



# Renewal Recommendation Report **Brighter Choice Charter Middle School for Girls**

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# INTRODUCTION

This report is the primary means by which the SUNY Charter Schools Institute (the “Institute”) transmits to the State University of New York Board of Trustees (the “SUNY Trustees”) its findings and recommendations regarding a school’s Application for Charter Renewal, and more broadly, details the merits of a school’s case for renewal. The Institute has created and issued this report pursuant to the *Policies for the Renewal of Not-For-Profit Charter School Education Corporations and Charter Schools Authorized by the Board of Trustees of the State University of New York* (the “SUNY Renewal Policies”) (revised September 4, 2013 and available at: <http://www.newyorkcharters.org/wp-content/uploads/SUNY-Renewal-Policies.pdf>).

Additional information about the SUNY renewal process and an overview of the requirements for renewal under the New York Charter Schools Act of 1998 (as amended, the “Act”) are available on the Institute’s website at: <http://www.newyorkcharters.org/operate/existing-schools/renewal/>.

# SCHOOL BACKGROUND AND EXECUTIVE SUMMARY

## BRIGHTER CHOICE CHARTER MIDDLE SCHOOL FOR GIRLS

### BACKGROUND

Opened in September 2010, the Brighter Choice Charter Middle School for Girls (“BC Girls”) is now in its fifth year of operation. BC Girls aims to cater to the developmental needs of middle school aged girls by offering such initiatives as differentiated instruction, scholar choice and individualized counseling and guidance. BC Girls’ mission states:

The mission of the Brighter Choice Charter Middle School for Girls is to prepare girls for high school and college success while attending to the unique developmental needs of middle school scholars.

The founders envisioned that the single sex structure of the school would allow it to educate girls, especially girls of color, better than the Albany City School District (the “district”) and would post scores better than the dual gender scores of the district. The school shares a private facility with the Brighter Choice Charter Middle School for Boys (“BC Boys”), a separate charter school education corporation,<sup>1</sup> also authorized by the SUNY Trustees and also up for renewal this year.

BC Girls and its brother school share common trustees across the boards of both schools as well as with two New York State Board of Regents (“Board of Regents”) authorized charter elementary schools in Albany, Brighter Choice Elementary Schools for Boys and Girls. The SUNY authorized schools pay approximately two percent of their per pupil income for services from the Albany Charter School Network (“ACSN”), a part of the Brighter Choice Foundation, Inc. (“Brighter Choice Foundation”). A director of school quality, acting as the chief academic officer, and a special education coordinator serve all four schools. The two SUNY authorized middle schools have a common director of operations and operations staff. The instructional leaders from both middle schools provide coaching and supervision of teachers in the respective content areas in both schools. Teachers from both middle schools meet together weekly in their content areas for professional development and curriculum planning.

BC Girls currently serves 221 students in grades 5-8 in a private facility at 395 Elk Street, Albany, N.Y. The facility is jointly financed with the adjoining, private facility for BC Boys by bonds such that a default on the payments for one facility by one charter school equates to a default on the other.

### EXECUTIVE SUMMARY

Brighter Choice Charter Middle School for Girls has not produced an adequate academic record over the charter term and has struggled to put in place the program necessary to become an

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<sup>1</sup> Legally, charter schools in New York are not-for-profit education corporations. Throughout this report, the Institute uses both “education corporation” and “charter school” to indicate the same legal entity.

## SCHOOL BACKGROUND AND EXECUTIVE SUMMARY

academic success. The school is enrolled within its target enrollment range, though it has not been able to reach its maximum target enrollment in any given year. The school is not financially sound. Budget projections submitted in the school's renewal application were based on increased enrollment projections without acknowledgement of the school's struggle to fully enroll over the charter term or a solid plan for recruitment in the future. The BC Girls' board of trustees (the "board") expresses strong commitment to improvement in the future and has been active in advocating for the school. The data available at the time of renewal indicates that this commitment has not translated into a school that is an academic or fiscal success.

BC Girls has posted a record of consistently low performance as measured by its key English Language Arts ("ELA") and mathematics Accountability Plan goals. The school has not met either its ELA goal or its mathematics goal throughout the charter term. Because of the pattern of enrollment during its initial charter term, the school has generated only one year of science data. As measured by its performance on the state's 8<sup>th</sup> grade science exam, the school is not meeting its science goal.

On April 22, 2014, before the release of the most recent state assessment scores, the Institute met with the BC Girls board<sup>2</sup> to review the school's progress toward meeting the measures and goals required for renewal. Institute staff members reviewed the school's progress or lack thereof in meeting its Accountability Plan goals and measures with the members of the board and indicated that, due to the low performance posted by the school at that time, the school's renewal was in jeopardy. On February 13<sup>th</sup> and May 9<sup>th</sup> of 2014, members of the Institute staff met with ACSN. During those meetings, ACSN presented plans and provided updates on the work ACSN was doing to improve school performance.

Following those meetings, the Institute provided ACSN and the board of BC Girls several opportunities to present supplemental information not included in the school's renewal application, all at the request of the school's board. Institute staff members met with members of the school's board, the school's director of school quality, and ACSN staff members on September 18, 2014, prior to the Institute's renewal visit on October 22-23. After the renewal visit, on November 24, 2014, Institute staff members met with the BC Girls board chair, the chair of the Brighter Choice Foundation board as well as a newly proposed trustee for the BC Girls board. At those meetings, representatives of BC Girls presented information supplemental to the school's application including planned governance changes, school personnel changes, and changes to the school's enrollment. In addition to these presentations, the school provided additional analyses of test scores that it neglected to include in its application for charter renewal. At, and subsequent to those meetings, the Institute received analyzed, and considered all supplemental data and analyses thereof, information, and supporting materials provided by the school's board.

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<sup>2</sup> BC Girls shares the same board members as BC Boys.

## SCHOOL BACKGROUND AND EXECUTIVE SUMMARY

On December 10, 2014, the BC Girls' board chair mailed yet another supplemental analysis of ELA and mathematics performance data not included in the school's charter renewal application. All together the education corporation, or charter school, submitted three distinct analyses of supplemental data included in neither the school's Application for Charter Renewal nor the school's Accountability Plan. The Institute considered all submissions and found the analysis did not indicate any change to the school's failure to meet its Accountability Plan goals.

The school presents data indicating in certain grades, in certain subgroups of students who are continuously enrolled at the school for four years (African American students, Hispanic students, females) the school bests the district between one and 25 percentage points. However, when considered closely, the comparisons focus on a very small number of BC Girls' students and compare their performance against total district average performance without accounting for differences in size and demographics between these two groups. Notwithstanding the school's performance in preparing small subsets of students to meet the demands of the state's grade level expectations, the school's Accountability Plan that includes goals and measures focusing on the achievement of all students enrolled at the school. The school has not met these key academic goals.

BC Girls asserts it should earn a renewal because the New York State Education Department ("NYSED") did not identify it as a Focus or Priority School. NYSED created these designations to identify schools that are in most need of improvement and not as an indication of a school's sufficient academic performance to prepare students for success in high school and beyond. SUNY's academic performance requirements for renewal require SUNY authorized charter schools provide more evidence of success than simply outscoring the lowest performing schools in the local district or the state.

In addition to considering the additional data and analysis provided by BC Girls, the Institute made a second follow up renewal visit to the school on December 10, 2014, in order to determine if the education program in place and in operation had improved since the initial renewal visit in late October. Two members of the Institute's staff returned to the school and collected additional qualitative evidence that became part of the Institute's analysis of the school's academic program. The findings from the supplemental visit were consistent with those of the original visit and the Institute considered them in formulating its preliminary non-renewal recommendation.

