchmark 1C**  
**Curriculum**

**1C**

**The school has a clearly defined quality curriculum that prepares students to meet State performance standards.**

The school that meets this benchmark has defined with precision the essential knowledge and skills that all students are expected to achieve (and that are aligned with the relevant State standards) and makes them a priority within the curriculum. Course offerings and outlines reflect those priorities. The curriculum as implemented is organized, cohesive, and seamless from grade to grade.

The school's charter application called for Beacon Education Management's "Lightpoints" curriculum and the Core Knowledge sequence to form the school's curriculum. The school's renewal application describes the school's difficulties in implementing this curriculum in the first years of the school and the adoption of a new "curriculum" from Chancellor Beacon Academies in years three and four, replacing Lightpoints and Core Knowledge.

In actuality, while the management company provides grade and subject academic standards, these do not constitute a curriculum: the standards express in broad terms what students should know and be able to do at each grade level, but not what will be taught, how, and using what instructional programs and materials. In the absence of such a curriculum, it is currently left to the teachers at each grade level to devise a "curriculum road map" for each subject in each grade, and each week, to plan what will be taught that week and how. There is no mechanism for ensuring alignment across the grades. This on-the-fly approach does not ensure a curriculum that is organized, cohesive, and seamless from grade to grade, as required by the benchmark. Moreover, it is not clear that Imagine's standards are fully aligned with the New York State Standards.

In an interview with the Institute renewal visit team, sixth grade teachers reported that the management company had no role in coordinating the school's curriculum. "The last time anyone was here was last fall [a year earlier]," said one teacher. They also reported no involvement by the school's Board in the school's educational program. "They are a governing Board—they don't know what we are doing in the classroom," said one, adding, "the Board does not seem to work on education issues—only financial issues." Other grade level teams of teachers echoed this view, and said they felt unsupported by the Board.

Teachers are now required to develop written lesson plans. But in the absence of a complete and coherent curriculum with an explicit scope and sequence, there can be no assurance that the lessons they develop over the course of the school year will in the aggregate ensure that the state's standards for the grade are effectively addressed in every subject. Teachers are required to announce in their lesson plans the standards promoted by the lesson, but of course this is no assurance that the full scope of standards for the grade and subject will be covered by the teachers' lessons, let alone that the lessons are effective in inducing among students the understanding, skills, and knowledge of the standards. "We haven't gotten that far," the Director said candidly in an interview. (See Benchmark 1D for a discussion of the school's approach to lesson planning.) Currently, the administration communicates to teachers that what it values in lesson plans is adherence to a prescribed format and the gesture of citing standards, not the quality and effectiveness of the lessons themselves.

In the essential area of literacy, the school relies on the *Open Court* curriculum. *Open Court* has the capacity to deliver strong results, but like other structured programs, it must be implemented with precision for such results to be obtained. The school's management company does not provide direct support to the school in implementing either *Open Court* or the school's math program, *SRA Math: Explorations and Applications*. Teachers received only one day of professional development by a contracted *Open Court* consultant prior to the school's reopening in the fall of 2004. In an interview, the third grade teachers reported that, by the time of the renewal visit in November, no *Open Court* consultant had visited the school and observed their teaching. Considering the poor performance of students in English Language Arts, this level of involvement by the external consultant is insufficient to achieve a high quality implementation of *Open Court*, the single most important component of the school's academic program. The lack of effective instructional oversight and professional development is not a new problem for the school; the Institute's Third Year Inspection, in 2003, noted serious inattention to instructional leadership and the observation, coaching, development, and evaluation of teaching staff.<sup>24</sup>

In its response to the draft of this report, the Board reports that Imagine/Beacon is currently working on providing a revamped curriculum outline in all grades Kindergarten through six that will be fully aligned with state standards. At present, such a curriculum outline is in place for grades Kindergarten through three with other grades to follow in February 2005. The curriculum outlines provided do appear to be aligned with New York State Standards. However, they do not provide the level of detail necessary to guide inexperienced teachers in the creation of a comprehensive scope and sequence.

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<sup>24</sup> See the New York Charter Schools Institute Third-Year Inspection, page 15.

<p><b>Benchmark 1D</b></p> <p><b>Pedagogy</b></p>	<p><b>1D.1</b></p> <p><b>Strong instructional leadership girds the school’s work in improving student learning and achievement.</b></p> <p>The school that meets this benchmark has instructional leadership that has demonstrated the capacity to lead the comprehensive implementation of the school’s curriculum and has facilitated the alignment of classroom instruction, learning activities, instructional resources, support, and assessments. Instructional leaders at the school ensure that teacher planning time, lesson development, and internal assessment systems lead to the successful attainment of the school’s mission and academic goals.</p>
	<p><b>1D.2</b></p> <p><b>Quality instruction is evident throughout the school fostering an academic learning environment and actively supporting the academic achievement of children.</b></p> <p>The school that meets this benchmark is one in which classroom practice reflects competent teaching and instructional strategies that engage students. The academic learning environment at the school is one in which effective teaching and learning are valued and supported; there is a clear and strong focus on achievement goals, and student and staff accomplishments are recognized.</p>
	<p><b>1D.3</b></p> <p><b>The school has strategies in place to identify and meet the needs of students at risk of academic failure, students not making reasonable progress towards achieving school goals, and students who are English Language Learners.</b></p> <p>The school that meets this benchmark has implemented special programs and provides the necessary resources to help students who are struggling academically to meet school goals. The programs are demonstrably effective in helping students meet goals.</p>

Throughout its tenure, CNYCS has suffered from an absence of instructional leadership with “the capacity to lead the comprehensive implementation of the school’s curriculum,” as required by the benchmark. Even by 2003, the Institute noted in its annual report that the school’s new leadership (subsequently replaced) had not provided *instructional* leadership, even though, “instructional leadership—which is to say developing and evaluating faculty—is generally considered to be perhaps the single most important aspect of the administration’s role in building a high performance school.” The report noted the difficulty in delegating this function: “While some aspects of teacher development can be delegated, only one person in the building can ultimately be responsible for setting and defending standards of quality. Therefore it is difficult to believe that the teaching staff at Central New York Charter School ... would not benefit and improve by virtue of their being regularly observed, coached, developed and evaluated by the school’s instructional leader. This would seem to be among the fundamental responsibilities of school leadership

and one that hardly be left idle for long without dire consequences.”<sup>25</sup> At the time of the renewal inspection in the school’s fifth year, the Board had still not secured the quality and capacity of instructional leadership the school needed and had for so long lacked. By promoting the Assistant Director to Director, the Board retained the services of a well-liked, committed, and capable administrator. But the very fact that the Director is responsible—with little staff support, and still less from the management company—for every aspect of the school’s operations reveals how unreasonable it would be to assume that he could also provide the kind of hands-on, data-driven instructional management the school requires. An instructional coach originally secured by the management company and later rehired directly by the school has helped on a part-time basis to improve the intentionality of instruction. But this arrangement—a contracted coach and an overwhelmed Director—is far from what the school requires to ensure that teachers are appropriately developed, overseen, and evaluated.

For instance, teachers are required to develop lesson plans, but the lesson plans are only cursorily reviewed by the leadership team. Moreover, most plans are too vague—describing the lesson in the broadest summary terms, rather than as a sequence of specific components—to permit any conclusions to be drawn about their likely effectiveness. Teachers are occasionally observed by leadership members, but written feedback to teachers is infrequent and vague. What teachers need—a frequent and discerning observer, who follows each observations with a formal appraisal and a detailed diagnosis of the strengths and weakness of the lesson’s design and delivery—is not currently provided them.

