



Charter Schools Institute

State University of New York

**CHARTER RENEWAL REPORT
FINDINGS & RECOMMENDATIONS**

NEW COVENANT CHARTER SCHOOL

JANUARY 2004

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INTRODUCTION

The Charter Schools Act of 1998 (“the Act”) authorizes the State University of New York Board of Trustees to grant charters to applicants for the purpose of organizing and operating an independent and autonomous public charter school. The purpose of the Act is to authorize a system of charter schools in order to 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;
- 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.¹

When granted, a charter is valid for up to five years. For a school chartered under the Act to operate beyond the initial charter term, the school must seek and obtain renewal of its charter.²

In order to assist the State University Trustees in their responsibilities under the Charter Schools Act, the State University Trustees authorized the establishment of the Charter Schools Institute of the State University of New York. Among its duties, the Charter Schools Institute is charged with evaluating renewal applications and providing its findings and recommendations to the State University Trustees.

This report is the primary vehicle by which the Institute transmits to the State University Trustees its findings and recommendation regarding a renewal application. The report’s purpose is to assist the State University Trustees in evaluating the merits of a school’s renewal application and more broadly the merits of a school’s case for renewal. The report has been created and is issued pursuant to the State University Renewal Practices, Policies and Procedures.³

¹ See § 2850 of the Charter Schools Act of 1998.

² See §§ 2851(4) and 2852 of the Act.

³ A summary of the State University Renewal Practices, Policies and Procedures (May 20, 2003) is available at www.newyorkcharters.org.

Statutory and Regulatory Considerations

The Act prescribes specific requirements for a charter school renewal application. Charters may be renewed, upon application, for a term of up to five years. The Act requires that a school's charter renewal application include:

- 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;
- Indications of parent and student satisfaction.⁴

The Charter Schools Institute's processes and procedures mirror these requirements and meet the objectives of the Act.⁵

As a charter authorizing entity, the State University Trustees can renew a charter for a term of up to five years 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.⁶

Where the State University 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.⁷ The Regents may approve or return and comment on the proposed charter, ultimately leading to final approval of the renewal charter either by vote of the Regents or by operation of law.⁸

⁴ § 2851(4)

⁵ Further explication of these policies and procedures is available on the Charter Schools Institute website. See <http://www.newyorkcharters.org/howto/renewal.html>.

⁶ See § 2852(2) of the Act.

⁷ See § 2852(5) of the Act.

⁸ See §§ 2852(5-a) and (5-b) of the Act.

Process for Renewal

This report contains the findings and recommendations of the Institute regarding a school's application for charter 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"⁹) 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 (the "Accountability Plan Progress Report").¹⁰ 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. 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, the Institute provides general advice as to potential avenues for improvement. To further assist the school in this regard, the Institute contracts 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, 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?

⁹ See <http://www.newyorkcharters.org/resource/reports.html> for detailed information on Accountability Plan guidelines.

¹⁰ See <http://www.newyorkcharters.org/resource/Model%20Progress%20Report1.pdf> for a model Accountability Plan Progress Report.

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

This evidence gathering is structured by a set of benchmarks, paralleling the four renewal application questions listed above. These benchmarks are linked to the accountability plan structure, the charter renewal requirements in the Charter Schools Act of 1998; many are also based on the correlates of effective schools.¹¹

During the renewal visit, the Institute's renewal visit team debriefs regularly to share evidence and generate analyses as well as determine if more evidence is needed to confirm the school's performance against the renewal benchmarks. Through this process, the team generates a set of preliminary findings which are presented to the school at the end of the renewal visit.

Following the visit, the Institute's renewal team meets to organize and finalize the analysis of all evidence generated regarding the school's performance. The Institute's renewal benchmarks and rubrics are discussed, and the lead writer uses the team's evidence and analysis to generate comments under each renewal benchmark rubric. The completed rubrics present a focus for discussion and summary of findings. The rubrics 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 comment, 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 State University Board of Trustees and the schools themselves. This report is the product of that process.

¹¹ <http://www.effectiveschools.com>

READER'S GUIDE

The report contains the following sections: Introduction, Reader's Guide, School Description, Findings, Renewal Rubrics, and Recommendation. As the material in the introduction as well as the School Description speak for themselves, no guidance is provided. Guidance as to the remaining sections is broken out below.

1. Findings

The Findings are 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 finding is a summary of the evidence supporting the finding. That evidence is contained in the rubrics included in this report which follow the findings in this report.

The ordering of the findings, with those regarding academic outcomes and program 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 all 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.

2. Rubrics

The evidence supporting each finding is structured and organized by a set of rubrics known as the Renewal Rubrics. Each rubric contains a performance benchmark, e.g., the school uses assessment and evaluation data to ensure that the state performance standards are being met. As noted above, the rubrics are not used as a scorecard, since the constituent benchmarks do not have equal weight, do not provide context, and do not indicate future prospects for school performance. The rubrics do, however, provide a comprehensive picture of the extent to which an applicant school met accountability and operational standards.

3. Recommendation

This section of the report contains the recommendation of the Institute as to the disposition of the application for charter renewal. Under the State University's Renewal Practices, Policies and Procedures, the Institute may make one of the following types of recommendations:

- **Early renewal:** available to schools in the fourth year of the charter which have already made 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 a renewal term of five years.
- **Renewal with conditions:** available to schools that 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.
- **Short-term renewal:** available to schools in their fifth year that present an ambiguous or mixed record of educational achievement, but that have taken concrete steps to correct those deficiencies and such steps are likely to lead to educational success with additional time. Typically, but not necessarily, 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.
- **Non-renewal:** where a school does not present a favorable 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 the recommendation itself (and any conditions made part of that recommendation), this section 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. Each recommendation is the product of the totality of the evidence gathered.

SCHOOL DESCRIPTION

Founded by a coalition of community leaders, New Covenant Charter School was approved by the State University Board of Trustees in August of 1999 and opened in September of that year. Located in the Arbor Hill community in Albany, the school initially was housed in temporary modular structures enrolling 398 students in grades K-5.

After its first year, the school terminated its management agreement with Advantage Schools Inc., a for-profit school management firm, and amended its charter to allow it to contract with Edison Schools, Inc., also a for-profit school management firm. At the same time, New Covenant was put on probation, and directed to comply with a Remedial Action Plan requiring the school to improve its financial reporting and capping enrollment at no more than 400 students until a new, permanent facility was completed.

Eleanor Bartlett, a former member of the Board of Regents and former acting Superintendent of the City School District of Albany, became principal of New Covenant in August 2000. Soon after assuming the principalship, Bartlett implemented changes to the school's program including a heightened emphasis on reading and math and an optional Saturday morning tutorial program.

In September 2001, New Covenant moved into a new building on North Lark Street in Albany. By complying with this aspect of the Remedial Action Plan the school was permitted full enrollment under the charter – 700 students – almost doubling its size. In April 2002 the State University Trustees found the school had met the remaining terms of the Remedial Action Plan and removed it from probation.

Under the original terms of the charter, New Covenant had planned to expand to grades K-9 in the fifth and final year of its charter; however, it applied for and obtained a variance and serves grades K-8 with current enrollment at 842. The school remains in partnership with Edison Schools.

FINDINGS

1. Is the School an Academic Success?

Finding 1 *New Covenant met some but not all of its accountability plan measures as to the primary grade students. Most notably it outperformed comparable schools in Albany on the fourth grade New York State English Language Arts and mathematics assessments by showing greater gains year to year, though the percentage of students meeting standards was less than promised. Due largely to a lack of consistent data, the school is not able to demonstrate increases in the same students' progress over time.*

On the fourth grade New York State assessments in English Language Arts and Mathematics, New Covenant Charter School students have posted a three-year change in mean scale scores that is greater than comparable schools in the Albany City School District, thus meeting this accountability plan measure. Gains have been sufficient such that approximately the same percentage of students at New Covenant are meeting the State standards as at comparable schools in Albany.

While the school has similarly increased the percentage of students meeting standards (scoring at 3 or 4) on the same assessments (in English Language Arts from 9% to 40% [52% for students enrolled for two years or more] and in mathematics from 3% to 58%), this falls well short of the school's goal of having 75% of students meeting State standards who were enrolled for two or more years.¹² This is true for both the English Language Arts and mathematics assessments.

The school provided documentation to show increases in the same students over time (cohort analysis). The strength of the documentation was lessened due to assessment results that were lost in the earlier years of the charter.

Due to inconsistent implementation of assessment instruments, loss of data, inconsistent data, and switching assessments, the school is unable to demonstrate in any meaningful way that it has "added value" to students' education by increasing same student performance over time. As such, the school has little if any reliable and valid data in this regard and has not met the relevant measures in its accountability plan.

¹² The school has failed to report as required the number of 4th grade students who were enrolled for two or more years and met State standards (scored at levels 3 and 4). As such the Institute assumes that this data showed a negative trend, *i.e.*, those students did not meet State standards at a greater percentage than students enrolled for less time and thus the true percentage of such students is less than the 58% figure for all students.

Finding 2 *There is very limited evidence that the junior academy has prepared or is preparing students to meet State standards and succeed in a high school program. This is demonstrated by the assessment data and by the high degree of teacher turnover, student disengagement, small scale but chronic classroom disruption, very limited academic rigor, and a lack of effective student management.*

At a time of increased expectations for student achievement in New York State, the academic program and resulting student performance by New Covenant Charter School junior academy students is highly unsatisfactory. Only 21% of students met the State standards on the 8th Grade English Language Arts assessment. Only 1% of its students met State standards on the 8th Grade mathematics assessment. Based on the school's performance in mathematics at the 8th grade, New Covenant would be potentially classified as a school under registration review (SURR). Indeed, on this measure, the school appears to be furthest from State standards of all public schools in New York State. While the school's overall performance on the 8th Grade English Language Arts assessment was higher than that in mathematics, the school's scale score was lower than both comparable schools in the school's Accountability Plan. Notably however, New Covenant had the same percentage of students meeting State performance standards of one of the two comparable schools—and the percentage of students meeting those performance standards increased to 56% among students who were enrolled for two years or more.

The low level of performance, especially in mathematics, is the direct outcome of the many deficiencies in the school program in the junior academy, problems that have been acknowledged by the school, its board, the Management Company and the new school leader. As documented by the Institute in visits to the school during the life of the charter as well as its renewal inspections, the junior academy, especially grades 7 and 8, is characterized by high teacher turnover, student disengagement, small scale but chronic classroom disruption, very limited academic rigor, and a lack of effective student management.

For example, many classrooms in the upper grades of the junior academy are chaotic. In some classrooms, a number of students move about the room purposelessly while the teachers are attempting to teach and ignore the teachers' directions to sit down. Numerous students also arrive late to class. As many of these students offer no excuse and teachers require none, tardiness appears to be an acceptable norm in these classrooms. In addition, some students incessantly interfere with other student's learning without consequence. Even in classrooms where there is a degree of order there is a palpable level of student disengagement: students often do not have materials for class (e.g., pen or paper) and have not done their homework. Many students are chronically inattentive, including sleeping openly in class.

While the reasons for a lack of purposeful learning environment are many, one reason clearly is that students are not held accountable to a single discipline system across the academy. Most classrooms at this level do not have the student code of conduct posted, and it is rare to observe a teacher applying a consequence for negative behavior based on the code of conduct and/or discipline code. For example, when in one classroom the teacher instructed a student to sit down and start the assigned homework, the student responded with offensive language without being reprimanded or suffering any consequence.

A high level of teacher turn-over over the life of the charter is another cause of a lack of student achievement in the junior academy (and is itself an effect of student misbehavior). The school, has, therefore, not developed a core of veteran teachers that new or inexperienced teachers can turn to for guidance or assistance and to serve as the foundation for a successful school. As compared to the academy director in the primary and elementary academies, the junior academy director spends an inordinate amount of time on student discipline rather than on the critical need for teacher development.

In sum, the barriers to the junior academy as a whole becoming effective are many and the problems are systemic. As such, even taking into consideration the breadth and depth of experience and expertise of the new leader at New Covenant Charter School, it is highly unlikely that the upper grades (7th and 8th) will be able to prepare students to meet State standards and the rigors of a high school program anytime in the near term.

Finding 3 The system of internal assessments implemented at the school shows promise, but the school has yet to fully utilize it to increase student learning and achievement. This is especially true in the upper grades and for students at increased risk of academic failure.

The school uses a number of internal assessments that show promise in tracking student achievement and informing teachers in their day-to-day work. Specifically the Achievement Team and administration review monthly achievement profiles which provide a snapshot of academic performance. However, since the information is based on varying sources of self-reported data its applicability to school goals and State standards is limited. The school also administers the SRI (Scholastic Reading Inventory) assessment bimonthly and reports results to parents. However, these results also do not provide an indication of the extent to which progress is made toward State performance standards and school goals.

New Covenant Charter School also uses the Edison Benchmark Assessment System to track student performance in basic skills. These

monthly computerized assessments indicate student progress toward mastery of the Edison curriculum. Again, however, there is little evidence that these proprietary assessments are aligned to State performance standards and therefore the majority of the school's accountability plan goals and measures. The inability to track progress against the State performance standards is especially problematic in the upper grades. Moreover, it does not allow the school to identify in a timely way students who are most at risk of not meeting State standards.