In accordance with the SUNY Renewal Policies, on January 12, 2015 from 5:30 to 7:30 pm, Institute staff attended a joint presentation presented by both BC Girls and BC Boys in opposition to the Institute's non-renewal recommendations for both schools. Various testimony and letters from staff, parents, community members and board members were received. The Institute noted the strong support from parents, staff, students and members of the community that both BC Girls and its brother school enjoys as well as the unique choice for public school single sex education offered at both schools. Parents particularly noted they feel the school is safer than other public school choices available within Albany.

## SCHOOL BACKGROUND AND EXECUTIVE SUMMARY

The additional data submissions presented by the school, and the advocacy provided by parents, students and teachers, do not combine to indicate the school has met or come close to meeting the goals and measures in its Accountability Plan or that it has in place at the time of renewal a program that is likely to improve student learning and achievement so that it will meet those goals in the future.

# RENEWAL RECOMMENDATION

## RECOMMENDATION:      NON-RENEWAL

The Institute recommends that the SUNY Trustees deny the Application for Charter Renewal of the Brighter Choice Charter Middle School for Girls and not allow the school to provide any instruction beyond the last calendar date in the 2014-15 school year.

BC Girls submitted an application for renewal requesting a three year, Short-Term Renewal under the SUNY Renewal Policies. The Institute finds that the school has not met the requirements outlined in the policy for Short-Term Renewal.

To earn an Initial Short-Term Renewal, a school must either:

- (a) have compiled a mixed or limited record of educational achievement in meeting its academic Accountability Plan goals, but have in place and in operation at the time of the renewal inspection visit (i) an academic program of sufficient strength and effectiveness, as assessed using the Qualitative Education Benchmarks,<sup>3</sup> which will likely result in the school's being able to meet or come close to meeting those goals with the additional time that renewal would permit, and (ii) a governing board and organizational structures both in the charter school and in its education corporation with a demonstrated capacity to meet the charter school's academic Accountability Plan goals and to operate the school in an educationally and fiscally sound fashion; or
- (b) have compiled an overall record of meeting its academic Accountability Plan goals but, at the time of the renewal inspection visit, have in place an educational program that, as assessed using the Qualitative Education Benchmarks, is inadequate in multiple and material respects.<sup>4</sup>

Where a school fails to earn any other type of renewal, the charter will not be renewed; the charter will be terminated upon its expiration and the education corporation will be dissolved.

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<sup>3</sup> The Qualitative Education Benchmarks are a subset of the *State University of New York Charter Renewal Benchmarks* (version 5.0, the "SUNY Renewal Benchmarks"), available at: <http://www.newyorkcharters.org/wp-content/uploads/SUNY-Renewal-Benchmarks.pdf>.

<sup>4</sup> SUNY Renewal Policies, pages 12-13.

# RENEWAL RECOMMENDATION

## REQUIRED FINDINGS

In addition to making a recommendation based on a determination of whether the school has met the SUNY Trustees' specific renewal criteria, in order to renew a school, the Institute must make the following findings required by the Act:

- the school, as described in the Application for Charter Renewal meets the requirements of the Act and all other applicable laws, rules and regulations;
- the education corporation can demonstrate the ability to operate the school in an educationally and fiscally sound manner in the next charter term; and,
- given the programs it will offer, its structure and its purpose, approving the school to operate for another five years is likely to improve student learning and achievement and materially further the purposes of the Act.<sup>5</sup>

In the case of BC Girls, the Institute cannot make all of the required findings especially those related to student learning and achievement and those related to fiscal soundness during a subsequent charter term.

As required by Education Law § 2851(4)(e), a school must include in its renewal application information regarding the efforts it has, and will, put in place to meet or exceed SUNY's enrollment and retention targets for students with disabilities, English language learners ("ELLs"), and students who are eligible applicants for the federal Free and Reduced Price Lunch ("FRPL") program. SUNY<sup>6</sup> and the Board of Regents finalized the methodology for setting targets in October 2012, and the Institute communicated specific targets or proposed targets for each school in July 2013.

Given the date the school was originally chartered, it does not have statutory targets. However, in accordance with the Act, the Institute, acting on behalf of the SUNY Trustees, considered the school's plans for meeting its future enrollment and retention targets during the next charter term prior to making a final recommendation.

## CONSIDERATION OF SCHOOL DISTRICT COMMENTS

In accordance with the Act, the Institute notified the district in which the charter school is located regarding the school's Application for Charter Renewal. The Institute received comments from the Albany City School District in opposition to the renewal of the school, which are included in the Appendix.

Honorable Carolyn McLaughlin, Chairwoman of the Albany County Democratic Committee sent the Institute a letter of support for the renewal of both BC Boys and BC Girls (see page 50).

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<sup>5</sup> See New York Education Law § 2852(2).

<sup>6</sup> SUNY Trustees' Charter Schools Committee resolution dated October 2, 2012.

## RENEWAL RECOMMENDATION

The Institute received a letter supporting the renewal of the school from the Business Council of New York State.

The Institute also received 303 parent letters of support from both BC Boys' and BC Girls' parents prior to the Institute's attendance at the school's January 12, 2015 presentation in opposition to the non-renewal preliminary recommendation. At the January 12<sup>th</sup> presentation, the school provided hundreds of letters of support from students currently enrolled at the school, as well as from students in other schools affiliated with the Brighter Choice Foundation as well as letters from teachers and school leaders.

## REPORT FORMAT

The Institute makes the foregoing non-renewal recommendation based on the school's Application for Charter Renewal, evaluation visits conducted and information gathered during the charter term and a renewal evaluation visit conducted near the end of the current charter term. Additionally, the Institute has reviewed the strength and fiscal health of the not for profit education corporation with the authority to operate the school. Most importantly, the Institute analyzes the school's record of academic performance and the extent to which it has met its academic Accountability Plan goals. This renewal recommendation report compiles the evidence below using the SUNY Renewal Benchmarks, which specify in detail what a successful school should be able to demonstrate at the time of the renewal review. The Institute uses four interconnected renewal questions for framing benchmark statements to determine if a school has made an adequate case for renewal.

1. Is the school an academic success?
2. Is the school an effective, viable organization?
3. Is the school fiscally sound?
4. If the SUNY Trustees renew the education corporation's authority to operate the school, are its plans for the school reasonable, feasible and achievable?

The report's Appendix provides a School Overview, copies of any school district comments on the Application for Charter Renewal, the SUNY Fiscal Dashboard information for the school, and, if applicable, its education corporation and additional evidence on student achievement contained in the School Performance Summaries.

# RENEWAL BENCHMARK CONCLUSIONS

## IS THE SCHOOL AN ACADEMIC SUCCESS?

The Institute is unable to find BC Girls an academic success because it has failed to meet, or come close to meeting, its Accountability Plan goals, and therefore does not present a mixed record of educational achievement. Qualitative data on education program implementation indicate that the school is likely to continue to fail to meet these key academic goals, based on evidence collected during the current charter term and during the renewal evaluation visit, even if the school is afforded the additional time of a Short-Term Renewal.

At the beginning of the Accountability Period,<sup>7</sup> the school developed and adopted an Accountability Plan that set academic goals in the key subjects of ELA and mathematics. The Institute examines results for five required Accountability Plan measures to determine ELA and math goal attainment. Because the Act requires charters be held “accountable for meeting measurable student achievement results”<sup>8</sup> and states the educational programs at a charter school must “meet or exceed the student performance standards adopted by the board of regents”<sup>9</sup> for other public schools, SUNY’s required accountability measures rest on performance as measured by state wide assessments. Historically, SUNY’s required measures include measures that present schools’:

- absolute performance, i.e., what percentage of students score at a certain proficiency on state exams?;
- comparative performance, i.e., how did the school do as compared to schools in the district and schools that serve similar populations of economically disadvantaged students?; and,
- growth performance, i.e., how well did the school do in catching students up – and then keeping them up to grade level proficiency?