As a result, the quality of lessons varied widely, but for the most part instruction observed during the renewal visit was mediocre or worse, especially in the upper grades. For example, a sixth grade lesson on persuasive writing began with the teacher holding a mock campaign for student class president, ostensibly to convey the idea of persuasiveness in oral communication. Then the teacher played a 20 minute videotape of back-to-back commercials taped off of cable television channels. Many were for consumer products (Pledge furniture polish, Fisher Price toys, Hertz car rentals), but one was for an upcoming boxing match, and showed images of graphic violence (all the more disturbing because they were real), including of a boxer’s wounded and bleeding eye. The male students, egged on by the teacher, took to shouting in excited approval. The teacher then led the students in an ill-constructed discussion of how the commercials attempt to persuade viewers. The teacher never corrected the student’s oral language, and he accepted responses uncritically. Finally, for a total of just *five* minutes, the students were asked to write “one paragraph” about why President George W. Bush or Senator John Kerry should have been elected president. A sampling of the students’ writing showed it to be sharply below grade level; in the time provided, students were able only to write a few sentences, and their responses were neither thoughtful (*e.g.*, “Kerry only cares about gay people,” “Kerry believes people should be able to kill their children,” “Bush is a real man”), nor accurately written, let alone persuasive. The teacher did not correct the students’ errors.

Classroom observations underscored the importance of instructional management and how profoundly affected CNYCS is by its absence. In an upper grade class, teachers made use of the same science lesson, where students investigated whether or not two liquids can together make a solid. In one teacher’s implementation of the lesson, students were skillfully guided through the lesson’s steps, from making a prediction about the research question, to the experiment where they combined glue and borax. While the lesson was imperfect, it’s likely that students learned

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<sup>25</sup> See the Institute’s Third-Year Inspection, Central New York Charter School for Math and Science, page 15.

something about the research question. But in two other classes of the same grade, the lesson was completely ineffective. Small errors in delivery accumulated, and the classes disintegrated into controlled chaos.

Teacher teams at each grade level identify, primarily from results on the Stanford 9 and Terra Nova standardized tests, and without oversight by the administrative teams, students at-risk of academic failure who should receive Academic Intervention Services (AIS). It is not clear whether the teams use consistent criteria and the number of staff available to assist students identified for AIS is far too few given the number of students at CNYCS who are performing below grade level. Just one AIS teacher serves both the fourth and fifth grades, with 50 students from the fourth, and 20 from the fifth. At the sixth grade level, there are no additional resources—AIS, or teaching assistants—for students who are failing to meet goals. Sixth grade classroom teachers are left to work with individual students one-on-one. The school has no organized after-school program, where students could receive tutoring.

In its response to a draft of this report, the school has provided the Institute with a fourth grade ELA Action Plan, dated November 15, 2004. There is no evidence as to the completeness of the implementation and therefore no method by which to judge its effectiveness (the plan was not in place at the time of the renewal inspection in early November as far as the Institute can discern). It is notable that one of the key persons responsible for implementing the plan, the curriculum and instructional consultant John Cooper, is no longer associated with the school.

<p><b>Benchmark 1E</b></p> <p><b>Teaching Staff</b></p>	<p><b>1E</b></p> <p><b>The school’s instructional staff is qualified to implement the school as envisioned in the charter. Teachers are competent in their assigned content area and generally use instructional practices that lead to student academic success.</b></p> <p>A school that meets this benchmark will be able to demonstrate that teachers are competent in their assigned content area and generally use instructional practices that lead to student academic success. (While handled under the benchmark for legal and charter compliance, it is important to note that a school must also be able to demonstrate that teachers are certified or otherwise qualified under both federal and state law with few exceptions. In instances where the school has not been in compliance with this requirement of law, the school should be able to show that it has taken swift and appropriate remedial measures.)</p>
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Consistent with findings in earlier years by Institute inspections teams, including in 2003, teachers observed during the renewal visit were of widely varying competence. Some teachers managed their classrooms skillfully and designed and executed effective lessons. But many others did not. Teachers in the lower grades maintained somewhat higher academic and behavioral expectations of students than did teachers in the higher grades.

Teachers generally seemed committed and eager, but the administrative team has not codified good teaching practice and set high expectations for what teachers accomplish and students learn. Inadequate instructional oversight and poor systems for observing and evaluating teachers, both noted elsewhere in this report, make it difficult to determine whether the often poor quality of teaching stems from a lack of competence on the part of faculty members or failures in how these teachers are managed. In any event, many teachers do not use instructional practices that lead to student academic success, as required by the benchmark.

<p><b>Benchmark 1F</b></p> <p><b>Student Order &amp; Discipline</b></p>	<p><b>1F</b></p> <p><b>The school has implemented discipline policies and procedures that promote learning for all students.</b></p> <p>The school that meets this benchmark has documented discipline policies and procedures (for regular and special education students) and has consistently enforced those policies. As implemented and enforced, the discipline policy will have promoted calm, safe classrooms where students are required to (and not distracted from) participating fully in all learning activities. Students at a school meeting this benchmark will also generally report a reasonable sense of security. A school will also be able to provide appropriate records regarding expulsions and suspensions.</p>
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CNYCS was slow to establish an orderly learning environment; and earlier behavioral systems—including the ill-selected “Education by Design” approach of the school’s former Director—were ineffective. The school’s current practice, Positive Behavior Intervention System (PBIS) appears to be effective, and students’ behavior observed during the renewal visit was better than reported in earlier annual reports by Institute staff. Few classrooms reached the level of outright chaos. Nonetheless, the renewal team observed in many classrooms nearly constant, low-level misbehavior. For example, in one third grade science class, students got in and out of their chairs, talked with one another, pestered other students, played with glue, or simply stared in space. The teacher stopped students engaged in the worst behavior (shouting, leaving the class), but these students faced no consequences. To regain order, the teacher asked students to “give her three” (put up three fingers and be quiet); for a few moments the students were quiet and attentive, but then the class reverted to controlled chaos. A great deal of time was wasted in many classrooms to needlessly long transitions between activities and the classrooms’ numerous “centers.”

As importantly, the school has not yet established a culture of high expectations that prizes academic rigor and excellence. In many small ways, teachers fail to communicate such expectations—by letting the class start late and student trickle in, permitting a few students to disrupt the learning of others, accepting student responses to discussion questions uncritically, allowing errors in speech to go uncorrected, assigning exercises that many children complete with time to spare, and failing to thoroughly correct student writing. Throughout the school, one had the sense that CNYCS students could be doing a great deal more and were hungry to learn, but that the school persistently failed to challenge them. In an interview with renewal team members, students lamented the misbehavior of their peers and confirmed that they were under-challenged. “School is easy, homework is easy,” said one student.

<p><b>Benchmark 1G</b></p> <p><b>Professional Development</b></p>	<p><b>1G.1</b></p> <p><b>The school’s professional development program aligns with the school’s mission, assists teachers in meeting students’ academic needs and school goals, and addresses any identified shortcomings in student learning and/or teacher content knowledge.</b></p> <p>Professional development offerings at a school that meets this benchmark are aligned with the school’s educational philosophy and are effective in helping teachers improve instruction. Most importantly, professional development practices at the school are a priority of the school leadership and buttress the instructional program, meet student learning needs and result in increased student achievement. The school’s calendar reflects that professional development and instructional planning are a high priority. A school should also be able to demonstrate that necessary support for inexperienced teachers is available. Teachers and school leaders report professional development activities have resulted in gains in teacher pedagogic content, knowledge, and skills and this expertise has led to increased student academic achievement.</p>
	<p><b>1G.2</b></p> <p><b>The school has a system in place for ongoing teacher evaluation and improvement that supports the school’s ability to reach the goals contained in its Accountability Plan.</b></p> <p>The school that meets this benchmark has leaders who spend extended time in classrooms. Teachers receive relevant and helpful written and verbal feedback, counsel, support, and opportunities to increase the instructional skills and content knowledge required for the school to meet its academic goals.</p>

A Curriculum and Assessment Specialist consultant to the school was engaged in August 2004 to institute a focus on curriculum and instruction in the school. The consultant has emphasized to the faculty that instruction must be “effective and efficient.” The consultant provided staff with four to five days of professional development before the school reopened for its fifth year. Once a month, the consultant holds an additional professional development session on topics like “differentiated instruction.” This occurs at one of the regularly scheduled bimonthly staff meetings.