Finding 4 The academic program implemented in the primary and elementary academies continues to gain strength and is supported by positive student order and discipline. However, strong and sustained progress toward ensuring all New Covenant Charter School students meet the State performance standards in grades 1-5 requires greater academic depth and rigor.

Numerous Institute formal and informal visits and inspections at the school, a number which have included outside experts, have documented, along with State assessments, the growth of the academic program in the primary and elementary academies. This has occurred for a number of reasons, including the same academy leadership for a number of years, a consistent approach to student discipline and a lower rate of teacher turnover over time.

Teachers have developed writing rubrics (rules for scoring) based on the State English language arts standards, and have developed anchor papers (examples of proficient student writing) to enhance scoring reliability. These are discussed and shared with other teachers during grade, team, and academy level meetings, activities which generally are not occurring in the junior academy.

The school must continue its current progress at the lower grades in improving student achievement at the highest levels and fostering a rigorous and focused academic climate. This will require greater depth of study and a higher level of rigor than is presently found across the primary and elementary academies.

Finding 5 The design for the professional development program is exemplary. Its effectiveness would benefit from greater administrative and staff retention.

The professional development program at New Covenant Charter School is seamless from school wide to in-class offerings. Edison Schools provides specialized professional development at sites across the country. At the school level lead teachers, team leaders, and academy directors

work together to implement the Edison model. At NCCS, based on classroom observations and interviews, the model appears to be working effectively at the primary and elementary academies. The same is not true at the junior academy.

The lack of consistent leadership at the school level and a high rate of teacher turnover has hampered implementation of the program across the school. The new principal indicated his direct support for professional development by accompanying new teachers to an out of state multi-day training session after the renewal visit.

2. Is the School an Effective, Viable Organization?

Finding 1 *The school is on the road to achieving its mission at the primary and elementary academies though in the words of the school's board, it is not yet where it needs to be. During the life-time of the charter, the school has not met its mission as to the junior academy students and has made little if any progress in that regard. The newness of many members of the board in the fifth year and the overall current lack of focus on improving student learning and achievement at the board level limit the likelihood of improvement, especially in the upper grades.*

The mission of New Covenant Charter School is to create a school that will register continuous academic and social gains in student performance while serving the diverse needs of its student population. As discussed earlier in these findings, the academic performance of students in the primary and elementary academies is on an upward trajectory when compared to similar schools and year-to-year. As also discussed, the primary and elementary academies have had reasonably high rates of teacher retention as well as consistent and focused direction from academy leaders. Accordingly, disarray at the board level, and differences between the management company and the board (see finding 2, *infra.*), have had less impact at those grades, though, as the school board acknowledges, performance in the early grades remains too low.

The progress that the school has made with the primary and elementary grades is not in evidence in grades 7-8. As detailed in the findings to Question 1, junior academy performance on external assessment measures is extremely low. As the board has acknowledged, the upper grades of the junior academy are plagued by a culture of low expectations and a lack of focus on academic preparation and student achievement. Therefore, consistent and clear direction from the board in this regard is critical. However, at present, many of the board members are new and/or not focused on the critical issue of improving student learning and

achievement. Rather, during board interviews, board members focused (eloquently) on the need for the school to be of and for the community. While these are certainly important elements in the school's mission, there was not a like focus on student improvement and little sense or plan of how to make that improvement come to pass (see, also finding 2, *infra.*).

Finding 2 *The school has not consistently had effective leadership at the board and administrative level. In the fifth year of the school's charter, the board displays a unity of purpose and confidence in the new school leader but as a whole has limited knowledge of the school's program that limits its effectiveness.*

The school has not been effectively led at all levels and at all times during the charter period. During the first year of the charter, the board had in place insufficient fiscal oversight practices and policies leading to the school being placed on probation in Fall 2000. Thereafter, and in particular during the 2002-03 school year, the board was factionalized and preoccupied with internal divisions that at times prevented a quorum from being established and in turn prevented the board from conducting school business. In addition, the factionalized board was one reason why the school was unable to bond out the construction loan between it and Edison Schools, its management partner.¹³

A lack of consistency and leadership has also been evident at the director level as well during certain times of the charter. The school has had nine school directors during the term of its charter, with the current chair of the board serving the longest tenure, two years.

In the fifth year of the charter, the board appears united behind the board chair and the present school leader. However, many of the board members are new and unfamiliar with the school's design and unsure of its mission as it relates to improving student learning and achievement. In particular, members of the school's Education Committee, which is charged with review of the school's education program, demonstrated only a rough understanding of that program and the Committee has yet to implement a formal evaluation process.

The lack of knowledge and experience of the newer board members is mitigated to some degree by the board chair, formerly the principal of the school as well as former member of the Board of Regents and acting superintendent of the Albany City School District. In part in recognition of the need for strong oversight as the board develops, the board intends to

¹³ The failure to finance the construction loan was due as well to the announcement by Edison Schools, Inc. that it was under investigation for accounting irregularities by the Securities and Exchange Commission. That investigation resulted in a settlement between Edison and the SEC.

hire a staff that answers directly to the board and that is charged with evaluating school program and the effectiveness of the school's management company. However, in the school's fifth year, those plans are not yet implemented.

Board members appear to believe that the current school leader, a veteran administrator who started in October 2003, will end the pattern of rotating school leaders. He has demonstrated expertise in various public school settings and positions, including the Albany City School District. During his first weeks on the job, he had already developed a plan of action to resolve deficiencies at the school and had begun to implement them.

Finding 3 The school did not meet its accountability plan measure for parent and student satisfaction. School administered surveys show parent and student satisfaction declining over the life of the school's charter.

The Accountability Plan that the school negotiated with the Institute states that the school will demonstrate steadily improving high levels of student satisfaction. According to the renewal application, student satisfaction has generally declined over the past three years in the survey's four categories. Similarly, parent satisfaction has generally declined over the past three years, also in the survey's four categories.

Of equal concern is that less than 20 percent of the parents in the school responded to the survey during the past two years. The charter renewal application did not propose strategies for increasing the response rate. Finally, the lack of enthusiasm for the school at the parent level appears to have translated into difficulties in maintaining full enrollment. The school has struggled year-to-year to meet its enrollment projections, which as set forth in response to Question 3 (fiscal soundness), has resulted in shortfalls in projected revenue.

Finding 4 After struggling with compliance issues in the early years of the charter, the school is now in substantial compliance with applicable law. However, the school has recently failed to file its audit report for the preceding school year in a timely manner.

The Institute's records show that instances of non-compliance have been limited and occurred mainly in the early years of the school's operation. Besides the failure of the school to maintain appropriate financial control procedures (resulting in the resignation of the then board chair and the school being placed on probation during the 2000-01 and 2001-02 school years), problem areas have included the submission of data and reports after established due dates and maintenance of adequate procedures for

meeting the needs of students with disabilities and English Language Learners.

Based on the Institute's files and interviews with board members and the school director and other staff, the school appears to currently be in substantial compliance with the law or charter. There is however one notable exception to the school's recently improved record in this regard. On December 1, 2003, the school notified the Institute that it would not file its audit by December 1st as required by its charter—and might be as much as 90 days late. The Institute has informed the school that this may result in the school being required to enter into a corrective action plan or the school being again placed on probation.

3. Is the School Fiscally Sound?

Finding 1 *Oversight of the school's fiscal practices, internal controls and budgeting have been inadequate. The Board has not consistently reviewed proposed budgets and does not routinely monitor the budget during the school year.*

In the first four years of the school's operation the Board did not request or receive regular financial reports. There is no evidence that the Board reviewed and approved the school's operating budgets. The Board has been weak in ensuring that accurate financial records are kept and maintained and that the school operates in accordance with an approved budget.

In particular, the lack of financial controls resulted in a management letter being attached to the FY 2001-02 audit report that found several fiscal policies and procedures in need of improvement. In some cases, the auditor found practices that were in violation of existing policies and procedures. During FY 2002-03, the school worked to correct the identified items, and claims that it has done so. However, the Institute's site visit in April 2003 found that not all changes promised had in fact been made.

The board has recognized that its oversight capacity has been deficient and has plans to hire an individual charged with oversight over fiscal policies and controls, including monitoring the performance of Edison Schools which has been delegated day-to-day authority over many of these duties. However, no comprehensive set of procedures and policies is now in place.

Finally, as noted in discussion of the findings to Question 2, supra, the school has failed to complete its audit for FY 2002-03 in a timely fashion

and provide its audit report to the State University by the December 1 deadline. This is the fourth year in a row that the school has missed the deadline. The school has failed to provide a full accounting of the reasons for the FY 2002-03 delay and has indicated that it will be substantial (up to 90 days). The lack of an on-time audit report is particularly notable in light of the fact that the previous audit report contained the management letter discussed above.

Finding 2 *The school has not been able to adhere to or achieve a balanced budget. The school had operating deficits for three of the first four years of its operation. The deficits are a function of higher than expected facility costs and insufficient enrollment to support these costs.*

The school had an operating deficit of over \$ 1.2 million (15%) in the 2002-03 fiscal year and deficits in the two prior years as well. These operating deficits are the result of the school's facility financing costs amounting to approximately \$1.5 million a year on the one hand and an enrollment level that has not met projections on the other. (In budgeting for the construction of the facility, enrollment was projected at over 1,000 students in grades K-9; in fact the school serves only grades K-8 and has actual enrollment this year of only 842). Pursuant to the Management Agreement with Edison Schools, Edison Schools has covered the operating deficits and, as such, the school's imbalance between revenues and expenses has not caused the school to become insolvent. However, the school remains in a precarious financial position and has not been able to build any reserves during the charter term.

4. What are the school's plans for the renewal term and are they reasonable, feasible and achievable?

Finding 1: *The school faces significant challenges in regards to maintaining the degree of fiscal stability and viability it has, and there can be no certainty that it will meet them. However, such challenges are not insurmountable.*

Looking forward, the school's fiscal stability will depend on the school's ability to meet the following challenges. First, New Covenant Charter School must find a way to re-finance the outstanding construction loan of \$13.8 million. According to the terms of the loan, the loan will come due in full on September 15, 2004. Without re-financing, either through bonding out the debt under the powers of the school to issue tax-free debt, reaching some agreement with a third-party lender (bank financing) or a restructuring of the loan with Edison proper, the school will be rendered insolvent. Edison has indicated its willingness to work with the school to

restructure the note if necessary as long as the school is prepared to continue its partnership with Edison. In the event that the school severs its partnership, Edison indicated that its fiduciary duty to its corporate interest would necessarily require that it explore all options, including potentially requiring the school to declare a default. As Edison holds the mortgage on the building, this could result in the school being closed. However, Edison has also indicated that even in the case of a severance of the management partner relationship, restructuring the loan may be the most economically feasible alternative for the company.

Second, and assuming that the school can resolve the September 2004 debt issue, the school's fiscal stability is still at risk. A re-financing would eliminate the deadline, but the budget projections for the renewal period would still require annual capital expenditures of over \$1.5 million. Projections for the renewal period indicate that the school will end all five fiscal years with miniscule surpluses (less than one-half of one percent). This is a breakeven scenario. However, even this scenario may be optimistic given that its revenue projections are dependent upon full enrollment at the projected numbers.

In this regard, it is important to note that historically, the school has failed to reach its enrollment targets for the first four years. Budget projections for the 2003 fiscal year called for an enrollment of 833; actual end of year enrollment was 779. Moreover, the school has experienced a decline in parent satisfaction (resulting potentially in a decline in the school's reputation) and will likely face increased competition from new charter schools. As such, and despite Board members and Edison's stated commitment to conduct a vigorous enrollment drive, there can be no certainty that the school will meet its enrollment targets.

In sum: while school faces formidable challenges if it is to remain fiscally stable during a renewal term, for the reasons above, those challenges do not appear to be insurmountable.

Finding 2: The school's plans for increasing academic achievement are inadequate, especially in grades 7 and 8 at the junior academy level and give no confidence that students in those grades will be prepared to meet standards and upon graduation participate and succeed in a high school degree program.

To the school's credit, the application evidences the recognition that the junior academy program is unsuccessful and must undergo fundamental revision if it is to have any chance of improving student learning and achievement. In its discussion (albeit limited) of the planned steps and strategies, the school identifies the following: a) improving training for

new and returning teachers, including the demonstration of effective student management strategies throughout the academic year; b) refining the school's Code of Conduct and providing teachers with additional training on its consistent application; c) encouraging House Teams to devote some of their regular meetings to concerns related to classroom behavior; and d) providing meaningful incentives for classes that maintain positive records of behavior and achievement.”

Any confidence that these strategies will be effective must be tempered by the reality that the school has attempted already a number of these approaches, and they have not worked or not worked sufficiently at the junior academy level. As such, and as the school and its management company partner have not demonstrated during the life of the first charter that they have the understanding or expertise to implement an effective student order / discipline and academic program at the Junior academy level (described more fully in response to Questions 1 and 2), the school's plans are inadequate and there is little likelihood that the students in the upper grades (7th and 8th) will consistently meet State standards in meaningful numbers in the near term future.