Every SUNY authorized charter school has the opportunity to propose additional measures of success when crafting its Accountability Plan. BC Girls did not propose or include any additional measures of success in the Accountability Plan it adopted.

Because of testing changes made by the state, the Institute has since 2009 consistently de-emphasized the two absolute measures under each goal in schools’ Accountability Plans. The Institute continues to focus primarily on the two comparative measures and the growth measure while also considering any additional evidence the school presents using additional measures identified in its Accountability Plan. Institute identifies the required measures (absolute proficiency, absolute Annual Measurable Objective attainment,<sup>10</sup> comparison to local district,

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<sup>7</sup> Because the SUNY Trustees make a renewal decision before student achievement results for the final year of a charter term become available, the Accountability Period ends with the school year prior to the final year of the charter term. For a school in an initial charter term, the Accountability Period covers the first four years the school provides instruction to students.

<sup>8</sup> Education Law § 2850(2)(f).

<sup>9</sup> Education Law § 2854(1)(d).

<sup>10</sup> While the state has recalibrated the absolute Annual Measurable Objective, the Institute will only report on the 2013-14 results, not on those for 2012-13. During 2012-13, the state revised its methodology for calculating a school’s Performance

# RENEWAL BENCHMARK CONCLUSIONS

comparison to demographically similar schools, and student growth) in the Performance Summaries appearing in the Appendix at the end of the report.

The Accountability Plan also includes science and No Child Left Behind Act (“NCLB”) goals. For each goal in the Accountability Plan, specific outcome measures define the level of performance necessary to meet that goal. Please note that for schools located in New York City, the Institute uses the Community School District (“CSD”) as the local school district.

## Academic Attainment

BC Girls has failed to meet or come close to meeting its key academic goals in ELA and mathematics during every year of the four-year Accountability Period.<sup>11</sup> The school performed below its local school district in ELA and mathematics almost consistently throughout the Accountability Period. Notwithstanding a recent and slight upward trend in its effect size measures, the school performed far lower than expected in both content areas during every year of operation. Although the school has posted stronger indicators of student growth during the last two years for which data are available, this level of growth is not sufficient to counteract the schools overall poor comparative performance.

The school is also failing to meet its science goal. During 2013-14, BC Girls administered the state’s 8<sup>th</sup> grade science exam to its first 8<sup>th</sup> grade cohort of 34 students. Eight students, or 23.5 percent, scored at proficiency, and the school fell far short of meeting its absolute benchmark of 75 percent.<sup>12</sup> Although the district’s proficiency rates for the 2013-14 school year are not yet available, 44 percent of all district students and 46 percent of district female students scored at or above proficiency on the state’s 8<sup>th</sup> grade science exam during 2012-13. The school failed to meet its NCLB goal during 2013-14 when the New York State Education Department (“NYSED”) identified BC Girls as a Local Assistance Plan School pursuant to the Commissioner’s Regulations, 8 NYCRR § 100.18. NYSED has designated the school in good standing during the 2014-15 school year.

## Comparative Measures

BC Girls has underperformed or performed at the same achievement level as the Albany City School District in both ELA and mathematics during each year of its four-year Accountability Period. In ELA, the school has underperformed the district during each of the three years for

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Index and the Institute did not. The Institute continues to use the same methodology in place when BC Girls adopted its Accountability Plan to calculate a Performance Level Index and does not expect its results to match those of the state’s Performance Index.

<sup>11</sup> Because the SUNY Trustees make a renewal decision before student achievement results for the final year of a charter term become available, the Accountability Period ends with the school year of the charter term. For a school in an initial charter term, the Accountability Period covers the first four years the school provides instruction to students. For a school in a subsequent charter term, the Accountability Plan begins with the final year of the previous term and ends in the next to last year of the current charter term.

<sup>12</sup> Because the state has not introduced new 8<sup>th</sup> grade science assessments, the Institute continues to consider the absolute benchmark of 75 percent of students scoring at or above proficiency under each school’s science goal. In order to meet or come close to meeting the science goal, schools must also exceed the comparative performance of the local school district.

## RENEWAL BENCHMARK CONCLUSIONS

which data are available for students enrolled at the school for at least two years. Similarly, in mathematics, the school underperformed the district during the 2011-12 and 2012-13 school years and barely met the district's performance during 2013-14. BC Girls provided an analysis of the school's 2013-14 ELA and mathematics performance relative to the district. The analysis focused specifically on the performance of economically disadvantaged students and Black and Hispanic students during 2013-14 relative to performance of the same subgroups at the district. The Institute considered the analysis but found it was not persuasive because it focused on results during 2013-14 rather than over the entirety of the charter term and because it focused on the performance of subgroups of students rather than on the achievement of all students enrolled at BC Girls. For instance, the analysis indicates that, with a proficiency rate of three percent, BC Girls' 8<sup>th</sup> grade cohort outperformed the district's proficiency rate of zero percent. The analysis did not consider that the district administered the Algebra 1 Regents exam to 120 students in its 8<sup>th</sup> grade cohort with 104 of those students, or 87 percent, scoring at or above proficiency. The school did not provide any data indicating it, too, administered the Algebra 1 Regents exam nor did it report student proficiency rates on a Regents exam administration.

A percentile ranking of published assessment results at the school level is helpful in further defining the context for comparisons of results statewide. Percentile ranks of published scores are not included in the BC Girls' Accountability Plan measures under any goal because the percentile rankings presented here include schools that serve grade configurations that are dissimilar to BC Girls' grade configuration. During 2013-14, the school ranked in the 20<sup>th</sup> percentile statewide in ELA, meaning 80 percent of schools throughout the state posted higher performance. The school's 2013-14 percentile rank is a slight improvement over 2012-13 when the school scored in the 7<sup>th</sup> percentile in ELA. Also during 2013-14, in mathematics, the school scored in the 11<sup>th</sup> percentile state wide, meaning 89 percent of schools throughout the state performed higher in mathematics. The school's 2013-14 mathematics percentile rank is also a slight improvement over its 2012-13 performance when it scored in the 7<sup>th</sup> percentile.

### Effect Size

The Institute calculates an effect size that compares the school's actual grade level performance in ELA and mathematics to its predicted grade level performance using data about demographically similar<sup>13</sup> schools throughout the state. According to this analysis, and reflecting the school's low performance relative to the local district, the school performed lower than expected during every year of the Accountability Period in both ELA and mathematics. Although a comparison between the school's effect size and the district's effect size is not a measure included in the school's Accountability Plan, it is important to note that, according to the Institute's effect size analysis, the

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<sup>13</sup> Throughout 2011-12, the Institute used the school level percentage of students eligible for Free Lunch as the measure of demographic similarity. Beginning in 2012-13, the Institute replaced the Free Lunch percentage with the state's percentage of Economically Disadvantaged students enrolled at each grade level because the state's Economically Disadvantaged statistic is a more reliable and more inclusive measure based on a more accurate dataset than the Free Lunch statistic. Subsequent to the Institute providing the school with a draft of this report, the school reported updated economically disadvantaged statistics for the 2012-13 school year. The school's recalculated ELA effect size for 2012-13 is -0.69 and the recalculated 2012-13 math effect size is -0.54. Neither of these scores meets the benchmark effect size of 0.3, nor does either effect size exceed the district's respective ELA and math effect sizes during the same year.