In the critical area of early reading instruction, the school benefits from a new-found focus. The receipt of a Reading First grant from the state not only brings money but a coherent program of assessment and professional development. The school’s Reading First Coordinator receives intensive training, and in turn trains the school’s classroom teachers.

As discussed in other sections of this report, the school has not attained a similar instructional focus in other grades and subjects, with interlocking standards, curricula, lesson plans, assessment, professional development, teacher evaluation, and instructional oversight. In the school’s final year of its charter, the school’s leadership team is taking this direction, but the team lacks the capacity—the time and the skills—to be successful. Strikingly, despite the school’s history of poor

academic performance, there was no evidence of any involvement by the school's management company in improving the staff's teaching skills or in managing instruction.

Both the consultant and the Director were reported to visit classrooms; one novice teacher in the third grade reported that over the last three months she had been visited twice by the consultant and four times by the Director, but teachers reported that visits were rarely for more than twenty minutes. In other interviews with grade-level teams, teachers reported that they been observed once thus far in the school year. The Director, busy with other responsibilities, often conveyed his thoughts from his observations informally, as in a conversation in the hallway. Teachers do not receive frequent, formal observations and detailed written and oral feedback by which they could improve their practice.

The Assistant Director said she was not involved with teacher evaluations; that it was the consultant's responsibility. The consultant, in turn, said only the Director evaluated staff. A review of annual teacher evaluations found that, while the instrument was relatively sophisticated, teachers were consistently awarded high scores, even those who were later dismissed. The former Assistant Director had developed a sophisticated teacher observation form prior to her departure at end of the 2003-04 school year, and completed forms showed some discerning observations, but the Director said that he had not yet had the time to do formal observations in 2004-05.

**Renewal Question 2**  
**Is the School an Effective, Viable Organization?**

**Benchmark 2A**  
**School Specific Non-Academic Goals**

**2A**

**The school meets or has made meaningful and consistent progress towards meeting the Unique Measures of non-academic student outcomes that are contained in its Accountability Plan over the life of the charter.**

CNYCS included two non-academic goals and measures in its Accountability Plan. They are as follows:

**Goal I:** The CNYCS for Math and Science will maintain strong organizational viability by building strong parent and community support and commitment to the school.

**Measure 1:** In a yearly survey distributed to all CNYCS for Math and Science parents/guardians, 80 percent of all parents will report that the effectiveness of the school's academic program, communication, and child's progress are good or excellent (on a scale of excellent, good, satisfactory, poor).

**Measure 2:** During the school year, the CNYCS for Math and Science will maintain an enrollment level equal to or exceeding 85 percent capacity and a waitlist equal to or exceeding 15 percent of the school's population.

**Measure 3:** Each year, the average daily attendance rate of all CNYCS for Math and Science students will exceed the Syracuse City School District.

**Measure 4:** Each year an average of 15 community businesses will participate in School-to Career activities with the school (*e.g.* career investigations, workplace simulations, workplace field trips, *etc.*). This will be recorded on our "Wall of Fame" for community involvement.

In the most recent survey of parent satisfaction, results fell short of the school's Accountability Plan goal, with 73 percent of its parents in the most recent survey rating the school's academic program, communication, and child's progress as good or excellent, versus the measure's requirement of at least 80 percent. At an evening meeting with parents held during the renewal visit, several parents emphasized forcefully that the school was better than the public school alternatives available to them.

The second measure calls for enrollment levels of 85 percent of capacity and a waiting list equal to 15 percent of the school's population. While the school has made slow but steady progress in increasing enrollment and reports in its renewal application that it was operating at 94 percent of capacity in 2003-2004 (up from 55 percent in the first year), the school has not met the measure's requirement for a waiting list.

On the third measure, the school reports that it has exceeded the Syracuse school district's attendance rate, with average attendance of 95 percent each year since the

school's opening, compared to the district's average daily attendance of between 90.9 percent and 91.5 percent over the same period.

The fourth measure calls for an average of 15 community businesses to participate in School-to-Career activities with the school. CNYCS reports that in 2002-02 and 2003-04, *all* students participated in school-to-career activities and more than 15 businesses participated.

**Goal II:** CNYCS for Math and Science will maintain strong organizational viability by demonstrating sound financial practices and effective, responsible decision-making.

**Measure 1:** Actual and proposed budgets for each year will show effective allocation of resources to ensure effective school programs.

**Measure 2:** Yearly balance sheets will show that the school is fiscally sound and maintains cash reserves.

**Measure 3:** Yearly submissions of audited financial statements will demonstrate the school is responsible and prudent with public resources.

Throughout the life of its charter, the school has had mixed results in meeting these unique measures. As described more fully under Benchmarks 3A and 3B, the school's budgets have been conservatively prepared although not sufficiently to ensure balance in each year. Also, although ownership of its facility offers many advantages to the school, it also brings with it a significant financial burden that has impacted the way the school has been able to allocate its resources. The school is in a financial deficit position, although it has remained solvent and has submitted annual financial statements as required.

<p><b>Benchmark 2B</b></p> <p><b>Mission &amp; Design Elements</b></p>	<p><b>2B</b></p> <p><b>The school is faithful to its mission and has implemented the key design elements included in its charter.</b></p> <p>The school that meets this benchmark has school Board members, parents, teachers, school leader(s) and community partners that consistently present evidence of the school’s success with reference to the school’s mission and the key design elements included in its charter application. Key elements of the school’s design are well implemented and the school’s academic results, governance, and instructional practices reflect the mission of the school.</p>
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CNYCS states its mission as follows: “To use a partnership between educators, families, and community members to create a school where students learn by doing and achieve at levels that exceed the New York State Performance Standards. Students will learn 21<sup>st</sup> Century Workplace Skills including Digital Age Literacy, Inventive Thinking, Effective Communication, and High Productivity.”

In the course of its five-year charter term, the evidence is that the school has not successfully realized its mission. Students are not achieving at levels “exceeding the ... State Performance Standards.” Indeed, in mathematics, only 7.1 percent of students tested in 2003 performed at Level 4, above the Level 3 threshold of proficiency,<sup>26</sup> and just 1.4 percent of students attained Level 4 in ELA.<sup>27</sup> Students are learning material that is often below grade level and expectations of students are low.

The school’s planned focus on “math and science” has not been realized; the school’s science coordinator conceded that “we’re just starting” to develop the school’s focus on science. Board members in interviews acknowledged that the school is in essence a science and math school in name only and that that portion of the mission needs to be deferred until the school achieves the more immediate goals of basic numeracy and literacy—goals not yet reached by the great majority of students. In fact, reflecting this reality, the school’s academic results reflect a lower proportion of students proficient in math (performing at Levels 3 or 4) in 2003 than in the Syracuse City School District.<sup>28</sup>

Key elements of the school’s charter are not yet fully implemented. “Project-based learning,” the school’s administration concedes, is a largely unrealized aspiration. Similarly, “individual learning plans” play an only marginal role in the school’s instructional system.