RECOMMENDATION

Based on the findings and supported by evidence gathered over the five-year term of the school's charter, the Institute recommends that the charter for the New Covenant Charter School be renewed for a term of five years subject to the following conditions.

1. The school will be authorized to provide instruction to students in grades K-6 at a maximum total enrollment of 935 students. Student enrollment in grades five and six will be limited to those students previously enrolled at New Covenant in grades four and five respectively. The New Covenant Charter School shall amend its admission and enrollment policies to be consistent with such restrictions.
2. The school agrees to submit its completed annual audit report by December 1 in each year of the charter and further agrees that a failure to do so would constitute a material and significant violation of the charter and be grounds sufficient to place the school on probation or terminate the charter pursuant to section 2855 of the Education Law.

As set forth at greater length in the findings, the Institute recommends that the school be authorized to continue instruction in grades K-6 based on the school's record of educational achievement, including an overall upward trajectory in such achievement in grades K-4 over the life of the first charter. A full five-year renewal recognizes the gains posted by the primary and elementary academies as a foundation for further growth in the next charter as well as the fact that, towards the end of its initial charter, New Covenant Charter School has in place an effective school leader and board of trustees that should serve the school well during the next charter.

While the school's effectiveness is largely restricted to grades K-4, the Institute recommends that New Covenant Charter School be authorized to provide instruction in grades five and six as well, subject to limiting enrollment to only those students previously enrolled at New Covenant in grades four and five respectively. Though the academic program in grades five and six is not yet fully functional, steps taken by the new principal to bring order and academic rigor to the fifth and sixth grades already show some promise and are likely to be effective in those two elementary grades if enrollment is restricted to students who have completed grades 4 and/or 5; moreover, though not a factor in and of itself, the K-6 configuration matches that of the Albany City School District and will allow students to matriculate directly to a middle school rather than spend one or two years at a different elementary school.

In contrast, the record of educational achievement in grades 7-8 has been very limited over the life of the first charter. For example, only 21% of students met the State standards on the 8th Grade English Language Arts assessment. Only 1% of its students met State standards on the 8th Grade mathematics assessment. On this measure, the school is furthest from State standards of all public schools in New York State. Of equal concern, and as set forth at length in the findings, the barriers to the junior academy at grades 7-8 becoming effective are many and the problems are systemic. As such, even taking into consideration the breadth and depth of experience and

expertise of the new principal and the commitment of the recently reconstituted board of trustees at New Covenant Charter School, it is highly unlikely that the grades 7-8 program will be able to prepare students to meet State performance standards and the rigors of a high school program.

Finally, the recommendation imposes a condition that the school submit its annual audit report in a timely fashion. The school has failed to submit a timely audit report in each year of the charter. By imposing this condition, the school will be required to make a timely submission or face certain probation or termination.

As structured and limited by the renewal recommendation, the New Covenant Charter School would meet the requirements of the Charter Schools Act and all other applicable laws, rules and regulations. The school leadership has demonstrated the ability to operate an elementary school serving grades K-6 in an educationally sound manner and renewal is likely to improve student learning and achievement as well as further the purposes of the Charter Schools Act.

APPENDIX

RENEWAL RUBRICS

Renewal Question 1 – Is the School an Academic Success?

Rubric 1A.1 – Academic Attainment & Improvement – External Assessment

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1A.1.1 Absolute Measures (any New York State Assessment)	The school meets or exceeds the goal(s) as defined in the school’s approved Accountability Plan over the five-year term of its charter.	The school approaches the goal(s) OR, if multiple data points are available, shows meaningful and consistent progress over the course of a number of years.	The school is far from the goal(s) but has not been placed under registration review (SURR-School Under Registration Review) AND, if multiple data points are available, shows inconsistent progress.	School has been placed under registration review (SURR-School Under Registration Review).	Desk audit of: <ul style="list-style-type: none"> • BOCES/Dept of Ed/SED rosters of results • Application for renewal

Comments

The Accountability Plan (“AP”) states its outcome measure as “By the conclusion of the first charter period, 75 percent of the students (who have been at the charter school for at least two years) will perform at level 3 or above on the NYS English Language Arts/Math Tests.”

• **English Language Arts (“ELA”)**

In the Renewal Application (“RA”), New Covenant Charter School (“NCCS”) reports that in 2003, 52 percent of its fourth graders enrolled for at least two years scored at level 3 and above. It also provides the following results for all fourth graders spring 2000 to spring 2003:

Percent Levels 3 & 4 on ELA/4				
	2000	2001	2002	2003
All students tested	9	22	15	40
Students enrolled at least two years	-	-	-	52

The report only provides results for students enrolled for at least two years in 2003. The pattern for all students tested during the four years shows substantial progress in the fourth year compared to the first three. However, the pattern is not uniformly positive, given a decrease between 2001 and 2002.

New Covenant Charter School Renewal Report

The RA reports that in 2003 56 percent of its eighth graders enrolled for at least two years scored at level 3 and above. The RA does not report the results for all students tested. NCCS had an eighth grade for the first time in 2003.

Percent Levels 3 & 4 on ELA/8	
	2003
All students tested	21
Students enrolled at least two years	56

- **Mathematics**

In the (RA), NCCS reports that in 2003, 58 percent of all tested fourth graders scored at level 3 and above. It provides the following results for all fourth graders spring 2000 to spring 2003.

Percent Levels 3 & 4 on Math/4				
	2000	2001	2002	2003
All students tested	3	22	32	58
Students enrolled at least two years				

NCCS does not report any results for students enrolled for at least two years. Note: the 2003 results have not been verified in any official New York State Education Department (“SED”) report. The pattern for all students tested during the four years shows substantial and consistent progress over the first four years of the charter.

According to State Education Department results issued after the renewal visit, one percent of all eighth graders scored at level 3 and above. The RA does not report the results for students enrolled for at least two years. NCCS had an eighth grade for the first time in 2003.

Percent Levels 3 & 4 on Math/8	
	2003
All students tested	1
Students enrolled at least two years	N/A

Despite the substantial progress on both fourth grade tests, the school is furthest from state standards among all public schools statewide on the 2003 eighth grade math test and fits the State Education Department’s SURR (School Under Registration Review) school classification. Given these mixed results, the school is evaluated as having **limited development and/or partial implementation**.

New Covenant Charter School Renewal Report

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1A.1.2 Absolute Measure (The school is making adequate yearly progress in meeting academic goals as defined by NCLB).	All students at the school, and all identified sub-groups, are making significant progress above and beyond adequate yearly progress.	Most students, and most identified sub-groups, at the school are making adequate yearly progress	Some students, and some identified sub-groups, at the school are making adequate yearly progress.	Few or no students or identified sub-groups are making adequate yearly progress.	Desk audit of: <ul style="list-style-type: none"> • BOCES/Dept of Ed/SED rosters of results Application for renewal

Comments

Note: under New York’s NCLB accountability system, making adequate yearly progress is determined by a school’s School Performance Index (the “SPI”). The SPI represents the proportion of full-year students attaining proficiency or at least partial proficiency on the New York State fourth and eighth grade ELA and math assessments. The SPI is applied to overall school results as well as to designated sub-populations within the school. The required SPI score for each year is pre-determined by the State Education Department.

The school was not rated on this rubric.

New Covenant Charter School Renewal Report

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1A.1.3 Comparative Measures (any New York State Assessment)	The school meets or exceeds the goal(s) as defined in the school’s approved Accountability Plan over the five-year term of its charter.	The school approaches the goal(s) OR, if multiple data points are available, shows meaningful and consistent progress over the course of a number of years.	The school demonstrates mixed progress in meeting its goal(s) over the course of a number of years.	The school demonstrates little or no progress in meeting its goal(s) over the course of a number of years.	Similar schools analysis

Comments

The Accountability Plan (AP) states its outcome measures as: “The yearly increase in the mean performance of fourth and eighth grade NCCS students on the NYS ELA and Mathematics Assessments will exceed mean score increases of students in similar schools in the Albany City School District (Arbor Hill, Philip Schuyler, and Giffen Elementary Schools, and Hackett and Livingston Magnet Academy Middle Schools).”

• **ELA**

The following spring 2000-spring 2003 ELA/4 mean scale scores come from SED reports.

	Mean Scale Scores on ELA/4				Three Year Change
	2000	2001	2002	2003	
NCCS	601	614	615	637	36
Arbor Hill	623	622	636	648	25
Philip Schuyler	627	633	634	626	(-1)
Giffen	628	626	616	637	9
ALBANY CITY DISTRICT	640	639	644	644	4

From spring 2000 to spring 2003, NCCS has shown a greater increase in mean scale score on the ELA/4 than similar schools and the Albany City District.

New Covenant Charter School Renewal Report

The following spring 2003 ELA/8 mean scale scores come from SED reports.

Mean Scale Scores on ELA/8	
	2003
NCCS	674
Hackett MS	687
Livingston Magnet Academy	680
ALBANY CITY DISTRICT	683

In its first year with an 8th grade, NCCS mean scale score was below the similar schools. However, it had the same percent of students at level 3 and above as Livingston.

- **Math**

The following spring 2000-spring 2002 Math/4 mean scale scores come from SED reports. From spring 2000 to spring 2003, NCCS has shown a greater increase in mean scale score on the Math/4 than similar schools and the Albany City District.

Mean Scale Scores on Math/4					Three Year Change
	2000	2001	2002	2003	
NCCS	590	614	618	641	51
Arbor Hill	632	626	634	647	15
Philip Schuyler	635	637	636	631	(-4)
Giffen	622	633	628	639	17
ALBANY CITY DISTRICT	639	640	642	647	8

The following spring 2003 ELA/8 mean scale scores come from SED reports. In its first year with an 8th grade, NCCS mean scale score was far below similar schools.

Mean Scale Scores on ELA/8	
	2003
NCCS	671
Hackett MS	698
Livingston Magnet Academy	696
ALBANY CITY DISTRICT	696

Given the greater increase in mean scale scores than similar schools on both fourth grade tests and the low performance on the eighth grade tests, the school would be evaluated as having **limited development and/or partial implementation**.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1A.1.4 Value Added Measures	The school meets or exceeds the goal(s) as defined in the school’s approved Accountability Plan over the five-year term of its charter.	The school demonstrates strong and consistent progress in meeting its goal(s) over the course of a number of years and across grades.	The school demonstrates mixed progress in meeting its goal(s) over the course of a number of years and across grades.	The school demonstrates little or no progress in meeting its goal(s) over the course of a number of years and across grades.	Test publisher roster of results

Comments

The Accountability Plan (AP) states the following ELA and mathematics outcome measures:

"Effective 2002-2003 school year: Student cohorts in grades two and above will demonstrate average annual progress of at least 3 NCEs per year as measured by mean scores on the Terra Nova (reading and math sub-tests). All non-exempt students will participate.

Effective 1999-2000 school year – 2001-2002 school year: Student performance on the Stanford-9 achievement test will demonstrate average annual school-wide gains of at least 3 NCEs per year for students in grades two and above."

The AP also contains disclaimers about these measures representing a transition to assessment tools, which are better aligned with state learning standards. Whatever the merits of making such a transition, a consequence is that it severely limits the value-added data.

• **ELA**

The Renewal Application (RA) reports Stanford-9 results as a mean NCE of 32.0 in 2002 and 32.7 in 2003 and acknowledges that the criterion was not met. (NCCS does not report the number of students in the cohort, only the number of students who took the test each year. Further, given that the RA states that 2000 NCE data are not available and that 2001 data are lost, it is not clear that the 2002 and 2003 data are based on an actual cohort.)

The RA reports Terra Nova results as cohort comparisons from 2002 to 2003. According to the RA and a follow-up data submission, two of four grades showed an NCE gain greater than 3 NCEs. The RA also includes grade-by-grade results in 2002 and 2003 in six grades. These data show that a higher proportion of students in the lower grades score level 3 and above than students in the higher grades. They provide no evidence for the impact of the academic program on student achievement.

The RA also includes data on the Gates MacGinitie Reading Assessment in which three of six grade-cohorts showed a 3-NCE gain from fall 2001 to spring 2002.

New Covenant Charter School Renewal Report

- **Math**

The RA reports Stanford-9 school-wide results in 2002 as a mean NCE of 27.8 and in 2003 as a mean NCE of 31.9. Because of student turnover and changes in grade configuration, this NCE gain is only partially attributable to an increase in student achievement. Cohort results for the Stanford-9 are not presented.

The RA reports Terra Nova results as cohort comparisons from 2002 to 2003. According to the RA and a follow-up data submission, two of four grades showed an NCE gain greater than 3 NCEs. The RA also includes grade-by-grade results in 2002 and 2003 in six grades. These data show that a higher proportion of students in the lower grades score level 3 and above than students in the higher grades. They provide no evidence for the impact of the academic program on student achievement.