## RENEWAL BENCHMARK CONCLUSIONS

BC Girls' posted effect sizes in ELA and mathematics that were lower than the district's ELA and mathematics effect sizes for the same tested grades during 2010-11, 2011-12, and 2012-13. During 2013-14, the school's ELA effect size bested the district's while the school's effect size in mathematics was the same as the district's. It is also important to note that this measure is a comparison measure and therefore not dependent on any changes in New York's assessment system. Within each content area, it compares the grade level results of all schools in the state to the grade level performance of BC Girls. The school level measure is an aggregation of the grade level comparisons. As such, the measure, and the school's performance on the measure, is not relative to the test, but relative to how strong BC Girls performs in adding value to student learning compared to other schools' performance in ELA and mathematics.

### Growth

The state calculates a comparative growth percentile that compares the school's year-over-year performance to that of the subset of identically performing students statewide. The school underperformed the state median during most years of the Accountability Period.

In ELA, the school posted growth scores below the state's median during the first three years of its Accountability Period. During the 2013-14 school year, the final year of the Accountability Period, the school posted year-over-year growth that was greater than 57 percent. In math, the school's year-over-year growth was lower than the state median for the first two years of the Accountability Period. During 2012-13 and 2013-14, the school demonstrated year over year growth in the 60<sup>th</sup> and 52<sup>nd</sup> percentiles, respectively. This growth is not sufficient to push the school's overall comparative performance to a high enough standard to justify the school's renewal.

The analysis of BC Girls' performance provided by the board notes the lagging performance of Albany's district middle schools as measured by the trend in absolute scores over the last two years. By comparison using this measure, BC Girls increased the percentage of students scoring at or above proficiency in ELA from six percent to 14 percent, an increase of eight percentage points. The school posted no growth in mathematics from 2012-13 to 2013-14, the first two years of New York's new assessment program. During the same period, the district posted a negative trend in both ELA and mathematics across the same grades. Notwithstanding these apparent trends, the Institute does not find the school's analysis compelling because it fails to utilize appropriate and commonly accepted statistical techniques to control for differences between the size and demographic makeup of the two comparison groups.

# RENEWAL BENCHMARK CONCLUSIONS

DESCRIPTION	ENGLISH LANGUAGE ARTS ACCOUNTABILITY PLAN GOAL	MATHEMATICS ACCOUNTABILITY PLAN GOAL
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**Comparative Measure:**

**District Comparison.**

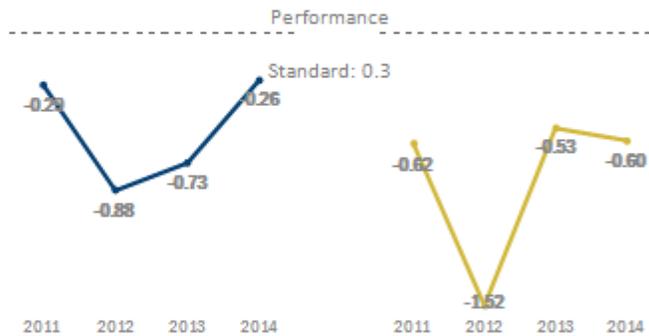
Each year, the percent of students enrolled at the school in at least their second year performing at or above proficiency in **ELA** and **mathematics** will be greater than that of students in the same tested grades in the local school district.



**Comparative Measure:**

**Effect Size.**

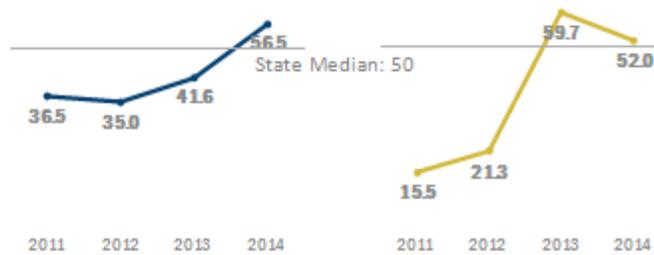
Each year, the school will exceed its predicted level of performance by an Effect Size of 0.3 or above in **ELA** and **mathematics** according to a regression analysis controlling for economically disadvantaged students among all public schools in New York State.



**Comparative Growth Measure:**

**Mean Growth Percentile.**

Each year, the school's unadjusted mean growth percentile for all tested students in grades 4-8 will be above the state's unadjusted median growth percentile in **ELA** and **mathematics**.



## RENEWAL BENCHMARK CONCLUSIONS

**Instructional Leadership.** BC Girls does not have in place sufficient instructional leadership to improve student outcomes. Later in the charter term, the school developed some elements of a sustained coaching program, but leaders' efforts are not sufficiently well coordinated to develop the pedagogical skills of all teachers. School leaders have not instilled a culture of high expectations for student achievement nor have they communicated the standards of performance to which they hold teachers accountable.

- In the school's fifth year of operation, school leaders have yet to determine or communicate clear student achievement goals and expectations; teachers are unclear about the standards of student performance outcomes to which leaders will hold them accountable.
- The school's instructional leadership is fragmented and uncoordinated. In addition to the principal and assistant principal, a director of school quality and instructional coaches from the school's partner organization, the ACSN, provide coaching and curricular planning support for BC Girls' teachers. The instructional coaches serve as skill developers; coaches do not evaluate teachers and provide feedback in a different format and with a different focus than the principal and assistant principal.
- At the school level, leaders report that they communicate expectations for quality instruction through regular observations and feedback. Leaders reported observing each teacher at least biweekly and following up with an informal debriefing meeting, but did not communicate clear or timely means of measuring the strength and results of implementing those efforts. The leaders' shared observation tracker indicated inconsistent adherence to the coaching cycle, with records reflecting significantly fewer observations (25-50 percent) than reported.
- At the time of the renewal visit, leaders did not strategically deploy resources to provide targeted support to teachers with the greatest need for improvement. Leaders did not accelerate the frequency or intensity of classroom observations based on student performance data or perceived level of instructional strength. Further, teachers were not able to articulate their strengths and weaknesses, suggesting that leaders are not systematically building teachers' ability to improve student achievement outcomes with high quality instruction.
- This year, leaders have reduced daily specials periods, decreasing teachers' planning periods from three to two. The result of schedule changes is an average weekly reduction of ten minutes in planning time. Teachers report using this time to meet with grade level teams at least once a week; schedule misalignment prevents content area staff from collaborating during the school day.
- During two weeks of pre-service summer workshops, school leaders and network personnel implement school-wide professional development activities that focus on curriculum implementation and instructional methods, informed by state assessment results and trends in student data. Leaders provide an additional three days of orientation for teachers new to the school, focused on BC Girls' school-wide systems, procedures, transitional routines and instructional taxonomy. In contrast to previous years, BC Girls has eliminated Friday half-day sessions due to persistent difficulties in arranging district

## RENEWAL BENCHMARK CONCLUSIONS

transportation to dismiss students at mid-day. In lieu of the weekly sessions, leaders now provide five full days of professional development spread across the school year.

- Professional development activities interrelate with classroom practice to a limited degree, as leaders identify topics far in advance of delivery and focus on curriculum modules, adapting materials for lesson plans and implementing the school's instructional priorities: increasing student discourse in classrooms, writing across the content areas and close reading. Adherence to these focus areas is clear in artifacts from the professional development activities, but teachers receive little guidance what high quality implementation looks like. The principal anticipates adjusting professional development topics as necessary based on teachers' success with curriculum implementation and observed needs in classrooms in the future.
- Instructional leaders regularly conduct teacher evaluations with clear criteria at the middle and end of the school year utilizing a network-wide instructional rubric, which evaluates teachers' strength across multiple domains and has been revised multiple times to reflect current instructional priorities. Teachers also develop personalized goals with actionable strategies for meeting them as part of their mid-year evaluation. It is unclear how the principal evaluates teachers' success in achieving personal goals by the end of the school year. Leaders have chosen to delay presenting the newest version of the evaluation rubric to all staff while an academic growth measure is determined; therefore, teachers are not yet fully aware of how they will be evaluated this year.
- Over the course of the charter term, the school has not used student performance data to make hiring or termination decisions, but does offer merit based bonuses and salary increases based on students' level of performance on standardized tests. Teachers cannot clearly articulate how leaders calculate merit pay amounts.
- Instructional leaders implement professional improvement plans or, more rarely, decline to renew contracts when teachers do not meet expectations. These reported practices notwithstanding, BC Girls does not hold teachers accountable for the overall quality of instruction as the school rehired all teachers in multiple years of the charter term despite the school's persistently low performance in both ELA and math, leaders cite a hesitancy to replace teachers based on student performance on state exams during the two year transition to and implementation of a Common Core based educational plan initiated in 2012-13.