<sup>26</sup> See renewal application, page 7.

<sup>27</sup> See renewal application, page 16.

<sup>28</sup> See renewal application, page 9.

<p><b>Benchmark 2C</b></p> <p><b>Governance (Board of Trustees &amp; School Leadership)</b></p>	<p><b>2C.1</b></p> <p><b>The Board has implemented and maintained appropriate policies, systems and processes and has abided by them.</b></p> <p>A school that meets this benchmark has implemented a comprehensive and strict conflict of interest policy (and a code of ethics) and has consistently abided by them through the term of the school’s charter. Where possible, the Board has avoided creating conflicts-of-interest. The school Board has also maintained and abided by the corporation’s by-laws. In addition, a Board meeting this benchmark will have actively sought information from the staff, parents, community and student populations. The system for hearing such views and concerns will have been consistently implemented so that all views and concerns were appropriately heard and acted upon. The Board will have published, reviewed and communicated policies annually and currently maintains an up-to-date policy manual.</p>
	<p><b>2C.2</b></p> <p><b>The Board and school leadership clearly articulate the school’s mission</b></p> <p>To fully meet this benchmark, school leaders and Board members should be able to evidence a strong understanding of the school design and demonstrate that they have referred to it regularly in managing and governing the school. Moreover, the Board and the school’s administration should have deployed resources effectively to further the academic and organizational success of the school. At the Board level, the Board should have a process for selecting both Board members and the school leader or school leadership team that is timely and effective and such process should result in a stable and effective Board and leadership team. The Board should also have evaluated school leadership on an annual basis. Such evaluation should be based on clearly defined goals and measurements. The school Board and school leadership should be able to demonstrate that they are facile with the process.</p>

***Knowledge and Effective Implementation of the Mission***

School leaders and Board members rarely invoke the school’s stated mission in support of their professional efforts and decisions at the school. This may in part be because the school’s planned emphasis on math and science is, as stakeholders readily concede, so far from being realized that the school’s formal mission seems, at least for now, irrelevant. On the other hand, the administrative team is clearly focused on academic outcomes in core subject areas of math and English Language Arts, and the school’s leaders are clearly struggling to define and implement a coherent school design (though without the personnel and resources to do so). Board members, however, had at best a very superficial understanding of the academic program and the needs of the population the school was serving—and more importantly the methods through which academic achievement is intended to be improved.

## ***Board Oversight of the Management Company***

### **A. Educational Program Oversight**

Consistent with the intended design for the school (as set forth in the application), the Board contracted with a management company in its start-up year, Beacon (now Imagine Schools). The management contract (as amended) states in pertinent part as follows:

Beacon shall have the obligation and the authority to manage and operate the School on behalf of CSMS, it being understood that, at all times, Beacon shall remain accountable and subject to the direction of CSMS . . . . In furtherance of the foregoing . . . Beacon shall have the obligation and authority, subject to the oversight and direction of CSMS, *to establish and conduct the educational program for the School . . . .*” (Management Contract 3.2; emphasis supplied).

Beacon shall be responsible for and accountable to CSMS for the performance of the School’s students according to the performance criteria set out in the “Accountability Plan” . . . . (Management Contract 3.4.1)

The contract also provides that Beacon shall provide professional development for all administrative and instructional personnel, develop a curriculum aligned to New York State’s Standards and provide an assessment system that permits evaluation of the school program.

In interviews with the school administrative team, the individuals interviewed (including the Director, the Academic Advisor, and the Assistant Director) indicated that the management company in its various iterations had provided inadequate academic support services, with fewer services being provided in the later years of the charter. There was consistent agreement that the services provided were inadequate to ensure that the school met its accountability goals as set forth in the Accountability Plan—or even made consistent and significant progress towards those goals, again, especially in the latter years of the charter. By the school’s fifth year of operation, the management company was providing almost no academic support services, including little if any professional development/teacher coaching and training, no curriculum development, no assistance in recruiting teachers or staff, no professional development of the Director (who was interim and had not previously served as a Director) and little if any support with building a coherent internal assessment system. However, the management company continued to charge a full fee, which in the fifth year of the charter amounted to approximately 10 percent of the school’s total revenue (\$550,000).

In an interview with the Board, individual Trustees indicated some awareness that the management company (in each of its iterations) had not provided the services required under the contract and that were necessary for the school to have a reasonable chance to meet its Accountability Plan goals. However, the Trustees appeared to have only a vague sense as to which services were required under the contract and which services had actually been provided. Despite the limited knowledge that the Board had, it had not put in place a formal evaluation of the management company’s performance—and in fact the Board had not conducted an evaluation of that performance. Nor had the Board taken any steps to secure full performance from the management company, *e.g.*, withhold payment, put the company on notice of breach, negotiate a new agreement, terminate the agreement. (In 2002, the Board did object to a budget proposed by Beacon that called for cuts in

staffing due to a decrease in revenues resulting from less than full enrollment—a state of affairs that the Board noted was the result of the management company’s ineffective marketing of the school.) The Board had not, with some exceptions, sought to procure the necessary supports and services that the management company was not providing.

On July 29, 2004, the Director apprised the Board in writing of his concerns regarding Imagine Schools, the stated plans of the CEO for Imagine, and implications of those plans for services provided by Imagine to CNYCS. The Director informed the Board that Imagine planned to *reduce* the scope of services provided by the company’s offices (*i.e.*, it would close the company’s Westborough office that had provided most services to the school), while maintaining the present level of fees.<sup>29</sup> He identified some 20 specific services that were jeopardized by what, according to the Director, Imagine described as its philosophy that schools should provide their “own services,” and the view that the school’s academic performance was less important than the “school’s ability to help build more schools” for Imagine.

The Director also provided a detailed report card on the company, wherein he awarded letter grades ranging from “B” (Finance, Human Resources) to “F” (Curriculum, Legal). With each such grade, the Director offered an explanation. For instance, he wrote: “Since the merger of CBA [Chancellor Academies and Beacon Education Management], curriculum and instructional support has dwindled—often times sporadic or non-existent .... As of 8/04, curriculum and instruction are being handled completely by CNYCS staff.” Regarding special education: “This area had definitely dwindled over the past three years to almost non-existent; the school is totally self-sufficient with regard to adhering to state, federal, and IDEA guidelines.” Overall, the Director awarded the management company a “D,” concluding, “with each change or merger of management company, the school has seen diminished services but consistent or increased fees.”

The Board did not indicate that it had received the above evaluation when Institute staff conducted its interview. To the contrary, some Board members indicated that while it had sometimes required Board prodding to get the management company to provide services, they had provided those services eventually and were in fact, at the present time (November 2004) providing adequate services in those areas, *e.g.*, professional development. Moreover, the Board, at the interview, indicated an intent to seek to negotiate a new contract with Imagine. And while the Board indicated that they would seek new terms and protections—as well as greater clarity regarding the services that were required to be provided, one Board Trustee (without dissent from others and in fact some agreement) indicated that in his opinion, much of the problems with the management company had come from excessive Board and staff interference and purportedly excessive oversight by both: “We really need to allow them to do their job.” In this regard, the Board has reported to the Institute that in November 2004, the Board adopted a resolution confirming the terms of the management agreement with respect to the provision of services, agreeing to make changes to the management agreement as might be necessary to clarify Beacon’s obligation to run the day-to-day operations of the school subject to the Board’s oversight, and directing the administration and staff of the school to cooperate with Beacon/Imagine in this regard. The Board also reported that it told the management company that it is its responsibility to ensure that staff make use of services provided

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<sup>29</sup> According to the Board and the administration there was some talk on the part of the management company regarding rebate of fees for services that the company conceded were due under the contract; however, there was no formal agreement in this regard and the Board did not seek to put one in place. In an earlier instance, the Board reports that it did demand and did receive a rebate totaling approximately \$254,000.

by Beacon/Imagine. The scope of what such services might be is not clear, but there still does not appear to be agreement between the Board and the management company as to precisely what academic support services are required under the contract and/or will be provided.