With the changes in the testing program, incomplete cohort data, and inconsistent ELA and math results in data reported, the school is evaluated as having **low level or no evidence of development and implementation.**

Rubric 1A.2 – Academic Attainment & Improvement – Internal Assessments

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1.A.2.1 The school is making progress in meeting other measures of academic success as defined in the school’s Accountability Plan.	The school meets or exceeds the goal(s) as defined in the school’s approved Accountability Plan.	The school demonstrates strong and consistent progress in meeting its goal(s).	The school demonstrates mixed progress in meeting its goal(s).	The school demonstrates little or no progress in meeting its goal(s).	<ul style="list-style-type: none"> • Roster of scores • Rubrics • Scoring guides • Accounting of development process

Comments

The Accountability Plan outcome measure in science states: “By the conclusion of the first charter period, 60 percent of the students (who have been at the charter school for at least two years) will perform at level 3 or above on the NYS Fourth and Eighth Grade Science Tests.”

Science

The RA reports the following outcomes for fourth grade students.

Percent Meeting the Standard		
	2002	2003
All students tested	16	35
Students attending NCCS at least two years	27	32

While NCCS students made progress toward the established criterion, they remained far below the standard. Students who were in the school for at least two years generally did not perform better than students who had been in the school for less time.

Grade 8 science results are not yet available.

(next page)

New Covenant Charter School Renewal Report

Rubric 1.A.2.1 (continued)

Social Studies

The Accountability Plan outcome measure in social studies states: “By the conclusion of the first charter period, 60 percent of the students (who have been at the charter school for at least two years) will perform at level 3 or above on the NYS Fifth and Eighth Grade Social Studies Tests.”

The RA reports the following outcomes for fourth and eighth graders in 2002.

Percent at Levels 3 & 4		
	Grade 4	Grade 8
Students attending NCCS less than two years	31	7
Students attending NCCS at least two years	41	43

NCCS students did not meet the established criterion in 2002. (The RA provides no fourth grade results for 2001.)

With evidence limited to results for two years in science and one year in social studies, the school would be evaluated as **Limited development and/or partial implementation.**

Rubric 1B – Use of Assessment Data

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1B.1 The school tracks student performance data to determine whether the school’s academic goals are being achieved.	The school invests extra resources so that student academic data can be carefully collected, recorded and analyzed in order to meet school goals. The school actively communicates and presents school wide data to staff, parents, the district, and other community members.	The school collects, records, and analyzes student academic data each year to determine success in meeting school goals. The school wide data is communicated to staff, parents, the district, and other community members.	The school collects and records student academic data, but such data are not organized and are not analyzed regularly. School wide data is occasionally communicated to staff, parents, the district, and other community members.	The school has no system for collecting and recording student academic data. Teachers never receive longitudinal data on students. School wide data is rarely communicated to staff, parents, the district, and other community members.	<ul style="list-style-type: none"> • Accountability Plan • Professional development offerings • Board of trustees meeting minutes • Interviews

Comments

Regarding regularly using student academic data to monitor and report on the achievement of the school’s academic goals:

- NCCS has not collected and maintained student achievement data throughout the life of the charter. Stanford-9 results from the 1999-2000 school year are missing and unaccounted for.
- The school’s Achievement Team and administrators review monthly achievement profiles, which provide a snapshot of academic performance. Since their data are based on varying sources of self-reports and internal reviews, the data do not systematically address school goals.
- The school administers the SRI reading assessment bi-monthly and reports results to parents, but its norm-reference information does not provide an indication of the extent to which progress is made toward school goals.
- NCCS uses Edison’s Benchmark Assessment System (BAS) to track student performance in basic skills by administering monthly computerized-assessments. Student progress toward proficiency, expressed as a score of 100 percent mastery of the tested skills, does not align with the attainment of school-wide goals.

The school regularly reports on student assessment results to parents and teachers; however, these data pertain to student progress, and do not directly address school-wide academic goals. The school lost potential sources of such data from the beginning of the charter. The school would be evaluated as **limited development and/or partial implementation**.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1B.1.2 The school uses assessments to ensure that the state performance standards are being met.	Internal assessments are clearly aligned with state performance standards. This alignment is well documented and comprehensive.	Internal assessments are aligned with state performance standards.	Internal assessments are partially aligned with state performance standards.	Internal assessments are not aligned with state performance standards.	<ul style="list-style-type: none"> • Accountability Plan • Professional development offerings • Board of trustees meeting minutes • Interviews

Comments

Regarding an internal assessment system that is aligned with state performance standards:

- NCCS uses the Benchmark Assessment System that Edison has linked to state performance standards. The computerized system is more readily aligned to state math standards that are made up of key ideas than to ELA standards that are more global and include listening and writing components.
- In the school’s Elementary Academy, teachers develop writing rubrics based on the ELA standard and use anchor papers to enhance scoring reliability. This practice is not implemented in the Junior Academy.
- Unit tests in textbooks and the school’s report cards (Quarterly Learning Contracts) are aligned with the state standards.
- The actual monthly scores for teachers’ or classes’ Benchmark Assessments often do not align with state assessments, either because the month-to-month results are flat or because the average scores are much higher than the state assessments would predict.

Given limitations in the ELA alignment and inconsistencies in ELA reporting, the school would be evaluated as being **limited development and/or partial implementation.**

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1B.1.3 The school uses assessment and evaluation data to improve student learning and instructional effectiveness.	School administration and teachers interpret and analyze assessment results in order to make decisions about curriculum and instruction, leading to improved student learning. Teachers and administrators actively communicate about assessment results on an ongoing basis in order to improve student learning.	School administration and teachers interpret and analyze assessment results in order to make decisions about curriculum and instruction, leading to improved student learning.	School administration and teachers sometimes interpret and analyze assessment results in order to make decisions about curriculum and instruction, leading to improved student learning.	School administration and teachers rarely or never interpret and analyze assessment results in order to make decisions about curriculum and instruction, in order to improve student learning.	<ul style="list-style-type: none"> • Accountability Plan • Professional development offerings • Board of trustees meeting minutes • Interviews

Comments

Regarding using assessments and evaluating data to improve instructional effectiveness:

- NCCS did not have systematic procedures for reviewing student performance on an ongoing basis fully operational until 2001-02.
- The school generates a range of Benchmark Assessment System reports for students, teachers, and administrators, but these recipients make limited use of the reports' data for making instructional decisions, especially in the upper grades.
- Teachers in the Elementary Academy continually review student work products and develop collective strategies for addressing students instructional needs. These practices are less prevalent in the other academies.

The use of assessment data to improve student learning was limited during the first years of the charter and continues to be uneven across the academies. The school would be evaluated as **limited development and/or partial implementation**.

Rubric 1C - Curriculum

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1C.1 The school aligns its academic program with its mission and goals.	The school actively ensures that the academic program clearly supports the school’s mission and goals.	The academic program clearly supports and is derived from the school’s mission and goals.	The academic program sometimes supports and is derived from the school’s mission and goals.	There is no alignment between the school’s academic program and mission and goals.	<ul style="list-style-type: none"> • School visit / inspection reports. • Review of Institute records regarding charter amendments. • Review of curricular materials during the renewal inspection.

Comments

The mission statement of the school makes reference to “create a school that will produce continuous academic gains in student performance while serving the individual and diverse needs of its student population.” As noted previously, overall, student performance at NCCS in the primary and elementary academies is on an upward trajectory toward meeting goals in the Accountability Plan and State performance standards. The same cannot be said for the junior academy where continual student disruption and/or inattention, coupled with substantial annual teacher turnover prevents the school from implementing the academic program to anything more than a rudimentary level. During a follow-up visit to the school on November 20, 2003, Institute staff observed positive trends in delivering the academic program in the crossover years of grades 5 and 6. This appeared to be due to steps that the principal has taken to strengthen the academic program since the renewal visit. Overall, the academic program components, e.g., Success for All, Everyday Math, Edison Benchmarks etc., support the mission and goals of the school.

Given that the academic program supports the mission and goals of the school, the school is evaluated as having a **fully functioning and operational level of implementation.**

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1C.2 The school has a clearly defined, quality curriculum in place.	The essential knowledge and skills that all students are expected to achieve are identified and given priority within each content area of the curriculum. Student achievement in these areas receives the highest focus at the school. Course offerings and outlines reflect an organized, cohesive curricular design that is aligned with the school's mission and philosophy.	The essential knowledge and skills that all student are expected to achieve are identified and given priority within the curriculum. Student achievement in these areas is a focus at the school. Course offerings and outlines reflect an organized, cohesive curricular design that is aligned with the school's mission and philosophy.	The essential knowledge and skills that all students are expected to know are sometimes identified within the curriculum and student achievement is uneven. Course offerings and outlines partially reflect a mission-driven, organized curricular design.	There is little or no evidence to identify essential knowledge and skills and student achievement is poor. The curriculum is not cohesive and does not reflect the school's mission or philosophy.	<ul style="list-style-type: none"> • School visit / inspection reports. • Review of Institute records regarding charter amendments. • Review of curricular materials during the renewal inspection.

Comments

NCCS implemented the Edison curriculum design and supplemented the model with tasks to specifically address helping students meet State performance standards. As is noted in other parts of this report, the lack of consistent student order and discipline and the lack of depth of teaching experience negatively impacted on the overall achievement of this benchmark. In many classrooms, especially in the junior academy, teachers struggled and in some cases pleaded with students to engage in anything more than a baseline level. While the curriculum, when implemented to its fullest, should enable students to meet State standards this lack of student engagement is a critical shortcoming in the junior academy, especially in grades 7 and 8.

Given the reasons above and that student achievement has been uneven across grade levels and during the term of the charter, the school is evaluated as having a **Limited development and/or partial implementation**.

Rubric 1D - Pedagogy

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1D.1 The curriculum is effectively implemented in the school.	The school has a comprehensive plan for curriculum implementation that facilitates the alignment of instructional methodology, learning activities, instructional resources and support, and assessments. Adequate teacher planning and development time is allocated so that coordination of the curriculum leads to a common understanding and vision for student learning held by all teachers.	In implementing the curriculum, the school focuses on aligning instructional methodology, learning activities, instructional resources and support, and assessments. The coordination of the curriculum leads to a common understanding and vision for student learning held by all teachers.	The school’s implementation plan for curriculum is only partially developed and there is not full alignment of instructional methodology, learning activities, instructional resources and support, and assessments. Efforts to coordinate curriculum are made, but do not lead to a shared vision for student learning.	There is limited or no evidence that the school has a plan to effectively implement and align its curriculum. Few or no efforts are made to coordinate curriculum across the grade levels or subject areas.	<ul style="list-style-type: none"> • School visit / inspection reports. • Review of Institute records regarding charter amendments. • Review of curricular materials during the renewal inspection. • Renewal inspection classroom observations

Comments

During a number of visits over the life of the charter and the renewal visit, Institute staff observed pockets of operational evidence of curriculum implementation at NCCS. Proficient teachers who demonstrate the art of quality teaching that ensures every instructional opportunity provides students with maximum academic growth work alongside teachers who, although they work hard and expend a great deal of energy, do not deliver the content knowledge or rigor that students require to meet State standards. Institute staff generally found the proficient teachers in the primary academy, followed by the elementary academy, with the later years of the junior academy a distant third.

The school is evaluated as having a **Limited development and/or partial implementation.**

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1D.2 Quality instruction is promoted through fostering an academic learning climate and actively supporting teaching and learning.	School leadership works actively and deliberately to foster an academic environment where teaching and learning are valued and supported. All staff, board members and parents share a clear and strong focus on instructional goals. Classroom practice reflects rigorous teaching and instructional strategies that engage students. Student and staff accomplishments are frequently recognized and honored.	School leadership has established an academic learning climate in which teaching and learning are valued and supported; there is a clear and strong focus on instructional goals; and student and staff accomplishments are recognized. Classroom practice reflects competent teaching and instructional strategies that engage students.	School leadership has established an academic learning climate in which teaching and learning are sometimes valued and supported. Not all staff members have a clear and strong focus on instructional goals. Classroom practice reflects teaching and instructional strategies that are usually appropriate and student engagement suffers. Student and staff accomplishments are occasionally recognized.	School leadership has not established an academic learning climate in which teaching and learning are valued and supported; the school lacks a clear and strong focus on instructional goals; and student and staff accomplishments are rarely recognized.	<ul style="list-style-type: none"> • School visit / inspection reports. • Review of Institute records regarding charter amendments. • Review of curricular materials during the renewal inspection. • Renewal inspection classroom observations

Comments

The school has a few classrooms and/or grade levels, especially in the Primary and Elementary Academies, where experienced teachers engage students, maintain order and discipline, and implement child-centered, results-oriented lessons. However, in other classrooms, especially in the Junior Academy grades 7 and 8, there is a lack of an academic learning climate because of inexperienced or marginal teachers who are struggling to maintain or have lost order in the classroom. Their lessons lack rigor and a clear connection to instructional goals. Students accomplish very little and the level of work in these classrooms is of very low quality.