**Curriculum and Assessment.** Late in the charter term, BC Girls has taken steps to develop more robust curricular materials than have been used in the past, but the totality of prepared instructional material is not sufficient to prepare students to demonstrate grade-level proficiency on state tests. With no systematic process for using assessment results in place, the school still has not established an assessment system that evidences improvement in instructional effectiveness and student learning. BC Girls does not use student achievement data to assess the quality of its curriculum and supporting materials. Consistent with previous practice, the school also does not use assessment data to determine teacher effectiveness.

## RENEWAL BENCHMARK CONCLUSIONS

- The partially developed curriculum supports teachers in their instructional planning. ELA and math teachers across the school are now utilizing the EngageNY modules, which include curriculum maps, student performance tasks and indicators. The ACSN now provides a supplemental curriculum guide and supporting scope and sequence, pacing, and unit planning tools for ELA. BC Girls has a math scope and sequence derived from selected EngageNY modules and a pacing guide for each grade. In other content areas, guidance materials highlight which standards to teach but do not include clear unit guides for lessons. No curriculum frameworks include student performance expectations. Teachers know what to teach and when to teach it based on these materials.
- BC Girls continues to gather a variety of assessment data but does not have a school-wide process for using data to improve student learning, beyond using data to help determine appropriate supports for academically struggling students. The school uses diagnostic assessments in ELA and math to determine placement in tiered interventions. BC Girls also administers formative, unit and interim assessments (“IAs”) in the classroom.
- For the first four years of its charter term, the school relied on an external consultant to develop its IAs and did not have an articulated process for determining the validity and reliability of those IAs and unit assessments. Individual teachers developed unit tests with very limited support. In the fifth year of its charter term, the school has enlisted ACSN to analyze and modify its IAs through a mix of ReadyNY resources, module resources and previous state assessments.
- The school reports analysis and use of student performance data to inform the development and delivery of academic intervention services for struggling students. However, BC Girls does not have in place systematic process for using assessment results to improve student learning. Teachers develop and score unit exams independently. No formal school-wide guidance facilitates this process or ensures accuracy, however, supervisors and coaches report providing training on scoring and being available to assist upon request. Some teachers report using pre and post lesson informal assessments to inform lesson re-teaching and potential needs for small groups.
- As of the fifth year of the charter term, the school reports it is beginning to roll out a spreadsheet to make student performance data from multiple sources accessible in one location. School leaders had not, at the time of the visit, created a description or plan for how this spreadsheet would be used, or how teachers would be trained to analyze the various data points effectively to inform instruction or develop interventions.
- BC Girls does not effectively use student performance results to create professional development priorities or evaluate teacher effectiveness. Goals established by teachers for the 2014-15 school year do not include student performance goals. Network staff report using the state assessment results to inform summer professional development. Leaders had yet to use the newly revised and partially completed IAs to inform professional development by the time of the visit. No other student performance data emerged as a factor in the development of professional learning or the distribution of coaching support services.

# RENEWAL BENCHMARK CONCLUSIONS

**Pedagogy.** Instruction at BC Girls does not challenge students to achieve or exceed grade level proficiency standards. As shown in the chart below, during the renewal visit and during a subsequent supplemental visit, Institute team members conducted 28 classroom observations following a defined protocol used in all school renewal visits.

## CLASSROOM OBSERVATION METHODOLOGY: NUMBER OF OBSERVATIONS

		GRADE				Total
		5	6	7	8	
CONTENT AREA	ELA	2	4	3	3	12
	Math	2	4	1	3	10
	Writing	1				1
	Science	2	2	1		5
	Soc Stu					
	Specials					
Total		7	10	5	6	28

- Most teachers deliver lessons with objectives aligned to the school’s curriculum (19 of 28 classrooms observed). Most teachers present content in clear and age appropriate language while purposefully reinforcing academic vocabulary. For example, a math teacher delivered a lesson on geometric figures and interspersed specific math terminology with “student translations” in order to provide multiple opportunities to internalize the vocabulary. Teachers across the school employ do now activities in order to review previously taught material, link it to current lesson content and provide additional opportunities for students to practice writing across content areas. Some teachers fail to clearly communicate lesson objectives and expectations for student work products, resulting in students who are unable to articulate exactly what they are learning or why.
- Some teachers regularly and effectively use techniques to check for student understanding (15 of 28 classrooms observed). In most classrooms, teachers rely heavily on student volunteers to answer questions while others are allowed to opt out of learning activities. Most teachers use minimal cold calling or whole class checks for understanding that do not result in real time adjustments to classroom instruction in order to address students’ misconceptions. In some classes, teachers conduct effective conferences with students during independent work time and provide detailed formative feedback to improve their written work. However, while teachers direct attention to individual students during these one on one meetings, other students quickly go off-task.
- In many classrooms teachers frequently miss opportunities to deepen students’ understanding of material by not requiring them to defend or elaborate on their responses. Although the school’s leaders and ACSN emphasize a shift toward student

## RENEWAL BENCHMARK CONCLUSIONS

discourse, most instruction is teacher centered missing opportunities for students to do the intellectual work in the lesson.

- Although most teachers maintain classroom environments that focus on academic achievement (20 of 28 classrooms observed), some teachers do not establish routines and procedures that maximize student learning. Teachers do not adequately differentiate directions for all students. Most teachers overly prioritize task completion rather than convey a sense of urgency for learning. Some teachers maximize instructional time with strict attention to pacing and smooth transitional routines; however, other teachers did not consistently focus student attention on lessons and maintain student engagement. For example, teachers permitted students sleeping in class, opting out, or persistently disrupting learning activities.

**At-Risk Students.** The school meets the educational needs of some at-risk students with its tiered intervention system.

- The school has a student support team that meets once per week to discuss teacher petitions for intervention support for students. After the school’s intervention specialists administer the end-of-cycle assessment to students enrolled in tiered intervention groups, the team reviews student performance and determines the student’s subsequent placement. The team membership, and the frequency with which it meets, are sufficient to monitor student performance.
- Classroom teachers implement tier one interventions throughout the school. Teachers examine formative assessment data and develop alternate modalities of instruction to support students struggling to grasp concepts and skills. Academic intervention services (“AIS”) learning specialists provide input about effective strategies to support student learning and assist classroom teachers in implementing tier one strategies during push-in instructional time. Recently, teachers attest to the effectiveness of their tier one strategies citing fewer skill building requirements in this year’s tier two groups.
- The school identifies students requiring academic intervention using the previous year’s New York State Testing Program (“NYSTP”) results and its universal screeners (STAR Reader and STAR math). The school’s AIS team triangulates the results of the STAR assessments and the state’s ELA and math assessments to enroll students in tier two and tier three interventions. The team assigns those students scoring in the lowest defined range on the STAR assessments and scoring at proficiency level one on the state’s assessments to tier three interventions. The team enrolls students scoring in a slightly higher defined range on STAR assessments and/or those scoring below proficiency on the state’s assessments in tier two interventions. General classroom teachers provide tier two groups with pull out support for roughly thirty minutes per day twice per week. Tier three groups are small; they consist of no more than four students, who receive intensive pull out support for 80 minutes per day four days per week.
- The school uses a 45 minute “flex time” period for level two tiered interventions, the school’s “Level Up” program, and for general homework help. The school assigns students who score below the cusp of proficiency on the NYSTP but above the remedial range on

## RENEWAL BENCHMARK CONCLUSIONS

universal screeners to the “Level Up” program. The program focuses on building discrete skills that will enable students to achieve proficiency during subsequent assessments. The school does not use flex time effectively for the remaining students not enrolled in tiered interventions or the Level Up program. Teachers admonish these students to complete homework assignments or outstanding class work but do not provide structured learning activities.