**B. Oversight of Operational/Financial Functions**

During the course of the charter, the Board did ask for a number of concessions from the management company, primarily as it related to financial and operational manners—and the deficiencies of the management company in its various iterations in providing same. In particular, the Board sought forgiveness of a start-up loan between the school and the management company as well as a 50-50 percent sharing of the 2002-03 academic year shortfall (by means of a write-off of 2003 receivables owed by the school to Beacon in the approximate amount of \$254,000). The Board also sought clarification from the management company in 2004 in regards to the latter's plans to close a district office (through which financial and operational services had been provided to the school). The Board received assurances that in regards to these services, the school could provide those services itself (through third-parties) and receive a pro-rata cost reduction in fees.

***Evaluation/Oversight of the Administrative Team/Academic Program***

The Board does not have in place any formal evaluation system for the school's Director.

Over the term of the charter, the school has employed four Directors. While the Board clearly has taken action when it determined that the academic program and school as a whole was faltering, the Board does not appear to have created processes and procedures that would maximize the possibilities of recruiting an experienced and first-rate Director. For instance, the Board did not fully appreciate the need to attract a proven leader with a strong record in urban, inner-city schools.

The current Director had initially agreed to serve in an interim capacity and has brought stability, goodwill, and an increased focus on academics to the school, and the Board subsequently awarded him the Director position. However, the Board has neither developed written guidelines for assessing his performance as the chief executive nor engaged in an expansive and serious process to recruit an exceptional permanent Director. The Board has reported recently that it is developing goals for the Director (in partnership with Imagine/Beacon).

Equally, the Board has not developed the necessary expertise in evaluating the school's academic performance. Board knowledge of the program seems to be limited to test scores from the external annual assessments (state interim and national normed assessments). The Board has no process or procedure to conduct a more nuanced review—which would reveal not only outcomes but the reasons for those outcomes. For instance, the Board was not familiar with the levels of remediation that were being offered to students in fifth and sixth grade (little and none respectively) and had not required the administrative team to develop such a plan.

***Reporting Requirements/Policy Manuals***

While the school had a poor record of compliance with reporting requirements under its charter in its early years, it has improved significantly and steadily and now is timely in its submissions in its fourth year. The Board does not currently have a policy manual, even though it has experienced considerable turnover in Board membership and must orient new members.

**Board Accessibility**

Judging from interviews with both staff members and parents, and despite having two members of the Board who are designated by the PTO and report to the PTO, the Board is viewed as inaccessible, distant, and unfamiliar with the school’s academic programs and their results. During an evening meeting with parents, several parents expressed anger at the Board for what they perceived to be its failure to properly oversee the school. This evidence is consistent with earlier annual reports prepared for the Institute, including the 2002-03 report, which noted that parents expressed frustration over the Board’s inaccessibility. In response, the Board President has stated that he believes he was accessible and frequently received and responded to and followed up on a variety of telephone calls from parents and did not believe he was inaccessible. He noted further that he has communicated by letter with parents. Nevertheless, he also acknowledged the concerns expressed by parents and a willingness to improve the lines of communication.

<p><b>Benchmark 2D</b> <b>Parents &amp; Students</b></p>	<p><b>2D</b></p> <p><b>Parents/guardians and students are satisfied with the school as evidenced by survey results as well as the volume of parents who choose the school to provide education for their children and the degree to which parents persist with that choice over the child’s academic career.</b></p> <p>The school that satisfies this benchmark will be able to show through generally accepted surveying standards and practices that a large majority of all parents with students enrolled at the school are satisfied with the school. As only a well-informed parent can be meaningfully satisfied, the school must be able to show that it has provided to parents detailed and accurate information about their child’s performance as well as the performance of the school as a whole. The school should also be able to provide data on application lottery, enrollment and persistence rates to demonstrate that large numbers of parents seek entrance to the school, and far more importantly, keep their children enrolled year-to-year. Ideal survey data will also provide an explanation for the persistence rate experienced by the school.</p>
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Discussed fully under Benchmark 2A.

<p><b>Benchmark 2E</b></p> <p><b>Legal Requirements</b></p>	<p><b>2E</b></p> <p><b>The school has substantially complied with applicable laws, rules and regulations and the provisions of its charter.</b></p> <p>A school that meets this benchmark will have compiled a record of substantial compliance with the terms of its charter and applicable laws and regulations. In addition, at the time of renewal, the school will be in substantial compliance with the terms of its charter and applicable laws and regulations. Such school will have maintained and have had in place effective systems and controls for ensuring that legal and charter requirements were and are met. A school should also be able to demonstrate that the school has an active and ongoing relationship with independent legal counsel that reviews relevant policies, documents, and incidents and makes recommendations as needed.</p>
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As part of a compliance review, the Institute reviewed steps the school took in response to the New York State Education Department's Third-Year Monitoring Report, which outlined certain instances of non-compliance with the school's charter or law. The school had remedied about half of the issues raised by the State Education Department, including teacher certification, school safety plan, student immunization records, and confirming the residency of its students. While the school made progress with the provision of alternative instruction for suspended students and has remedied problems with alternative instruction for special education students (with the exception of updating its special education discipline policy to reflect alternative instruction), it still is not providing alternative instruction to students suspended for less than three days. We also note that the State Education Department has indicated that as of January 28, 2005, the school was not in compliance with the Safe Schools Against Violence in Education Act (SAVE) in that the school had not submitted a school safety plan pursuant to Education Law section 2801-a.

In November 2002, the school's enrollment had dropped below the limit of 600 to 480. In violation of its charter, the school did not inform the Institute. At the Institute's request, the charter was amended to reflect the change. As of the date of the renewal visit, the school's enrollment again was not within the limits of the charter. The Institute again had to bring this issue to the attention of the school. The existence of a fee-based before-school program and a prior after-school program, both of which exceed the authority of the charter granted to the school, was further evidence of charter violations. Based on the foregoing, the Institute concluded that the school has not complied with certain provisions of its charter.

While early in its charter, the school had a poor record of submitting information to the Institute in a timely manner, and later had a mixed record, it has improved significantly and steadily and is now submitting items in a timely fashion. Two exceptions are the sending of notices of the hiring and removal of Directors, and the resignation of Board members, as required by the school's Monitoring Plan, which is part of its charter.

The school has no policies, notice, or training regarding the Freedom of Information Law (FOIL). As a result, parents and staff do not know of their rights to access the full range of available school records. The school also lacks an effective, written complaint policy, although its complaint procedures appear sound. One provision of the school's by-laws, which allows Board members to participate by telephone conference, is also not in strict compliance with the Open Meetings Law. However,

there was no evidence that Board members were violating the Open Meetings law other than not placing the reason for entering into executive session in the minutes on one occasion. Moreover, the school was in compliance with the law's notice provisions. Otherwise, the school generally implemented appropriate policies, systems and processes to ensure compliance with applicable law and has abided by them. The school also has a relationship with independent counsel and at least one Board member is a lawyer, who assists in legal matters. The school's management partner has not offered any assistance with legal advice.