The school is rated as having **limited development and/or partial implementation** in this area.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1D.3 The school has strategies in place to meet the needs of students at risk of academic failure or students not making reasonable progress towards achieving school goals.	The school has implemented special programs/resources to help students who are struggling academically to meet school goals. The programs are successful in helping students meet goals.	The school has implemented special programs/resources to help students who are struggling academically to meet school goals. The programs are usually successful in helping students meet goals.	The school has implemented special programs/resources to help students who are struggling academically; however, the success rate is not high.	The school has no special programs/resources to help students who are struggling academically.	<ul style="list-style-type: none"> • School visit / inspection reports. • Review of Institute records regarding charter amendments. • Review of curricular materials during the renewal inspection. • Renewal inspection classroom observations

Comments

The school has implemented special programs/resources to help students who are struggling academically. The school is using Title I funds to hire an Achievement Coordinator who will both analyze the school’s curriculum and ensure its alignment with state standards, and ensure that students at-risk of academic failure receive services. At the time of the renewal visit, the school had not yet filled this position; however, at the time of the follow-up visit, the position was filled.

In addition, the Achievement Coordinator will work with the Success For All (SFA) Coordinator, who was identified during the renewal visit to the school, to train and schedule tutors for the identified students. Students are identified through their scores on the Scholastic Reading Inventory (SRI) and the Edison Benchmark assessments. The tutors are also hired through the school’s Title I funds to tutor both during the school day and as part of the Saturday Tutoring session; the school has budgeted for five tutors, however only three had been hired at the time of the renewal visit. At the time of the renewal visit with the Achievement Coordinator position being vacant, and a newly appointed SFA Coordinator, no one could provide evidence regarding the content of the training provided to the tutors. In addition, available data indicated that attendance at the Saturday tutoring sessions was poor.

Prior to its fifth year, the school’s internal assessment system was inadequate to capture and analyze the data to determine the extent of the identified students’ success in meeting goals.

The school is evaluated as having **limited development and/or partial implementation.**

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1D.4 The school has strategies in place to meet the needs of English Language Learners.	The school has a successful program in place to meet the needs of any English Language Learners who enroll at the school. All ELL students meet school goals.	The school has a program in place to meet the needs of any English Language Learners who enroll at the school. Most ELL students meet school goals.	The school has a program in place to meet the needs of English Language Learners who enroll at the school. Some ELL students meet school goals.	The school has at least one English Language Learner at the school, but does not have an established program in place to meet ELL student needs. Or, a program is in place but very few ELL students meet school goals.	<ul style="list-style-type: none"> • School visit / inspection reports. • Review of Institute records regarding charter amendments. • Review of curricular materials during the renewal inspection. • Renewal inspection classroom observations

Comments

Although the school has a designated English Language Learner (ELL) Coordinator, she was still in the process of identifying students in need of the service at the time of the renewal visit. At that time, the number of ELL students has increased from one in 2002-02 to nine in 2003-04. The school has not extracted data to determine the rate of ELL student success in meeting school goals.

The school is rated as having **limited development and/or partial implementation**.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1D.5 The school has strategies in place to meet the Section 504 needs of students.	All of the school staff clearly understand Section 504 requirements and readily implement them for students needing a 504 Plan. These students are successful in meeting school goals.	The school can accommodate the needs of students with 504 Plans. These are successful in meeting school goals. ¹⁴	The school can only partially accommodate the 504 needs of students. Most students with 504 Plans are unsuccessful in meeting school goals.	The school is unable to accommodate the 504 needs of students.	<ul style="list-style-type: none"> • School visit / inspection reports. • Review of Institute records regarding charter amendments. • Review of curricular materials during the renewal inspection. • Renewal inspection classroom observations

Comments

The school has a designated 504 Coordinator who also serves as the Special Education Coordinator, and appears knowledgeable regarding requirements under the law. 504 Plans are in existence for students eligible for accommodations, and a process is in place to address future needs in this area.

As with other special student populations, the school was unable to present data regarding the success of these students in meeting school goals.

Because the process for serving the needs of Section 504 students has not included a mechanism for determining the effectiveness of the procedures, the school is evaluated as having **limited development and/or partial implementation**.

¹⁴ If the school does not have a program they have a legal responsibility to go to the district Committee on Special Education (the “CSE”) and request a meeting to discuss the need for an Individualized Education Program (the “IEP”) or a 504 Plan.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1D.6 Strategies are in place to ensure that students with disabilities are making progress in meeting IEP and school goals.	The school has effective strategies in place to ensure that all students with disabilities are making reasonable progress towards meeting school goals and IEP goals according to annual IEP reviews.	The school has strategies in place to ensure that most special education students are making reasonable progress towards meeting school goals and IEP goals according to annual IEP reviews.	The school employs some strategies that assist special education students in making progress towards meeting school goals and IEP goals according to annual IEP reviews.	Few or no special education students are making progress towards meeting school goals and IEP goals according to annual IEP reviews.	<ul style="list-style-type: none"> • School visit / inspection reports. • Review of Institute records regarding charter amendments. • Review of curricular materials during the renewal inspection. • Renewal inspection classroom observations

Comments

The school has strategies in place to ensure that most special education students are making reasonable progress towards meeting their IEP goals. The school employs three staff who are certified in special education, one of whom functions part-time as Special Education Coordinator. With 54 students currently identified as students with disabilities, this level of staffing may not adequately ensure the continuing provision of effective services and programs for these students.

The school’s special education program includes resource room and classroom “push-in”/consultant-teacher services based on each student’s IEP requirements. In addition, arrangements are in place to provide related services as specified by the IEPs.

IEPs appear complete and current. The school has established viable relationships with the Albany City School District and other local school districts in which the students reside.

Because of limited staffing, the school is rated as **limited development and/or partial implementation**.

Note: During the renewal visit, the team from CSI reviewed a number of documents, including the September 10, 2003 Knight, the school newspaper. In the article entitled “Special Needs” was the following sentence “If you fail to provide your child’s I.E.P., you will breach your agreement with us, and your child will be dismissed from our school and sent to the placement recommended on the I.E.P.” The team brought the sentence to the attention of the school principal, who had been on the job less than one week, who agreed that the sentence was incorrect and stated that he would correct the problem.

Rubric 1E – Student Order & Discipline

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1E.1 The school is a positive learning environment for all stakeholders.	All stakeholders agree that the school is a positive learning environment, and Institute visit documents confirm this.	Most stakeholders agree that the school is a positive learning environment, and Institute visit documents confirm this.	Some stakeholders agree that the school is a positive learning environment, and Institute visit documents confirm this.	Few stakeholders agree that the school is a positive learning environment, and Institute visit documents confirm this.	<ul style="list-style-type: none"> • School visit / inspection reports. • Renewal inspection classroom observations

Comments

The school has had a mixed record of positive student order and discipline since the first day of classes in the first year. Informal visits, formal end of the year inspections, Remedial Action Plan status visits, the SchoolWorks LLC visit in year three, and this renewal inspection visit have all documented this aspect of operations at the school. In general, student order and discipline spans the spectrum from excellent to deplorable especially as the grade level increases. In the lexicon of this rubric, Grades K-4 had a “fully functioning and operational level of implementation,” Grades 5-6 had “limited development and/or partial implementation,” and grades 7-8 had “low level or no evidence of development and implementation.”

For these reasons, the school is evaluated as having **limited development and/or partial implementation** for this benchmark.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1E.2 The school has implemented discipline policies and procedures that promote learning.	The school has consistently enforced, documented discipline policies and procedures and keeps appropriate records regarding expulsions and suspensions. The discipline policy promotes calm, safe classrooms where all students feeling secure in taking risks to promote their learning.	The school has documented discipline policies and procedures and keeps appropriate records regarding expulsions and suspensions. The discipline policy promotes calm, safe classrooms where most students feeling secure in taking risks to promote their learning.	The school has documented discipline policies and procedures and keeps appropriate records regarding expulsions and suspensions. Classrooms do not always feel calm and safe, and many students do not feel comfortable taking risks to promote their learning.	The school does not have documented policies and procedures and does not keep appropriate records regarding expulsions and suspensions.	<ul style="list-style-type: none"> • School visit / inspection reports. • Renewal inspection classroom observations • Interviews • Current written policies

Comments

During the life of the charter, the school leadership has initiated a number of procedures to improve inappropriate student order and discipline (e.g. the May Institute’s “FBI”). During the charter renewal visit, there were a number of discipline procedures in evidence, however, not one was used consistently school-wide or academy-wide. For example, in grades K-5 Institute staff observed a “red-yellow-green” traffic signal type chart used to track individual student behavior and some teachers used a “table point” system to motivate groups of students into attentive behavior. In grades 6-8 the team observed the “red-yellow-green” system in some classrooms and the “Junior Academy Code of Conduct” posted in other classrooms. However, the system was not methodically used nor was the code of conduct methodically enforced. Discipline record keeping at the school level is acceptable.

The school is rated as having **limited development and/or partial implementation**.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1E.3 The school has discipline policies and procedures for special education students.	All teachers and the administrative staff understand that discipline procedures are often different for special education students. The school complies with federal and state requirements pertaining to the discipline of special education students.	Teachers and the administrative staff understand that discipline procedures are often different for special education students. The school complies with federal and state requirements pertaining to the discipline of special education students.	Some teachers and the administrative staff understand that discipline procedures are often different for special education students. The school partially complies with federal and state requirements pertaining to the discipline of special education students.	Few teachers and the administrative staff understand that discipline procedures are often different for special education students. The school does not comply with federal and state requirements pertaining to the discipline of special education students.	<ul style="list-style-type: none"> • School visit / inspection reports • NYSED compliance visit report • Renewal inspection classroom observations • Interviews • Current written policies

Comments

The school’s special education staff and administration are familiar with special education discipline requirements and procedures. The Special Education Coordinator and special education teachers are available to provide advice to other staff members regarding the discipline of students with disabilities. During the 2003-04 school year, the special education staff plans to provide professional development to the school’s regular education teachers regarding classroom management and student discipline.

The school is rated as having a **fully functioning and operational level of implementation**.

Notes:

1. Although the school’s 2002-03 Parent Manual included a brief section, which minimally addressed the issue of discipline of students with disabilities, the current manual inadvertently omitted that policy. The school leadership indicated that it would either create an addendum for the 2003-04 manual or develop some type of document to disseminate to address the oversight.
2. The New York State Education Department (NYSED) has ultimate responsibility for determining compliance in this area. See the NYSED compliance visit report that was completed in the school’s third year of the charter.

Rubric 1F – Professional Development

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
<p>1F.1 Time is made available throughout the year for planning and professional development.</p>	<p>Both the school day and the annual calendar reflect a high priority given to professional development and planning. Teachers feel they are given enough time for professional development and planning.</p>	<p>The schools offers several professional development days throughout the school year, but teachers feel they could use more time for planning.</p>	<p>The school offers very few professional development days throughout the school year, and teachers do not feel they have enough time for ongoing development and planning.</p>	<p>The school does not offer professional development days for teachers and little to no time is allocated in the daily schedule for teacher development and planning.</p>	<ul style="list-style-type: none"> • Charter application • School professional development plan or other related documents. • Accountability Plan • School visit/inspection reports. • Accountability Progress Reports • Renewal inspection Report • Interviews

Comments

New Covenant Charter School provides the time and funding for a wide variety of professional development opportunities for the staff. Among these are one day a week grade level meetings, one day a week “house” meetings, and a variety of information sharing and professional development (e.g., familiarity with science kits, writing rubrics, etc.). The school’s educational management partner, Edison Schools, provides professional development opportunities throughout the year. The day after the renewal visit concluded, the principal and most new staff members were leaving to attend an out-of-state training event hosted by Edison Schools. Institute staff viewed this as a good example of the school’s exemplary commitment as stated on page 23 of the renewal application, “continued professional development must occur to familiarize new staff with student needs and strategies to meet those needs.”

The school was rated as exhibiting an **exemplary level of development and implementation** in this area.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
<p>1F.2 The school provides professional development that is aligned with the school’s mission, helps teachers meet school goals, and addresses any identified shortcomings in student learning.</p>	<p>Professional development offerings are aligned with the school’s educational philosophy, are effective in helping teachers better meet the school’s mission and goals, and address any identified shortcomings in student achievement.</p>	<p>Professional development offerings are aligned with the school’s educational philosophy, are usually effective in helping teachers better meet the school’s mission and goals, and usually address any identified shortcomings in student achievement.</p>	<p>Professional development offerings are sometimes aligned with the school’s educational philosophy and are occasionally effective in helping teachers better meet the school’s mission and goals.</p>	<p>Professional development offerings are not aligned with the school’s educational philosophy and are ineffective in helping teachers better meet the school’s mission and goals.</p>	<ul style="list-style-type: none"> • Charter application • School professional development plan or other related documents. • Accountability Plan • School visit/inspection reports. • Accountability Progress Reports • Renewal inspection Report • Interviews

Comments

The professional development offerings are aligned with the school’s mission and educational philosophy. The ongoing difficulty at New Covenant Charter School is to ascertain consistent evidence that the professional development is helping to raise student achievement. This is especially true at the junior academy level where Institute staff and outside visitors have not been able to discern seamless professional development impact in the academy, grade level, and classroom operation.