- General education teachers and special education teachers meet once per week to discuss student learning objectives, student behavior and achievement during general classroom instruction, and assessment outcomes (when the data are available), and to develop strategies for meeting the needs of at-risk students. Teachers report that the intensity of support required during tier two interventions is lessening because of the effectiveness of tier one interventions.
- Intervention specialist teachers administer the STAR assessments to tier two and tier three groups at the end of each intervention cycle. They also administer AIMSweb and MAZE assessments monthly order to monitor more closely the progress of tier three students toward meeting defined goals. Teachers monitor the progress of tier two groups using internally developed formative assessments. The intervention team meets at the end of each intervention cycle to determine tier assignments for students. Last year, the intervention team reassigned 66 percent of students assigned to tier three back down to tier two.
- Special education teachers provide general education classroom teachers with a synopsis of individualized education program (“IEP”) goals and required accommodations. Full IEPs are available to teachers to reference throughout the year. Special education teachers review the content of IEPs with classroom teachers during weekly meetings at the beginning of the school year. During the school year, special education teachers review student progress toward meeting IEP goals with classroom teachers.
- The special education coordinator provides training during the summer wherein she outlines the school’s response to intervention (“RTI”) processes for classroom teachers. Special education teachers provide support to general education teachers during weekly meetings and occasionally during professional development sessions. The special education coordinator provides professional development training to special education teachers and classroom staff during the school year.
- The English as a Second Language (“ESL”) teacher/coordinator meets with teachers informally during the time that she picks up the ESL student from classes. Communications between the ESL coordinator and teachers are informal; the ESL coordinator initiates all other communications via email. The ESL coordinator reports that this arrangement is adequate to support the needs of the school’s one ESL student.

# RENEWAL BENCHMARK CONCLUSIONS

	2011-12	2012-13	2013-14
Enrollment (N) Receiving Mandated Academic Services	(9)	(7)	(6)
Tested on State Exams (N)	(9)	(7)	(6)
<b>RESULTS</b> Percent Proficient on ELA Exam	0	0	16.7
Percent Proficient Statewide	15.5	5.0	5.2

	2011-12	2012-13	2013-14
ELL Enrollment (N)	(5)	(0)	(0)
Tested on NYSESLAT <sup>14</sup> Exam (N)	(N/A)	(N/A)	(N/A)
<b>RESULTS</b> Percent 'Proficient' or Making Progress <sup>15</sup> on NYSESLAT	N/A	N/A	N/A

<sup>14</sup> New York State English as a Second Language Achievement Test, a standardized state exam.

<sup>15</sup> Defined as moving up at least one level of proficiency. Student scores fall into four categories/proficiency levels: Beginning; Intermediate; Advanced; and, Proficient.

# RENEWAL BENCHMARK CONCLUSIONS

## IS THE SCHOOL AN EFFECTIVE, VIABLE ORGANIZATION?

BC Girls is not an effective and viable organization with capacity to support the delivery of an effective educational program. Over the course of the charter, the school's board did not develop and deploy the tools and skills required to provide the governance necessary to ensure the school is academically or financially stable at the end of its charter term. While board members convey commitment to the students and families that choose the school, the board has not put in place the sustained leadership and systems necessary to meet the terms of its charter contract. The school's mission is to prepare students for success in high school and college. Even in light of the supplemental data provided by the school over the course of the renewal process, the school's performance indicates it is not preparing a majority of its students for success in high school and beyond. During the current charter term, the board has generally abided by its by-laws and has been in general and substantial compliance with the terms of its charter, applicable state and federal law, rules and regulations.

## ORGANIZATIONAL STRUCTURE

**Board Oversight.** The education corporation board's attention to the school's academic program has not resulted in strong student achievement. While the school has offered single sex education, it has not offered an educational program that, under the terms of its Accountability Plan, prepares students for future academic success. Student outcomes indicate the board has not put sufficient focus on student achievement, has not worked effectively to meet the school's Accountability Plan goals and subsequently fails to ensure the school operates in an educationally and fiscally sound manner. The BC Girls board does not communicate expectations for high student achievement and does not hold itself, school leaders or its network partner accountable for student outcomes.

- While current board members possess an array of professional experience in education policy, law and government, the board has not put in place structures and procedures with which to govern the school and oversee management of day-to-day operations in order to ensure the school's future as an academically successful and financially healthy organization. At the time of the renewal visit, the board acknowledged that additional members with fiscal and legal expertise would improve its ability to provide effective oversight, but has not been proactive in filling these areas of deficiency. After the renewal visit, the board chair and a representative of the Brighter Choice Foundation requested a meeting to discuss governance changes. The board informed the Institute that three new board members with financial and charter expertise would be voted onto the board in the near future. The Institute notes that certain of the proposed board members have been affiliated with charter schools that have in the past reversed poor performance. The Institute notes as well that some proposed members have also served as board members for charters that failed to turnaround poorly performing schools that opted not to seek renewal.
- The board reports receiving monthly data dashboards reflecting student performance, attendance and enrollment from the director of school quality and monthly financial debriefings from ACSN. This information is insufficient to apprise accurately the program condition as evident in board members' inability to speak knowledgeably at the renewal

## RENEWAL BENCHMARK CONCLUSIONS

visit interview about BC Girls' renewal prospects, enrollment status, debt service and bond covenants.

- Early in the charter term, one of the board's primary priorities focused on securing bond financing for the middle schools' shared facility to enable a move out of a shared elementary building. In the final year of the initial charter term and with significant turnover amongst its membership, the board has failed to identify or implement clear and measurable objectives towards meeting the school's Accountability Plan goals. Only one out of six founding board members currently serves the school. The board does not articulate specific student achievement goals beyond those contained within the school's Accountability Plan and relies on informal means of tracking progress without a process for regular review and revision.
- The board relies on ACSN, the director of school quality and the principal to recruit, hire and retain staff. High levels of attrition amongst the teaching staff suggest that the board cannot deploy sufficient resources to recruiting and retaining high quality staff. While the board articulates the need to provide incentives to increase teacher retention, it has not yet developed a means, or demonstrated the financial wherewithal, to do so.
- The board has, over the charter term, contracted with a nationally known charter board development organization to strengthen its practices. These efforts have not, however, created coherent and regular practices wherein the board reflects on its own performance as reflected by student outcomes. Similarly, the board does not have in place effective practices that evaluate the performance of school leadership or ACSN. More than a year after creating the director of school quality role, the board has not developed criteria for evaluating performance despite identifying the position as critical to school success.
- While board meetings are open to the public, the board has little contact with staff, parents and students. Board minutes and information gathered from the renewal interview indicate attendance by stakeholders other than board members is low. The board includes two parent representatives, one from each middle school, and reports relying on the school's parent coordinator to act as an additional liaison and report concerns from families.

**Organizational Capacity.** BC Girls has reorganized its administrative and instructional leadership teams but the school organization does not support the delivery of an effective educational program.