Based on evidence to date and a review of relevant policies and procedures, other internal controls, Board minutes and interviews, the school is deficient with respect to certain elements of charter compliance, including enrollment notification and maintenance of before-school and after-school programs. With certain exceptions noted above, including Freedom of Information Law compliance and the provision of alternative instruction, the School appears to have been, and presently appears to be, generally in substantial compliance with the Charter Schools Act, applicable provisions of the New York Education Law and other New York law, applicable federal law (*e.g.*, IDEA, FERPA), and its by-laws.

**Renewal Question 3**  
**Is the School Fiscally Sound?**

**Benchmark 3A**

**Board Oversight**

**3A**

**The Board has provided effective financial oversight, including having made financial decisions that furthered the school’s mission, program and goals.**

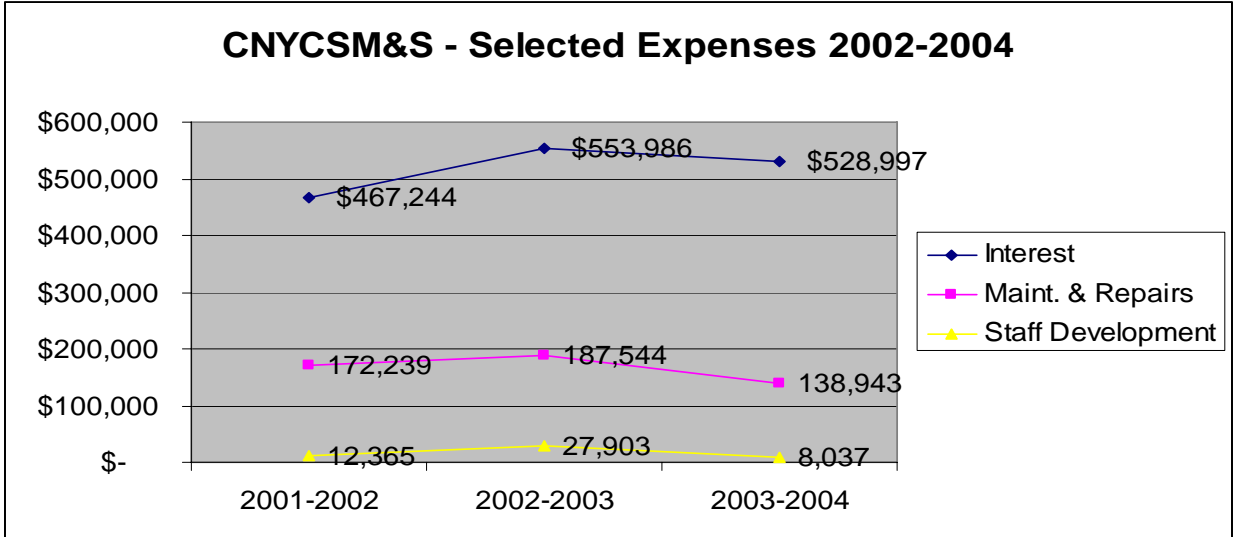
The effectiveness of the Board’s financial oversight has been reasonable and has included the mechanical procedures required. The Board’s fiscal oversight of its agreement with its management partner has been generally adequate as regards to financial matters. There is evidence that the Board took steps to address financial and budget concerns with its management company. In August 2004, the Board contracted with an outside firm to provide temporary full-time financial and accounting services to the school to ensure uninterrupted operations at the school. Fees for these services were expected to be deducted from the management fee paid by the school. However, as described more fully under Benchmark 2C.1, the value and level of services received for its management partner appeared to decline over the charter period. The Board has also sought loan forgiveness and fee rebates relating to a diminishment in services regarding fiscal and operational matters.

Originally the school’s management partner was Beacon Educational Management, then Chancellor Beacon Academies, and now Imagine Schools. By nature of these arrangements, the Board has relied significantly on the financial controls established by its management company. The partnership has afforded the school access to professional operations management and provided some stability through fiscal support of the school. For example, cash flow deficiencies, if any, are expected to be financed by the school’s management company in 2004-05.

A review of a sample of Board minutes found evidence that the Board was involved with oversight of the school’s finances. On various occasions the Board discussed the need to amend its budget and/or ways to mitigate projected budget shortfalls. The Board has a finance committee that reports to the full Board at most Board meetings. Budget-to-actual fiscal reports are prepared by the school’s management partner and reviewed by the Board on a monthly basis.

A major accomplishment of the school, which it did not discuss in its renewal application, was its sale of bonds via the Onondaga County Industrial Development Agency. The bond sale refinanced the acquisition, renovation, and equipping of the charter school’s facilities. The school was the first charter school in New York State to issue such bonds.

While owning its facility offers many advantages to the school, it also brings with it a significant financial burden that has affected the way the school allocates its resources. Historically, about 60 percent of the school’s expenses (not including management fees) have been for staff salaries and benefits. The figure below shows expenses incurred by the school for three selected categories. Combined, these expenses have accounted for about 17 percent of the school’s expenses annually.



The data demonstrate that even by FY 2003, when the Board expressed an interest in making professional development a priority, the school's high fixed costs constrained the Board in allocating resources to such priorities.

The school follows the procedure manual established by its management partner in all of its operations. The school has not established written policies and procedures concerning how it implements the procedure manual. The Board has no formal Board training schedule for its members or orientation process for new Board members.

<p><b>Benchmark 3B</b></p> <p><b>Budgeting and Long Range Planning</b></p>	<p><b>3B</b></p> <p><b>The school has operated pursuant to a long-range financial plan. The school has created realistic budgets that are monitored and adjusted when appropriate. Actual expenses have been equal to or less than actual revenue with no material exceptions.</b></p>
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The school has operated pursuant to long-range plans, beginning with the five-year plan included as part of its charter application. Originally chartered to grow to 792 students in grades Kindergarten through 10, the school obtained a revision to its charter to grow to 660 students in Kindergarten through six. The school has been unable to meet its enrollment plans in any year of its charter.

Enrollment shortfalls have affected both the bottom line of the school’s finances and its academic program. The academic program has been strained by new students enrolling in the school, often in the course of the academic year. The school’s failure to meet its enrollment goals has reduced the school’s revenues.

The school relies heavily on its management partner for assistance in developing its annual budget. The budget is monitored on a monthly basis and there is evidence of Board discussions and involvement throughout the process. No evidence was found of formal changes to the budget proposed and adopted by the Board.

Overall, the school’s budgets have been conservatively prepared, although not sufficiently so as to ensure balance in every year. Actual expenses have consistently exceeded budgeted expenses, and actual expenses exceeded actual revenues in each of the school’s first three years. In its fourth year, the school managed to increase enrollment and decrease costs (including by obtaining a reduction in management fees) that resulted in an excess of revenues over expenses of \$432,000.

<p><b>Benchmark 3C</b></p> <p><b>Internal Controls</b></p>	<p><b>3C</b></p> <p><b>The school has maintained appropriate internal controls and procedures. Transactions have been accurately recorded and appropriately documented in accordance with management’s direction and laws, regulations, grants and contracts. Assets have been and are safeguarded. Any deficiencies or audit findings have been corrected in a timely manner.</b></p>
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Based on interviews with staff and review of documentation, the school has established processes and controls related to receipts, payroll, procurement, and the safeguarding of assets. The school has relied on its management partner to establish appropriate financial controls. With the most recent change in its management company (as previously mentioned), the financial controls over the school are in the midst of change. It is unclear whether the school itself will be assuming all roles, or if it will continue to rely on the management company. Also, although the school has a system for recording fixed assets, it has not yet established procedures for performing periodic physical inventories.