Due to these mixed results when the rubric is applied, the school is rated as having **limited development and/or partial implementation**.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
1F.3 Extra support is in place to support new and uncertified teachers.	The school has implemented an ongoing formal process that is effective in meeting the needs of new and uncertified teachers.	The school offers a formal professional development process for new and uncertified teachers, but it is not ongoing.	The school offers some informal supports to new and uncertified teachers, though these teachers do not feel it is adequate.	The school offers no extra support or guidance for new and uncertified teachers.	<ul style="list-style-type: none"> • Charter application • School professional development plan or other related documents. • Accountability Plan • School visit/inspection reports. • Accountability Progress Reports • Renewal inspection Report • Interviews

Comments

There is a dichotomy when considering the support given to new and uncertified teachers. As discussed in Rubric 1F.1, NCCS has an exemplary professional development program. Professional development is provided prior to the opening of school and throughout the school year. If a teacher is hired after the school year has started there are other opportunities for training provided by Edison Schools, the educational management organization, along with the school-developed supports. However, due to the high rate of teacher turnover, especially at the junior academy during the life of the charter, many teachers are trained and leave or leave before they are trained, which prevents the training from having an impact on student achievement and/or order and discipline.

The “buddy system” in evidence at the primary and elementary academies, and the recognition of academy directors as lead teachers by their peers are positive examples of extra support for new and uncertified teachers.

The school is rated as having **limited development and/or partial implementation** in this benchmark.

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

Rubric 2A – School Specific Non-Academic Goals

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
2A.1 The school is making progress in meeting the Unique Measures of non-academic student outcomes as defined in the school’s Accountability Plan.	The school meets or exceeds the goal(s) as defined in the school’s approved Accountability Plan.	The school demonstrates strong and consistent progress in meeting its goal(s).	The school demonstrates mixed progress in meeting its goal(s).	The school demonstrates no progress in meeting its goal(s).	<ul style="list-style-type: none"> • Accountability Plan • Accountability progress reports • School visit/ inspection reports. • Strategic plan, newsletters, discipline policy etc. • Interviews

Comments

- New Covenant Charter School’s accountability plan includes a goal on limiting the number of families choosing to leave the school. The outcome measures are stated as: eighty percent of the students who started the school in September will remain until the end of the school year and eighty percent of the student population will choose to remain for the subsequent school year. The renewal application indicates that more than eighty percent of the students have remained in the school at the end of each of the last three school years. It also indicates that in 2001 and 2003 more than eighty percent returned the following September. In 2002, less than eighty percent returned. No explanation is provided for this fall-off.
- NCCS’s accountability plan includes a goal on improving the learning environment, as demonstrated by the school’s regularly exhibiting proficient levels of performance related to student management. Aside from giving teachers feedback on how well they were addressing student management issues, the outcome was not specifically measured. There is no direct evidence that the school moved towards the goal of improving the learning environment.
- New Covenant Charter School’s accountability plan includes a goal that the school leadership will responsibly manage its financial resources. The outcome measures are the school will use sound financial management and adequate financial controls and policies to effectively oversee public funds. Evidence of sound financial management will be reflected in an annual audit, actual and proposed budgets for each completed and upcoming fiscal year, as well as by a yearly balance sheet.
- In general, the school has not met this goal. The annual audits reveal a growing deficit as well as several weak internal control practices. The Board has not consistently reviewed proposed budgets and does not routinely monitor the budget during the school year. The most recent audited balance sheet for 2002 has a total net deficiency of \$105,484. Trial balances for the fiscal year ending on June 30, 2003 indicate that this trend has continued and even become worse.

There has been **limited development and/or partial implementation** of this benchmark.

Rubric 2B – Faithfulness to Charter

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
2B.1 The school is faithful to its mission.	All school stakeholders demonstrate a strong awareness and understanding of the school’s mission. Its governance and instructional practices strongly and consistently reflect that mission.	Most school stakeholders demonstrate awareness of the mission and its governance and instructional practices generally reflect the mission.	Many stakeholders are not aware of the mission. It is infrequently supported by governance and instructional practices.	Few, if any, stakeholders are aware of the school’s mission and it is rarely, if at all, reflected in the daily life of the school.	<ul style="list-style-type: none"> • School visit/inspection reports. • Accountability Progress Reports • Renewal inspection report • School summary document (extracted from school’s charter) • Interviews

Comments

The mission statement for New Covenant Charter School refers to continuous academic and social gains in student performance while serving the diverse needs of its student population. During the various inspections and visits, Institute staff have not discerned an overall awareness and/or commitment to the school mission on the part of various stakeholders. Additionally, the SchoolWorks LLC third year report indicates that various stakeholders describe the mission of the school in different ways.

The school is evaluated having **limited development and/or partial implementation** of faithfulness to mission.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
2B.2 The school has implemented key design elements of its charter.	The school has successfully implemented all key design elements.	The school has successfully implemented the majority of key design elements.	The school has successfully implemented an inadequate portion of the key design elements. The elements it has implemented have been implemented haphazardly, incompletely, or unsuccessfully.	The school has implemented none or almost none of the key design elements.	<ul style="list-style-type: none"> • School visit/inspection reports. • Accountability Progress Reports • Renewal inspection report • School summary document [extracted from school's charter] • Interviews

Comments

The Key design elements of the New Covenant Charter School are based upon the Edison Schools model educational design and consists of three academies: Primary Academy (K-2), Elementary Academy (3-5), and Junior Academy (6-8). The academic components of each academy are:

- **Primary & Elementary Academies (Grades K-5)**
 - Success For All (SFA) reading program.
 - Phonics word-attack, comprehension, and study skills are explicitly taught through a literature-based approach.
 - 90 minutes of reading instruction daily.
 - Everyday Math mathematics program.
 - 60 minutes daily of mathematics instruction daily.
- **Junior Academy (Grades 6-8)**
 - The reading curriculum develops comprehension strategies through a variety of reading material, hones vocabulary and grammar skills in the context of real writing, and develops speaking and listening through discussion all in a proprietary program. The school utilizes the Wilson Reading System for students who need extra assistance. Students receive 100 minutes daily of reading and language arts instruction.
 - The core of mathematics curriculum at middle school is applied arithmetic, pre-algebra, and pre-geometry. Students receive 45 minutes of instruction daily.
 - Science uses the BSCS (Biological Sciences Curriculum Study) units. Students receive 45 minutes of instruction daily or 90 minutes every other day.

The school has 195 instructional days per year, and their school day lasts 7 hours.

The school has requested changes over the life of its charter, which the Institute has approved, with the consultation of the State Education Department.

The school is rated as having a **fully functioning and operational level of implementation.**

Rubric 2C1. Governance

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
2C1.1 The board and school leadership are familiar with the school design and work to implement it effectively.	Administrators and board members have a strong understanding of the school design and refer to it regularly in managing and governing the school. The board and the school’s administration deploy resources effectively to further the academic and organizational success of the school.	Administrators and board members understand the school design. The board and administration deploy resources that further the academic and organizational success of the school.	Most board members and school administrators understand the school’s design. The school’s deployment of resources at times contributes to the academic and organizational success of the school.	There is little or no evidence that the school’s board and administration understand the school’s design or that they work to deploy resources in a way that supports the academic and organizational work of the school. .	<ul style="list-style-type: none"> • Policies and Procedures • Interviews • Newsletters

Comments

While the chair of the board (a former principal of the school in years 2000-2002, as well as former acting superintendent and member of the State Board of Regents) is clearly familiar with the school design in detail, other board members demonstrate only a rough understanding of the school’s program, including its core academic program. For example, when asked, members did not appear to be fluent with the main elements of the curriculum or assessment model. The lack of familiarity extends to the members of the Education Committee. In addition, members were not uniform in stressing the school’s need to provide an education program that will allow students to meet the State’s performance standard. As such, it would appear that much of the oversight capability of the board as to academic program resides with the board’s chair, who in interviews noted that her “job” as such is full-time (“I live in the school.”).

As to the Education Committee, which has primary oversight responsibility for program review at the board level, it appears to not yet have evolved into a functioning entity. There is little or no evidence of formal evaluation processes for judging or reviewing the school’s effectiveness in implementing its design. Indeed, it was clear during the interview that all members of the committee were not aware of their membership (at least without prompting from other members; and no member beside the chair was able to articulate in any detail the committee’s scope, responsibilities or work plan for the coming school year).

The one element of the school’s design that all board members understood in depth was that the school was to be of and for the benefit of the larger community, defined variously as Arbor Hill or the City entire. Members spoke eloquently of the need for the school to be a safe haven for students, many of whom the members noted are subject to high levels of negative peer pressure, including gang related activity. In this regard, members noted with specificity certain program elements that are in place to combat such peer pressure and the board’s plan to ensure that such programs were supported. Moreover, certain members’ personal involvement to assist the school in this regard (through daily contact with students and informal after-school activities) is notable and demonstrates a high-level of dedication.

New Covenant Charter School Renewal Report

The lack of any in-depth familiarity with all elements of the school's design certainly stems in part from the newness of many, if not most, members to the board, as well as the fact that, besides the board chair and one other member (a former teacher for seven years), no members have professional experience in primary or secondary education. Most members were appointed only in July after the terms of the then co-chairs ended. In addition, this newness is exacerbated by the fact that the board has not yet instituted a rigorous board development program as evidenced in part by the absence of a board policy and procedures manual or any formal training program.

While the lack of any in-depth familiarity with the school design hampers the board's effectiveness in implementing (or overseeing the implementation of) the school design, the following are notable potential developments: the board is planning to retain a consultant/employee who will answer directly to the board. Such employee will be charged with evaluating the school (organizationally, fiscally, academically), the school leadership and the school's management company on an ongoing and intensive nature—and providing reports and recommendations to the board for potential board action. If instituted, this should increase dramatically the board's ability to provide appropriate programmatic oversight and to provide sufficient information to evaluate school success.

The school leadership team had a full understanding of the school design, especially at the academy director level. The school director hired the week before the school visit admitted to not being familiar with the specific elements of the school academic program. However, he was scheduled to attend training in this regard after the school visit by CSI was completed and this was confirmed during the follow up visit. Nonetheless, it is evident from interviews that the leadership team is aware that the school design has yet to be implemented effectively at the Junior Academy level. The school principal had a clear and detailed plan moving forward to allow implementation to move forward.

The school is evaluated as having **Low level or no evidence of development and implementation** on this benchmark.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
<p>2C1.2</p> <p>The board has provided financial oversight and made sound financial decisions furthering the school’s mission, program and goals.</p>	<p>The board has had mechanisms to review the school’s finances and has used those mechanisms consistently, including an active finance and audit committee. The board has regularly discussed, researched and reviewed its fiscal responsibilities. Where deficiencies have been found, the board has required prompt and thorough remedial action and the deficiencies have been cured.</p> <p>The board has without significant exception made sound financial decisions furthering the school’s mission, program and goals.</p>	<p>The board has had mechanisms to review the school’s finances and has generally used those mechanisms. The board generally discussed, researched and reviewed its fiscal responsibilities. Where deficiencies have existed, the board has taken remedial action and such actions have cured the deficiencies.</p> <p>The board has generally made sound financial decisions furthering the school’s mission, program and goals; where it has not, the consequences have not been strongly negative as to the school’s mission, program and goals.</p>	<p>The board has had limited or incomplete or inconsistent mechanisms through which it exercised fiscal oversight. The board has only sporadically discussed, researched and reviewed its fiscal responsibilities. Where deficiencies have existed, the board has taken limited remedial action and such action has not always been effective in curing the deficiencies identified.</p> <p>The board has more often than not made unsound financial decisions and/or the unsound financial decisions have been strongly negative as to the school’s mission, program and goals.</p>	<p>The board has had few if any mechanisms for through which it exercises fiscal oversight. The board has not discussed its fiscal responsibilities and has been unaware of them. The board has not taken meaningful steps to correct identified deficiencies.</p> <p>The board’s financial decisions have imperiled the school’s viability.</p>	<ul style="list-style-type: none"> • By-laws • Policies and Procedures • Interviews • Board minutes

Comments

A review of the minutes of the Board for the first four years indicates that the Board did not request or receive regular financial reports. It would be reasonable to expect quarterly updates on the budget, including planned and actual results, as well as at least an annual discussion of the school’s financial statements. There is no evidence that any reports were presented or voted on. In addition, there is no evidence that the Board reviewed and approved the school’s operating budgets. Most of the financial issues discussed during Board meetings were related to the accountants’ audits, approval to pay specific bills and the potential bond issuance for the loans held by Edison Schools. The Board has been weak in ensuring that accurate financial records are kept and maintained and that the school operates in accordance with an approved budget.