- During the third year in the charter term, the leadership structure reorganized to support operations at four Brighter Choice schools, including Brighter Choice Charter Schools for Boys and Girls (authorized by the Board of Regents) and BC Boys and BC Girls middle schools. The leadership structure transitioned again during the fourth year of the charter term. Now, in its fifth year, the leadership structure includes a director of school quality who works across the four Brighter Choice campuses, a principal who works only with BC Girls middle school, and an assistant principal who works across the BC Boys and BC Girls middle schools. A director of operations, an assessment coordinator, and a special services coordinator also work across the four campuses.

## RENEWAL BENCHMARK CONCLUSIONS

- The number of administrative and instructional leadership positions at the school should be sufficient to carry out its academic program. However, the coordination between roles lacks clarity. Teachers are not clear about who formally evaluates their performance and which observations contribute to evaluative decisions. The director of school quality and the principal do not define clear outcomes-based performance criteria for teachers or for staff members in subordinate roles.
- The school has a clearly articulated and effective student discipline system. The school uses a system of demerit points to monitor overall classroom management and student behavior. The dean of students uses that data to identify teachers that need extra classroom management support. The dean of students visits classrooms to provide targeted, real-time assistance for those teachers requiring extra support. Teachers implement a tiered system of behavior modification interventions allowing students several opportunities to self-regulate their behavior before the teacher requests they leave the room. This system effectively increases instructional time for all students. The school communicates information about student behavior to families each day; the school also requires parent signatures no daily reports.
- The school struggles to retain quality staff. Last year, eight teachers (28 percent of the faculty) left the school prior to the beginning of the year. Also last year, the school did not place any teachers on performance improvement plans. Given the poor student outcomes posted by the school, this indicates the school supports the work of the teachers that produced the failing results. At the time of the visit, the school is placing three teachers on performance improvement plans. As stated above, the school lacks clear criteria for high quality instruction and teacher performance that focus on student learning outcomes.
- This year, the school retired its contract with its third party special education services vendor and generated a role for an internal special education services coordinator. The special education services coordinator reports that the role is still evolving and that the school will contract with its former consulting company to purchase mentor-style support during the transition period.
- High payments to service the school facility mortgage and related expenses (22% of total revenues) appear to prevent the board from devoting sufficient resources to the academic program. Other SUNY authorized charter schools in Albany pay 4-8% less for facilities.
- The school complies with its chartered enrollment but the waitlist had only three students as of the beginning of the school year.<sup>16</sup>
- School leaders do not set measurable performance expectations for students, teachers, or instructional coaches. This year, the board reallocated the budget and adjusted the school's program in order to reduce expenditures. As part of the plan, the school reduced the amount of time students spend in art, music, physical education, and foreign language classes and increased the time students spend in the core curriculum areas.

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<sup>16</sup> Source: Application for Charter Renewal.

# RENEWAL BENCHMARK CONCLUSIONS

## FAITHFULNESS TO CHARTER & PARENT SATISFACTION

As part of their initial applications and their Applications for Charter Renewal, schools identify the Key Design Elements that reflect their mission and distinguish the schools. The table below reflects the intended Key Design Elements and indicates for each if the school is implementing the element as included in the school’s charter.

Key Design Elements	Evident?
Provide single gender instruction with unique curricular opportunities focused on women’s history and issues;	+
Provide professional development opportunities for staff on single gender education;	+
Offering exposure to diverse options for and comprehensive guidance throughout the high school placement process; and,	-
Committing to technology use and integration into the school’s academic program to enhance world views and understanding.	-

**Parent Satisfaction.** The school submitted survey information with its Application for Charter Renewal demonstrating parents/guardians and students are generally satisfied with the school. Many parents attended a public hearing at the school on January 12<sup>th</sup>, 2015 to express their support for the school. Many speakers praised the school’s safe environment and emphasized its importance as the only public, single gender option for middle school students in Albany, which provides a pipeline from an all-female elementary through to an all-female high school program.

2013-14
Response Rate: 60%
Overall satisfaction: 84%
Academics: 93%
School Environment: 81%

**Persistence in Enrollment.** The Institute derived the following statistical information from its database. The Institute does not have access to comparative data from the local school districts where students reside (Albany, Schenectady, Troy, Watervliet, South Colonie, Lansingburgh and Bethlehem) and is therefore unable to conduct a comparative analysis.

# RENEWAL BENCHMARK CONCLUSIONS

	2011-12	2012-13	2013-14
Percent of Eligible Students Returning From Previous Year	N/A	76.4	78.4

## COMPLIANCE

**Governance.** In general, the board has not implemented, maintained or abided by adequate and appropriate policies, systems and processes and procedures to ensure the effective governance and oversight of the school as evidenced by its academic and fiscal results. However, the board has maintained general compliance with the terms of its charter and applicable law. The board does not demonstrate a clear understanding of its role in holding the school leadership and ACSN accountable for academic results. The board has not demonstrated an understanding of appropriate hires, timing of hires and resources to ensure good instruction and to hold school leadership is accountable for academic results.

- While the board of trustees has not avoided creating conflicts of interest because of trustees affiliated with the Brighter Choice Foundation (ACSN), its contractor, it has managed those conflicts through proper disclosure and recusal.
- The board has materially complied with the terms of its by-laws with exceptions where the board had an insufficient number of trustees as admitted by the board chair.
- The board receives reports on fiscal and academic performance, but it is unclear how effective the reports are as the board's actions are not characterized by quick and effective actions that improve student achievement.
- In 2011, the board properly sought amendment of its charter to change its Friday school schedule to allow for professional development time rather than instruction. As noted earlier, the school has since abandoned this practice.
- The board has received some board training through ACSN.
- The board has appropriately used outside legal counsel with the exception of the services contract with the Brighter Choice Foundation, which was only executed by the education corporation and not the Brighter Choice Foundation.

**Legal Requirements.** The education corporation has generally and substantially complied with applicable state and federal laws, rules and regulations and the provisions of its charter.

- **Code of Ethics.** The school's Code of Ethics did not conform to the current requirements of the New York General Municipal Law and it had not been distributed to trustees, officers and staff.
- **By-laws.** The school's by-laws contained some minor deficiencies with respect to the Not-For-Profit Corporation Law and the Education Law.

## RENEWAL BENCHMARK CONCLUSIONS

- **Dress Code.** The school's dress code failed to clarify whether students not permitted to attend class would be suspended with proper due process and how they would receive instruction.
- **Complaints.** The school has generated few, if any, informal complaints with no formal complaints reviewed by the Institute.
- **Violations.** The Institute noted no violations for the school during its charter term.

# RENEWAL BENCHMARK CONCLUSIONS

## IS THE EDUCATION CORPORATION FISCALLY SOUND?

**BC Girls is not fiscally sound.** The school, or not-for-profit education corporation, has not successfully managed cash flow and does not have adequate financial resources to ensure stable operations in the future. The education corporation does not engage in effective budgeting practices and has problems with fiscal monitoring of revenues and expenses, and is not making appropriate adjustments when necessary. Institute records reflect continually delinquent financial reporting over the charter term. The SUNY Fiscal Dashboard, a multi-year financial data and analysis for SUNY authorized charter schools appears below in the Appendix.

As noted earlier in this report, the education corporation is operating under a compact agreement with ACSN. Services include academic, legal and financial assistance, technical support and advocacy, professional development to both the school staff and board of trustees to improve governance knowledge and expertise. The compact contains service fee that increases from 1% in 2012-13 to 1.5% in 2013-14 to 2% in 2014-15 of per pupil revenues. The ACSN fee structure is anticipated to increase to 3% - 5% - 7% over a future charter term as described by the board and reflected in the revised budget submitted with the renewal application. A draft agreement was not supplied to the Institute.