The school made some billing errors that resulted in the over-billing of the Syracuse City School District (SCSD) in the years 2001 and 2002. Other districts were under-billed during the same time. The school’s 2002 audit revealed that revenues were not correctly reconciled and recorded based on FTE enrollment. The school has subsequently resolved these billing issues and repaid amounts owed to the SCSD and received amounts earned by it from the other districts. Although correction of the deficiencies after identification was generally prompt, billing of districts for resident pupils is a fundamental function of any charter school. The failure of the school to have adequate controls in place to guard against such errors is a significant concern.

With the one exception of the student enrollment income issue noted above, the school’s annual audit reports on internal controls over financial reporting and compliance with laws, regulations, and grants did not disclose any reportable conditions, material weaknesses, or instances of non-compliance. The lack of deficiencies in these independent reports provides some, but certainly not absolute, assurance that the school has maintained adequate internal controls and procedures. The purposes of the reports are not to provide assurance on internal control over financial reporting or an opinion on compliance.

<p><b>Benchmark 3D</b></p> <p><b>Financial Reporting</b></p>	<p><b>3D</b></p> <p><b>The school has complied with financial reporting requirements. The school has provided the State University Board of Trustees and the State Education Department with required financial reports on time, and such reports have been complete and have followed generally accepted accounting principles.</b></p>
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Generally, the school has met its financial reporting requirements. With some exceptions, the annual financial statements, budget, and quarterly financial reports were filed on time. For instance, the school’s annual budget was filed late in years 2001 through 2003.

Every financial statement audit report received an unqualified opinion. An unqualified opinion on the financial statements indicates that, in the auditor’s opinion, the school’s financial statements and notes fairly represent, in all material respects, the school’s financial position, changes in net assets, and cash flows, in accordance with accounting principles generally accepted in the United States of America.

At the conclusion of its first year, the school’s financial statements were prepared in governmental format, which was incorrect and contrary to its charter. The financial statements should have been prepared in not-for-profit format. The school’s subsequent reports were in the proper format, and the first year’s report, although in the wrong format, was comparable in scope with those conducted at public schools in New York State, which is the statutory requirement.

The school has had a federal Single Audit performed in each of the last three years. The audits disclosed no instances of federal findings or questioned costs. The FY 2002 audit did include a reportable condition pertaining to the reconciliation of student enrollment income. The school ultimately took the necessary corrective action and the reportable condition did not reoccur in subsequent years. The enrollment (billing) issue is discussed in further detail under Benchmark 3C.

In conjunction with its 2002 audit report, completed October 25, 2002, the school received a management letter which included several comments. The school’s charter requires that the school submit a corrective action plan in response to any such management letter comments. Preferably, such plan should be submitted at the time the report is submitted, but at least within 30 days. CNYCS did not submit a corrective action plan to the Institute regarding such items until March 19, 2003. Corrective actions were eventually appropriately taken.

<p><b>Benchmark 3E</b></p> <p><b>Financial Condition</b></p>	<p><b>3E</b></p> <p><b>The school has maintained adequate financial resources to ensure stable operations and has monitored and successfully managed cash flow. Critical financial needs of the school are not dependent on variable income (grants, donations and fundraising).</b></p>
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Although the school had a deficiency of revenues versus expenses in three of its first four years, cash flow has never been a problem for CNYCS. This may have been due to the advantageous way per-pupil funding is provided to the school and interest free loans were provided by the school’s management company.

The school completed its latest year in weak financial condition although it made some significant progress toward eliminating its accumulated deficit. The school had an increase in net assets of \$432,322 and finished with a net asset deficiency of \$342,804. Overall, the school’s cash position increased by \$38,824. The school’s operating activities provided positive cash flow of \$369,861; the school invested in the purchase of property and equipment totaling \$49,280, transferred \$40,478 to investments held in trust, and repaid \$241,279 in debt.

Over the first four years of its charter the school received negligible amounts of contributions; the school was not dependent on variable income for its financial needs.

CNYCS has fixed assets—school buildings and improvements, land, computer equipment, and furniture and equipment—totaling \$4,847,432 (net of accumulated depreciation and amortization). The school has long-term debt totaling \$6,110,000, consisting of Onondaga County Industrial Development Agency Educational Facility Revenue Bonds. Payments on these bonds consist of annual Director Installments, ranging from \$70,000 to \$400,000, plus interest at rates ranging from 6.75 percent to 8.5 percent. A balloon payment of \$1,045,000 is due January 2032. As of June 30, 2004, \$1,091,182 of the school’s funds were held by a Trustee and were restricted for security reserves, Director Reduction, and interest payments on the bonds.

**Renewal Question 4**  
**Should the School’s Charter Be Renewed,**  
**What Are Its Plans for the Term of a Future Charter?**

<p><b>Benchmark 4A</b></p> <p><b>Curricular &amp; Assessment Plans</b></p>	<p><b>4A</b></p> <p><b>The school’s curriculum and assessment plans for the term of a future charter are reasonable, feasible, and achievable and are likely to improve student learning and achievement.</b></p> <p>Schools that plan to retain or augment curricular and assessment designs presented in the original charter application have provided evidence that the implementation of that design has resulted in academic success during the term of the existing charter.</p> <p>Schools that propose a material redesign to the curriculum and assessment plans for the term of a new charter have clearly articulated the new design, provided research and evidence that the proposed new design will result in the increased academic performance of children, and a plan and timeline outlining the implementation of the new curricular design. These plans are likely to improve student learning and achievement and are reasonable, feasible and achievable.</p> <p>Schools that seek to add grade levels not included in the approval of the original charter have presented an outline of the curriculum and specific assessment plans for the term of a future charter. These plans are likely to improve student learning and achievement and are reasonable, feasible and achievable.</p>
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In its renewal application, CNYCS describes the focus of the school’s future educational plans, in response to the fourth renewal question, as “Quality and Excellence in Student Learning.”<sup>30</sup> The descriptions of planned changes to the school’s design and educational programs, in the areas of governance, assessment, staff development, and the subjects of English Language Arts, science, and mathematics, are similarly platitudinous and vague. The proposals do not provide the Institute confidence that the school has a reliable plan for dramatically and quickly improving the quality of instruction at CNYCS, and in turn, student outcomes.

In the area of English Language Arts, the planned increase in the amount of time devoted in the school’s daily schedule to ELA to two and a half hours a day is sensible, and institution of the Reading First Program in grades Kindergarten through the third grade is already strengthening reading instruction in those grades. *But no mention is made of plans for radically improving the school’s very weak ELA program in grades four through six, nor are any plans provided for the improvement of writing instruction, an area of notable weakness currently.*

In a school which aspires to be a “model program” for science education, the description of forthcoming improvements in science instruction—for instance, establishing “science centers” in each classroom—is unconvincing.

In an appendix to the renewal application entitled “Key Design Elements for the Next Charter Period,” the school acknowledges that all of its students “must

<sup>30</sup> See renewal application, page 41.

successfully meet the state standards, so that they can be adequately prepared for their future.” It then emphasizes, however, that “many of our students enroll already two or more years behind grade level” and that “for most of these families we are their only alternative to the neighborhood school that is already failing.”<sup>31</sup> This language reflects what the renewal visit team perceived to be a pervasive attitude at CNYCS among staff and Board members: the school is “getting better” and is “a work in progress.” By this thinking, as there are few alternatives for parents of students at CNYCS, there is no great urgency—even in the school’s fifth year—in meeting the state’s standards or rectifying the often substantially below grade level performance of the school’s students. The Institute rejects this view (see also Benchmark 4B, on the school’s proposed new Accountability Plan.)