As such, the school is rated at the **low level or no evidence of development and implementation on this benchmark.**

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
2C1.3 The board has a process for developing, reviewing and publishing policies and maintains a policy manual.	The board reviews, publishes, and clearly communicates policies annually, and maintains an up-to-date policy manual.	The board reviews and publishes policies annually, and maintains an up-to-date policy manual.	The board occasionally reviews and publishes policies.	The board rarely or never reviews existing policies or writes new policies.	<ul style="list-style-type: none"> • By-laws • Policies and Procedures • Interviews • Board meeting minute review

Comments

While the school had on its premises a policy manual for the board, it was undeveloped. In interviews, the board confirmed that it did not have a practice of distributing to its members such a manual and provided no formal training in board policies, including by-laws, conflict-of-interest, etc. (Board members were generally familiar with the constraints imposed by such policy.) The board has no process for formally reviewing school policies such as the admission policy, discipline policy, etc; though it appears that such policies were initially considered and approved by the board during the first years of the school’s charter. The board has reviewed its by-laws more than once during the term of the charter and made changes. Such review was assisted by counsel to the board. Most recently, the board undertook a review of the by-laws and amended them to reflect a change in governance from a co-chair system to a single chair. In addition, the powers of the chair were reduced.

There is a comprehensive Business Services Policy Manual that sets out the procedures for all of the schools financial transactions. While the manual itself provides a solid framework for the school’s business transactions, it is not clear that the board is familiar with this document. The Business Services Manual is an Edison Schools Inc. product; a review of the board minutes does not indicate whether or not the board is aware of this document.

The School is rated at the **limited development and/or partial implementation** level for this benchmark

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
2C1.4 The board has a system for hearing and resolving staff, parent, community, and student views and concerns.	The board actively seeks information from the staff, parent, community and student population. System is consistently and fairly implemented so that all views and concerns are heard and acted upon.	The board actively seeks information from the staff, parent, community and student population and resolves differences of opinion.	The board hears staff, parent, community and student views and concerns, but does not actively solicit their input nor resolve open issues.	The board is unwilling to hear staff, parent, community and student views and concerns and/or take action to resolve concerns.	<ul style="list-style-type: none"> • Board agendas indicate, at a minimum, time for public comment at each meeting. • By-laws • Policies and Procedures • Interviews • Board meeting minutes

Comments

The board allows parents and community members (and other members of the school community) to express their concerns at board meetings. Based on Institute staff attendance at board meetings and comments by board members, the community has not been shy in making their opinions known. In addition, parents have a strong voice in the school as at least three board members have children or grandchildren who attend the school—and one board member sits *ex officio* as the director of the parent organization. So, too, board members indicated that they were often in the school, some on a daily basis, including the chair, and that parents were welcome to express their concerns informally. Lastly, the school conducts an annual survey of teachers, staff, parents and students and the results of the survey are presented to the board.

The Institute rates the school as having a **fully functioning and operational level of implementation** on this benchmark.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
2C1.5 The board complies with the Open Meetings Law.	The board posts meetings appropriately and maintains copies of minutes and other official actions, and has records available according to state statutes. Board can demonstrate attentive, careful compliance with the Open Meetings Law.	The board maintains copies of minutes and other official actions and has records available according to state statutes. Board can demonstrate substantial with the Open Meetings Law.	The board maintains some copies of minutes and other official actions and has some records available according to state statutes. Board can demonstrate partial compliance with the Open Meetings Law.	The board maintains no copies of minutes and other official actions and has no records available in accordance with state statutes. Board can demonstrate little or no compliance with the Open Meetings Law.	<ul style="list-style-type: none"> • By-laws • Policies, procedures, and other Institute records • Interviews

Comments

The Institute’s files and interviews with board members collectively attest to the school’s operational level of compliance with the state’s Open Meetings Law. In particular, the board maintains a policy for compliance with that law, and board minutes reflect that its dictates have generally been observed. The Institute’s records show that most apparent inconsistencies occurred in the early years of the school’s operation.

On the basis of this information, the Institute finds that the school has demonstrated a **fully functioning and operational level of implementation**.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
2C1.6 The board has a comprehensive conflict of interest policy that requires the board to avoid conflicts of interest, and the board has abided by that policy.	The board has implemented a comprehensive and strict conflict of interest policy and has abided by it in all instances.	The board has implemented a comprehensive and strict conflict of interest policy and has in all but minor instances abided by it.	The board has implemented a comprehensive and strict conflict of interest policy but has not generally abided by it OR the board has an insufficient policy by which it has generally abided	The board does not have a conflict of interest policy and/or it has not abided by the policy it does have.	<ul style="list-style-type: none"> • By-laws • Policies and Procedures • Board disclosure statement • Interviews

Comments

The board has a relatively standard conflict-of-interest policy that meets the legal minimum for avoiding and/or managing conflicts-of-interest as set forth in the Not-for-profit Corporations Law and Education Law. Such policy does not prohibit conflicts-of-interest.

Based on a review of conflict-of-interest disclosure statements filed with the Charter Schools Institute, it does not appear that any board member has engaged in any conflict-of-interest transaction with the school during their tenure on the school board.

While the board appears to be in present compliance with its conflict-of-interest policy in all respects at present, it is important to note that the board at all times failed to have in place an appropriate conflict-of-interest policy. In particular, during the school's first year (1999-00), the lack of an appropriate conflict-of-interest policy (and procedures to support that policy) resulted in the then chair of the board misusing school funds to make payments of liabilities to another not-for-profit corporation (Urban League of Northeastern New York). The then chair and other members of the board have since left.

Lastly, it does not appear that the board has conducted any training in avoiding conflicts-of-interest -- or has policies in place (annual review of requirements; annual disclosure statement; board training for new members) to support ongoing compliance.

As such, given the earlier substantial problems with conflict-of-interest and the current compliance with its conflict-of-interest policy the school is rated as having **limited development and/or partial implementation**.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
2C1.7 The board conducts an annual evaluation of the school administrator(s).	The board annually conducts a thorough and fair evaluation of the school administrator. The evaluation is based on clearly defined goals and measurements. Both the administration and the board are facile with the evaluation process in place.	The board annually conducts a thorough and fair evaluation of the school administrator. The evaluation is based on clearly defined goals and measurements.	The board occasionally evaluates the school administrator.	The board never evaluates the school administrator.	<ul style="list-style-type: none"> • By-laws • Policies and Procedures, evaluation form(s) • Interviews

Comments

Board members said that they did not conduct an annual review of the school administrator or management company in past years and had no formal system or process to do so. The board did indicate that a formal review of the school administrator and management company would be instituted in this school year, with an evaluation instrument created and data gathered for such review by the as-yet-to-be-hired board staff. During interviews, the board expressed frustration that school-based personnel who are employees of the management company are subject only to review by the management company and that such reviews are considered confidential and not subject to board review, even where the board had expressed severe reservations about the performance of such personnel. (This is consistent with the present management contract.)

On the basis of this information, the Institute finds that the school has demonstrated **low level or no evidence of development and implementation.**

Rubric 2C2. Administration & Staff

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
2C2.1 Teachers at the school feel supported by the administration and Board; morale among the teaching staff is high	All teachers indicate that they feel highly supported by the school’s administration and Board. Teachers at the school enjoy their work experience, support each other, and recognize the value of their work.	Most teachers indicate that they feel supported by the school’s administration and Board. Most teachers at the school enjoy their work experience, support each other, and recognize the value of their work.	Several teachers indicate that they feel supported by administration and Board. Those that feel supported enjoy their work experience, support each other, and recognize the value of their work.	Few teachers indicate that they feel supported by the school’s administration and Board. Those that feel supported enjoy their work experience, support each other, and recognize the value of their work.	<ul style="list-style-type: none"> • Interviews • Renewal inspection observations • School visit/inspection reports • Teacher retention rates

Comments

New Covenant Charter School has had a shaky history that includes board conflict, lack of functioning, and a number of school directors in the first four years of operation. In spite of this the primary and elementary academies feel a sense of support and the morale among teachers is quite high. Unfortunately Institute staff and outside visitors have not detected the same sense of community or *esprit de corps* at the junior academy level.

During the charter renewal visit Institute staff perceived a sense of renewal from the staff. A new board of trustees was in place and meeting regularly, a new principal has been hired and had made a number of positive changes in his tenure of under one week. For these reasons the Institute finds a **limited development and/or partial implementation** on this benchmark.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
<p>2C2.2 The teaching staff is qualified to implement the school as envisioned in the charter.</p>	<p>Teachers are certified or otherwise qualified as required under law with few or no exceptions. They demonstrate expertise in their assigned content area and consistently display instructional practices that promote rigor and lead to student academic success.</p>	<p>Teachers are certified or otherwise qualified under the law with some exceptions. In instances where the school has not been in compliance with applicable law, the school has taken swift and appropriate remedial measures. Teachers are competent in their assigned content area and generally use instructional practices that lead to student academic success.</p>	<p>A significant number of teachers are not certified or qualified under the law on a consistent basis and remedial measures have not been consistently or swiftly implemented. Teacher content knowledge and instructional practices are improving and/or have varied due to teacher turnover.</p>	<p>All or almost all teachers are not certified or otherwise qualified and little if any remedial measures have been taken. Teachers' demonstrated content matter knowledge and instructional practices are unacceptable.</p>	<ul style="list-style-type: none"> • Interviews • Renewal inspection observations • School visit/inspection reports

Comments

Based upon the information obtained from NCCS, the number of uncertified teachers exceeds the limit allowed by statute. This is consistent with the finding from the New York State Education Department's comprehensive monitoring visit completed in 2002.

The school is rated as having **limited development and/or partial implementation** on this benchmark.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
2C2.3 The school has a system in place for ongoing teacher evaluation.	School leadership spends extended time in every teacher’s classroom. Teachers receive relevant and helpful written and verbal feedback, counsel and support from leadership for improvement.	School leadership regularly spends time in every teacher’s classroom. Teachers receive some written and verbal feedback, counsel and support from leadership for improvement.	School leadership spends teacher’s classroom. Teachers occasionally receive written and verbal feedback, counsel, and support from leadership for improvement.	School leadership rarely or never spends time in teachers’ classrooms. Teachers rarely or never receive feedback, counsel, and support from leadership for improvement.	<ul style="list-style-type: none"> • Interviews • Renewal inspection observations • School visit/inspection reports

Comments

The school leadership provided a copy of the Teacher Performance Appraisal protocol for grades K-8 during the charter renewal visit. The system, which was developed by Edison Schools, includes standards in five areas but teachers are evaluated in three areas:

- Curriculum and Instruction
- Family and the Community
- Technology

The appraisal program is phased in over a period of three years and contains the following components:

- Observation in professional setting
- Professional growth plan
- The professional portfolio
- Self-appraisal
- Summative evaluation
 - Lead teacher summative evaluation supplement
 - Senior teacher summative evaluation supplement

In addition to the formal evaluation process, members of the school leadership team were observed in classrooms and meeting with teachers in formal, scheduled sessions and informal drop-in visits.

For the aforementioned reasons, the Institute finds that the school is at the **fully functioning and operational level of implementation** on this benchmark.

Rubric 2C3 Parents & Students

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
2C3.1 Parents/guardians and students are satisfied with the school as evidenced by the school leadership’s use of generally accepted surveying, analysis, and interpretation tools and procedures.	According to parent/guardian surveys, the school is exceeding its goals in parent/guardian satisfaction.	According to parent/guardian surveys, the school is meeting its goals in parent/guardian satisfaction.	According to parent/guardian surveys, the school is partially meeting its goals in parent/guardian satisfaction.	According to parent/guardian surveys, the school is not meeting its goals in parent/guardian satisfaction.	<ul style="list-style-type: none"> • Parent survey data • Lottery and enrollment information • Choice and persistence levels

Comments

The accountability plan states that the school will demonstrate steadily improving high levels of student satisfaction (as demonstrated by a mean overall satisfaction rating of 7.5 or higher) on the Harris Interactive survey of parents, teachers, and students.

According to the renewal application, student satisfaction has generally declined over the last three years in the survey’s four categories, falling below the threshold of 7.5 in three of the four areas on the 2003 survey. Similarly, parent satisfaction has generally declined over the last three years in the survey’s four categories, falling below the threshold of 7.5 in three of the four areas on the 2003 survey.

Less than 20 percent of the parents responded during the past two years. The charter renewal application does not propose any new strategy for eliciting responses, but rather asserts that this is “characteristic of parent involvement throughout the school” notwithstanding the mission statement stating that NCCS is “committed to meaningful parent involvement.”

Given the low return rate, lower trend and lack of evidence that the parent involvement component of the mission statement has been addressed, the school shows **limited development and/or partial implementation**.

Rubric 2C4 Legal Requirements

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
2C4.1 The school has complied with applicable laws, rules and regulations (§ 2852(2))	School has an exemplary record of compliance with applicable laws, rules and regulations, maintains highly effective systems and controls for ensuring that legal requirements are met, and is currently in substantial compliance with relevant authorities.	School has a record of substantial compliance with applicable laws, rules and regulations, maintains effective systems and controls for ensuring that legal requirements are met, and is currently in substantial compliance with relevant authorities.	School has a record of partial compliance with applicable laws, rules and regulations, maintains inconsistently effective systems and controls for ensuring that legal requirements are met, and is currently in substantial compliance with relevant authorities.	School has a poor record of compliance with applicable laws, rules and regulations, has ineffective or non-existent systems and controls in place for ensuring that legal requirements are met, and is currently out of compliance with relevant authorities.	<ul style="list-style-type: none"> • Documents contained in CSI school files (such as correspondence, written assurances, policies, grievance submissions, etc.) • Any materials submitted by renewal applicant for consideration, attesting to its record of compliance • Interviews with representative staff and board members

Comments

The Institute’s files document the school’s record of compliance with applicable law. Documents such as board minutes, site visit reports (by the Institute and NYSED), correspondence and written policies collectively attest to the school’s record of substantial compliance with applicable laws, rules and regulations. The renewal application speaks of the school’s attempts to meet applicable legal requirements. The Institute’s records show that such instances of non-compliance have been limited and occurred mainly in the early years of its operation. Problem areas have included the submission of data and reports after established due dates and maintenance of adequate procedures for meeting the needs of students with disabilities and English Language Learners.

Interviews with school staff members indicated a general awareness of the school’s legal obligations. Certain school board members appear to possess a strong sense of the school’s legal obligations; others less so.

New Covenant Charter School Renewal Report

The school's renewal application does not contain any materials attesting to the school's record of compliance other than a general description of the school's efforts to meet its legal obligations.

Based on the Institute's files and interviews with board members and the school director and other staff, the school appears to currently be in substantial compliance with relevant legal authorities.

On the basis of this information, the Institute finds that the school has demonstrated **fully functioning and operational level of implementation.**

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
<p>2C4.2</p> <p>The school board ensures compliance with applicable laws through access to professional legal counsel.</p>	<p>The school has an active and ongoing relationship with independent legal counsel that reviews relevant policies, documents, and incidents and makes recommendations as needed. The school does not hesitate to seek advice from legal counsel when appropriate.</p>	<p>The school has identified and retained independent legal counsel that reviews relevant policies, documents, and incidents and makes recommendations as needed.</p>	<p>The school sometimes makes use of legal counsel to review relevant policies, documents, and incidents. Often times the school addresses situations requiring legal counsel on its own.</p>	<p>The school never makes use of legal counsel to review relevant policies, documents, and incidents.</p>	<ul style="list-style-type: none"> • Documents contained in CSI school files (such as correspondence, written assurances, policies, grievance submissions, etc.). • Any materials submitted by renewal applicant for consideration, attesting to its record of compliance. • Interviews with representative board members.

Comments

The Institute’s files and interviews with board members collectively indicate that the school has actively engaged outside legal counsel to review relevant policies, documents and incidents and make recommendations upon request. Up until recently, that counsel came mainly from the firm of Whiteman, Osterman & Hanna. The school has recently changed its representation and now maintains a legal services contract with the firm of Hinman Straub.

On the basis of this information, the Institute finds that the school has demonstrated a **fully functioning and operational level of implementation**.

Renewal Question 3 – Is the School Fiscally Sound?

Rubric 3 Fiscal Stability

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
3.1 The school complies with financial reporting requirements as contracted with chartering authority.	The State University Board of Trustees and the State Education Department receive all required reports on time and all reports are complete.	The State University Board of Trustees and the State Education Department receive all required reports usually on time and, with few exceptions, are complete.	The State University Board of Trustees and the State Education Department receive most required reports mostly on time, and most are complete.	The State University Board of Trustees and the State Education Department receive few required reports. Those they do receive are generally not complete and not submitted on time.	<ul style="list-style-type: none"> • Annual Audits for opinion, surplus/deficit, notes to the financial statements and supporting schedules. • Quarterly Financial Reports for cash flows during year, surpluses, deficits, timely reporting.

Comments

Most of the required reports, with the exception of the annual audit, which the school is unable to have completed on time, are submitted in a timely fashion and are complete when submitted.¹⁵

The school is rated as **limited development and/or partial implementation** on this benchmark.

¹⁵ The comment was changed from the draft to reflect that the 2000, 2001, and 2002 audits were received after the December 1 deadline. The 2003 audit has yet to be submitted to the Institute and the school has indicated that the delay could be up to 90 days.

New Covenant Charter School Renewal Report

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
3.2 The school adheres to a balanced budget.	The school has created a budget where expenses are consistently less than revenue.	The school has created a budget where expenses are equal to or less than revenue.	The school has created a budget where expenses occasionally exceed revenue.	The school has created a budget where expenses consistently exceed revenue.	Management of the schools ability to monitor and manage operating cash flow.

Comments

The school had operating deficits for three of the first four years of operation, including a deficit of over \$ 1.2 million (15%) in the 2002-03 fiscal year. The deficit is a function of higher-than-expected facility costs and insufficient enrollment to support these costs. Original fiscal projections called for the school to rent space from a building owned by the Albany Board of Education. This rental space would have cost \$760,000 annually. The School ended up building a new facility with the financial assistance of the Edison Schools. Construction costs for the new building were approximately \$13 million, which requires annual debt service payments of over \$1.5 million. These much higher expenses coupled with lower-than-expected enrollments have led to the deficits. Pursuant to the Management Agreement with the Edison Schools, the operating deficits have been covered by the Edison Schools.

The school is rated at the **low level or no evidence of development and implementation** for this benchmark.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
3.3 Critical financial needs of the school are not dependent on variable income (grants, donations and fundraising).	Additional funding is available for discretionary expenditures.	School is not dependent on grants, donations and fundraising to meet its financial obligations.	The school’s budget is partially dependent on grants, donations and fundraising to meet its financial obligations.	The school’s budget is largely dependent on grants, donations, and fundraising to meet its financial obligations.	Management of the schools ability to monitor and manage operating cash flow.

Comments

Under the terms of the management agreement with Edison, to the extent the payments made by the school to Edison (an amount based on the number of pupils and a variable fee based on revenues) do not cover the operating expenses, Edison is required to pay the excess costs. While these amounts are treated as management company contributions on the financial statements, they are not voluntary contributions like other donations are. The amounts are generally small, representing less than two percent of the operation budget. The school does not do any other meaningful fundraising, and interviews with the Board Chair indicate that there are no plans to do any significant fundraising in the future.

The school is rated at the **limited development and/or partial implementation** for this benchmark.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
<p>3.4 The school follows generally accepted accounting practices.</p>	<p>During an audit the school can verify every transaction. The audit is consistently positive and indicates that the school follows generally accepted accounting practices.</p>	<p>The school can verify every transaction. The audit indicates that the school follows generally accepted accounting practices.</p>	<p>The audit indicates that the school is only partially following generally accepted accounting practices.</p>	<p>The school does not follow generally accepted accounting practices.</p>	<ul style="list-style-type: none"> • Letters from external auditor to school management that identifies deficiencies found while conducting the annual audits, if applicable, determine if issues been resolved in a timely manner. • Reports of deficiencies in financial operations and/or internal controls and determine if issues have been satisfactorily resolved in a timely manner.

Comments

The school has three years of audited financial statements for the fiscal years 2000, 2001 and 2002. The auditor’s opinion for all three years indicated that the school prepared its financial statements in conformance with generally accepted accounting principles.

The school is rated at the **fully functioning and operational level of implementation** for this benchmark.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
3.5 The school has successful annual financial audits.	Management letter reflects no need for financial procedure changes.	Management letter reflects need for few financial procedure changes.	Management letter indicates numerous financial procedure concerns.	Management letter indicates significant financial problems.	<ul style="list-style-type: none"> • Audit Opinion

Comments

While the school has followed generally accepted accounting principles in preparing the financial statements, this does not mean that the school has had successful financial audits. The audit for the 2002 financial statements included a management letter citing several fiscal policies and procedures in need of improvement. Table 1 describes the findings in the management letter and the school’s response. It should be noted that many of the items identified by the Auditor violated existing policies and procedures included in the Banking Services Manual. Others, such as the allocation methodology, required new policies. In each instance, the school states that it has corrected the weaknesses, but there is no written documentation demonstrating how new and existing policies will be enforced. The situation is also complicated by the fact that the Edison Schools has the day-to-day responsibility for most of the items cited by the Auditor. The Board has to identify the methods and resources (reports, data) it needs to monitor the performance of the Edison Schools and take corrective and even punitive actions if the Edison Schools personnel fail to comply with the contract provisions. A financial site visit conducted in April 2003 indicated that the school had not made all of the changes promised in their original response to the management letter. This area will require continued monitoring in the future.

Interviews with the Board Chair indicate that she is aware of the need to be more involved in the oversight of the management company and she indicated that she hopes to hire two additional administrative positions to assist with this function. However, the realities of the school’s budget limitation may impede this plan.

The school is rated at the **limited development and/or partial implementation** level for this benchmark

Table 1

Item	Auditor's Comment	School Response
Cost Allocation for Revenues and Expenses	Auditors recommended that a plan be developed and reviewed semi-annually	School said a methodology using number of students and square footage would be developed; no evidence that was done in the Board minutes
Payroll	Auditors found instances where supervisors did not review time sheets, missing documentation and errors in paychecks	Business office now reviews all payroll documentation to correct these errors
Cash Disbursements	Auditors found that there had been cash disbursements without an invoice or a contract	School informed Edison Schools of the problem and will review transactions in the future
Special/Student Activities Account	Auditors found that bank account had been set up for student activities without the Board's knowledge or authorization and without proper signature authorizations	The Board has instructed the Bank that no accounts are to be opened without the authorization of the Board. It should be noted that the Edison Schools policy manual has instructions for opening a new account and the policy was not adhered to.
Student Activities Account	The Auditors had numerous comments about this account: in general there were no procedures for authorizing the collection of money or the spending of money associated with this account; there was a Special Use Form, but it was not being used for student activities; student activity fees were being collected by the teachers and the Business office, but there was not a central record on collections or the consistent use of receipts.	The Board committed to developing and adopting proper procedures to oversee the use of this account; however, there is no documentation affirming the Board's actions.
Student Activities Acct. continued:		
- timely deposits	The Auditors recommend that all money collected be deposited within one day; this was not happening with the Student Activity fees.	The School has informed the teachers that money must be turned in daily and that receipts will be issued.
- disbursement records	The Auditors found that some invoices had been misplaced	The School maintains that this has been corrected.
- check recording	The Auditors found that checks were not being recorded on a timely basis	The School maintains that this has been corrected.
- voided checks	The Auditors found that voided checks were not being retained.	The School maintains that this has been corrected.
- general ledger	The Auditors found that no activity relating to this account had been recorded for the 2002 fiscal year.	The School maintains that this has been corrected.
- bank reconciliation	The Auditor's found that the bank reconciliation was not being reviewed approved by a Board member.	The School maintains that this has been corrected.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
3.6 The school implements the auditor’s recommendations.	School implements all of the auditor’s recommendations. Procedures are tracked and evaluated to ensure compliance with audit recommendations.	School implements all of the auditor’s recommendations.	School implements some of auditor’s recommendations.	School does not implement auditor’s recommendations.	<ul style="list-style-type: none"> • Audit Opinion • Quarterly Financial Reports • Annual Budgets and Cash Flow

Comments

Please refer to the comments and rating for rubric 3.5 above.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
<p>3.7 The school has operated pursuant to a long range financial plan.</p>	<p>Long range financial plan has been in place and an analysis of its feasibility was conducted at the time of its implementation. Annual budget revisions are made with reference to and consistent with this plan and/or the plan is revised to take account of changed fiscal realities.</p>	<p>Long range financial plan was implemented and determined to be feasible. The school has considered the plan in its budgeting process.</p>	<p>Long range financial plan is in place, but its feasibility or practicality is questionable and/or it has not been followed or revised.</p>	<p>No long range financial plan exists.</p>	<ul style="list-style-type: none"> • Audit Opinion • Quarterly Financial Reports • Annual Budgets and Cash Flow • Board minutes

Comments

A review of the original and revised Charter applications show that the school had prepared long range financial plans. However, they have not been able to achieve the financial health anticipated in these plans. The school experienced a good deal of difficulty during the first three years of operation. During that time they had their original Charter revoked, they severed their relationship with the Urban League due to questionable financial practices, they changed management companies, and they experienced significant turnover in the teaching staff, including the principal. During this same period the Board had major disagreements over enrollment targets and the school engaged in building a new facility. Given all of this turbulence, one could argue that the school has done better than expected. However, as discussed in other parts of this document, lower-than-expected enrollments and significant capital costs associated with the new building have eroded the integrity of the school’s long-range financial plans. Looking forward, these same issues cloud the long-range financial plans for the future.

The school is rated at the **limited development and/or partial implementation** for this benchmark.

<i>Benchmark</i>	Exemplary level of development and implementation	Fully functioning and operational level of implementation	Limited development and/or partial implementation	Low level or no evidence of development and implementation	Possible Sources of Evidence
3.8 The school accurately tracks grant funds.	All grant expenditures are tied to back-up and receipts are readily available. Any grant expenditure revisions are clearly documented.	Accurate detail is available for all grant expenditures. Any grant expenditure revisions are clearly documented.	Receipts do not match financial information.	not track grant funds.	<ul style="list-style-type: none"> • Audit Opinion • Quarterly Financial Reports • Annual Budgets and Cash Flow

Comments

All evidence indicates that grant funds are accurately tracked by the school’s accounting system.

The school has a **fully functioning and operational level of implementation** for this benchmark.