In response to a draft of this report, the school has informed the Institute that a comprehensive assessment of the educational program is now being undertaken and will be completed only in February 2005.

<p><b>Benchmark 4B</b></p> <p><b>Accountability Plan</b></p>	<p><b>4B</b></p> <p><b>The school has provided a draft Accountability Plan that defines the school’s measurable goals for the term of a future charter.</b></p> <p>The school’s proposed Accountability Plan follows the guidelines set forth by the Institute and presents an accountability system that is reasonable, feasible, and achievable.</p>
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CNYCS’s proposed Accountability Plan for a second charter term (the Proposed Plan) proposes levels of student performance substantially *below* that of the school’s current Plan. For instance, the Proposed Plan commits the school only to ensuring that 60 percent of students are proficient in math (as measured by attaining Levels 3 or 4 on the state’s math assessment) in 2005-06 in grade three, with a rise to just 68 percent (an eight percentage point improvement) four years later in 2009-10. Similarly, the Proposed Plan would ensure only that three quarters of students are proficient in ELA by the year 2009-10.

Implicitly, the Proposed Plan concedes that 25 to 40 percent of CNYCS students (depending on the subject and grade) will not meet the state’s standards ten years after the school was first chartered by the state. If this is the most the school’s Board can commit to achieving, it is hard to see how the school represents a worthy continuing investment of public funds. With its modest goals, the Proposed Plan may be feasible and achievable, but as the level of student performance it proposes would fall far short of the state’s expectations, it is not reasonable.

<sup>31</sup> See renewal application, Attachment 4-1, page 7.

<p><b>Benchmark 4C</b></p> <p><b>School Calendar &amp; Enrollment</b></p>	<p><b>4C</b></p> <p><b>The school has provided a sample school calendar that includes the number of days and proposed daily hours of instruction. Additionally, the school has provided an enrollment plan outlining the grades and growth patterns it anticipates during the term of a future charter.</b></p> <p>The plans are reasonable, feasible and achievable.</p>
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The school shared a sample school calendar for the proposed second five-year charter. It is not clear that the proposed calendar is achievable. During the renewal visit, team members noted the actual length of the CNYCS school day falls short of the stated schedule. Ostensibly, the school day runs from 8:30 am to 4:00 pm, and 8:00 am to 4:15 pm for teachers. However, in several observations at the beginning of the day, team members observed students arriving to class well after 9 am, and the teacher beginning instruction only after these students were settled in place. For example, in one second grade class, the teachers began taking attendance at 9:10 am and began teaching at 9:15 am.

CNYCS has submitted enrollment plans for a second five-year charter. The school plans to grow to a maximum enrollment of 615 students in grades Kindergarten through six in the 2004-05 school year and to maintain that grade structure and enrollment levels through the remaining years of a five-year charter (2009-10).

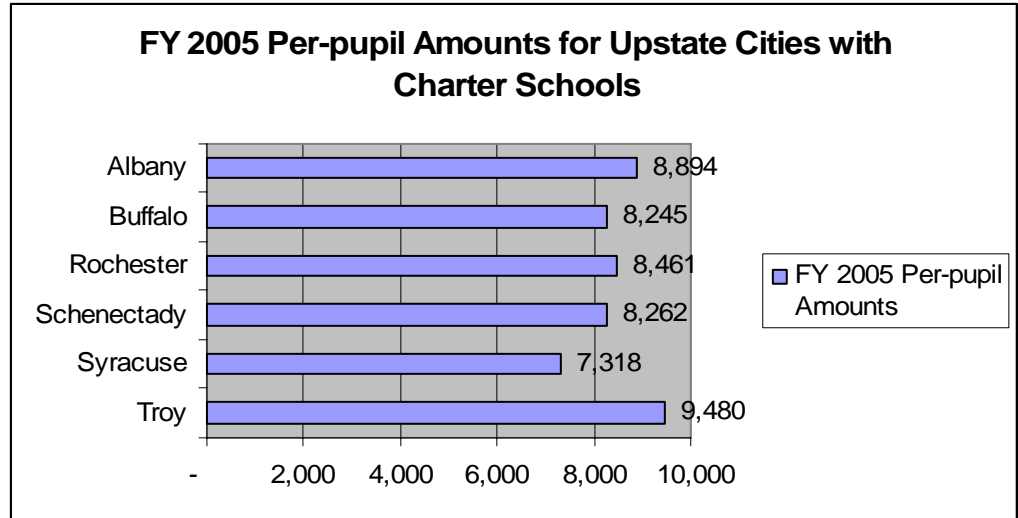
As discussed under Benchmark 4D below, it is not clear that these plans are reasonable, feasible, and achievable, given intensifying competition from the city school districts and the school’s failure to meet enrollment targets in the past.

<p><b>Benchmark 4D</b></p> <p><b>Fiscal &amp; Facility Plans</b></p>	<p><b>4D</b></p> <p><b>The school has provided a reasonable and appropriate five-year fiscal plan for the term of a future charter.</b></p> <p>The school has provided a fiscal plan that includes a discussion of how future enrollment and facility plans are supported and/or impacted by the school’s fiscal plan for the term of its next charter. In addition, fiscal plans provided for a future charter term reflect sound use of financial resources that support academic program needs.</p>
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The school faces significant challenges in regard to maintaining its fiscal viability and there can be no certainty it will meet them. The cornerstone of any charter school fiscal plan is the reliability of its enrollment projections. The school projects actual student enrollment of 615 students, with paid enrollment of 600. Normally this would be considered a conservative assumption, given that the school has sufficient space to accommodate this number of students. However, with current enrollment of only 543 students as of January 2005, the plan’s viability is questionable. School officials indicated that active competition from the city school district prevented the school from reaching its enrollment goal in the current year. Should the school’s charter be renewed, there is no indication that such competition will lessen.

The per-pupil funding provided by the city school district of Syracuse to the school lags considerably that of other upstate city school districts, as shown in the figure below. The State Education Department determines the per-pupil amount that each

district pays annually. This relatively low-level of funding, combined with the disadvantages all charter schools face—no access to facilities or to categorical aid—presents a significant challenge to CNYCS. While some schools have been able to offset funding shortfalls through fundraising efforts, the school has not chosen this path.



Source: New York State Education Department

As discussed under Benchmark 3A, the school’s high fixed costs constrain the school’s budgeting choices. For fiscal years 2003 and 2004, Director and interest payments alone represented 21 percent and 19 percent of per-pupil revenues, respectively, received by the school.

Long-range fiscal projections are more susceptible to error than those for a single year. These projections are subject to revision due to changes in local conditions, objectives, and laws. Regardless of the assumptions embedded in the fiscal plan, the school would be required to develop and adopt annual budgets based on known per pupil amounts and other realities should its charter be renewed. As noted under Benchmark 3E, the school improved its financial condition last year, and in FY 2005, the school’s per-pupil funding increased six percent over the previous year. This increase will enhance the school’s stability. However, as of June 30, 2004, current liabilities of the school exceeded current assets by \$656,000. Therefore it is possible that the school may have difficulty meeting current obligations as they become due.

The school’s contract with its management company expires in June 2005. Generally, management fees under the contract are 10 percent of federal, state, county, and local allocations and entitlement grants, subject to certain annual minimum payments. The school owed its management company \$46,914 in management fees as of June 30, 2004. During the current school year, management will evaluate the continuation of this contract. Whether or not the relationship continues, it will have a significant impact on the school’s fiscal plans for the proposed new charter period. Uncertainty over this key issue makes it difficult to assess whether the fiscal plan presented is reasonable, feasible and achievable.