**Budgeting and Long-Range Planning.** Throughout the charter term, BC Girls has not maintained fiscal soundness, has not implemented effective budgeting practices and routine monitoring of revenues and expenses. Early in the charter term, net assets had grown to \$857,344 while in leased space and serving three chartered grades. As the new facility was being built and the fourth chartered grade added, net assets steadily declined to \$892 as of June 30, 2014. This reflects expense levels outspending revenue levels and depleting any earlier reserves established. Current operations show that as of December 31, 2014, cash on hand was \$95,074 to cover current liabilities already on the books of \$738,538. Operating in this manner results in great dependence on each per-pupil aid payment to cover past bills and limits available resources for current operations.

- The education corporation development of annual budgets was previously handled by the school level business manager and the board. The most recent budget development cycle encountered problems in that the business manager left the position prior to the budget completion resulting in the board having to obtain outside financial services and the ACSN having to complete work.
- As the audit management letter recommends the board monitor the financial status on an ongoing basis and implement revisions necessary to assure the financial results are balanced for fiscal year 2015. The education corporation and ACSN worked together to complete a major budget revision, which projects a \$5,291 operating surplus for fiscal year 2015.
- The board has seen turnover throughout the charter term. At the time of the renewal visit interview, the board did not include any financial and/or legal expertise, and, therefore, has relied on ACSN to navigate the financial aspects of the operations. The board is in the

## RENEWAL BENCHMARK CONCLUSIONS

process of recruiting new members including a proposed trustee with experience as a chief financial officer.

- ACSN prepares for the board monthly financial reports that include a current balance sheet, a profit and loss statement, a budget-versus-actual-expenditure report, and personnel expenditure projections. As the audit management letter states, there are a significant number of transactions that affect not only the BC Girls and BC Boys, but also the elementary schools, which are authorized by the Board of Regents. Not all the balances due to and from BC Girls agreed with the records of the other schools. The auditor recommended that procedures be developed and implemented to reconcile these balances on a regular basis.
- The projected budgets submitted with the renewal application were based on higher enrollment, and, given the schools inability to fully enroll as per allowable limits in its charter, found to be not realistic or fiscally obtainable. Revised budgets were submitted that reflected lower enrollment and, to offset that, the academic program was altered by a decrease in the academic leadership of 1.75 positions. The school also increased the administrative staff by 2 positions. Additionally, the budget line items for staff recruitment and recruiting new students were virtually deleted and field trips and office expense line items decreased. The school reports that the new academic program adjustments and additional ACSN support will reduce costs.
- In the renewal interview, the board was asked and wasn't able to articulate reasonable knowledge or understanding of the financial requirements of the facility bond financing. The requirements include loan covenants regarding debt service and cash on hand that should be a common topic of discussion during board meetings to ensure continual oversight and monitoring of financial condition.
- In the October 27, 2014 renewal interview, just days away from an important due date for annual reporting to both NYSED and SUNY on November 1, 2014, the board could not give any insight into the audit timeframe for the independent auditor to complete fieldwork or deliver the audit report. According to the request for proposals issued by the education corporation for the audit, field work was to be completed in September and the audit report finalized in October in line with the reporting requirements. The Institute found this to demonstrate inadequate fiscal stewardship.
- The independent auditor identified the delay in completing the field work as being caused by the education corporation. Such a delay resulted in the auditor not being able to receive critical information to complete the audit in a timely manner, which is a requirement under the school's facility financing covenants. After granting an extension, the Institute issued a violation letter for the late audit when the education corporation did not comply with the extended deadline. The December 31, 2014 submission date contained in the violation letter was eventually met and the final audit report and related final management letter and corrective action plan were received by the Institute by the extended deadline.

**Internal Controls.** The education corporation has established appropriate fiscal policies, procedures and controls although the auditor found some areas where the education corporation

## RENEWAL BENCHMARK CONCLUSIONS

does not follow those established policies and procedures consistently. Written policies address key issues including financial reporting, revenues, procurement, expenditures, payroll, banking, capital assets, and record retention.

- Under the Albany Charter Schools Compact initiated in Spring 2012, and continuing into the current school year, ACSN has contractual responsibility for the following fiscal operations: assisting with budget development, preparing monthly financial statements, recording and tracking income and expenses related to all grants and contracts, recording all accounts payable invoices and cash receipts, preparing all vendor checks, reconciling checking accounts each month, providing and maintaining payroll services, and interfacing with the school's independent external auditor.
- In the past, the education corporation relied upon the Brighter Choice Foundation and now relies on the support of ACSN to strengthen its financial processes and internal controls. ACSN is now leading the budget development process, the audit cycle and the preparation of the monthly financial statements. ACSN will also oversee the school staff in the processing of cash receipts and accounts payable preparation of vendor checks, bank reconciliations, and payroll processing and reporting.
- The most recent independent audit found no material weaknesses in the financial statements but did identify that the education corporation had not accurately recorded and appropriately documented transactions in accordance with established policies. The auditor found areas regarding related party transactions that needed development and implementation to reconcile on a regular basis.
- The education corporation's most recent audit reports of internal controls related to financial reporting and compliance with laws, regulations and grants, disclosed some weaknesses and instances of non-compliance. The delinquent audit report caused the education corporation to be out of compliance with NYSED, SUNY and the facility loan covenant regarding timeliness of financial statements. The debt service coverage ratio covenant is required to be completed within 120 days after the close of the fiscal year and must be based on audited financial statements. The auditor also advised regarding required compliance with the recent Nonprofit Revitalization Act of 2013 that the education corporation has not reviewed or implemented (similar to other charter schools).
- The audit report noted a former board member as a current authorized check signer for the bank accounts. The corrective action plan submitted to the Institute did not outline immediate corrective action and completion. Instead, there is a future plan to make the correction during the upcoming process of moving all bank accounts to one bank; with a completion date of January 21, 2015.
- The audit report noted some discrepancies in the cash receipts process including variance from what is stated in the school's *Fiscal Policies and Procedures Guide*. Cash received and a majority of school payments received that were not properly entered into the receipt log.
- The audit report noted that during sample testing, personnel action forms were not utilized for new employees and a terminated employee did not have a termination form completed.
- The audit report noted numerous instances where the cash disbursement process per the school's *Fiscal Policies and Procedures Guide* was not followed. Purchase orders were not

## RENEWAL BENCHMARK CONCLUSIONS

utilized in over 50 percent of the items sampled. Purchase orders should be used for any non-recurring purchase over \$500. Management responded to the auditor that the school will review the cash disbursements process to determine if any adjustments should be made to the procedure and then encourage compliance.

### Timeliness of Reporting: Annual Audit Reports, Budgets and Quarterly Financial Reports

Reports	Due Date	Received Date	Days Late
09/30/10 Q1	11/15/10	11/18/10	3 Days Late
12/31/10 Q2	02/15/11	02/28/11	13 Days Late
03/31/11 Q3	05/15/11	05/10/11	--
06/30/11 Q4	08/01/11	08/03/11	2 Days Late
06/30/11 Audit	11/01/11	11/01/11	--
2011-12 Budget	06/30/11	06/29/11	--
09/30/11 Q1	11/15/11	12/09/11	24 Days Late
12/31/11 Q2	02/15/12	02/23/12	8 Days Late
03/31/12 Q3	05/15/12	05/27/12	12 Days Late
06/30/12 Q4	08/01/12	08/01/12	--
06/30/12 Audit	11/01/12	11/01/12	--
2012-13 Budget	06/30/12	07/27/12	27 Days Late
09/30/12 Q1	11/15/12	02/04/13	81 Days Late
12/31/12 Q2	02/15/13	02/12/13	--
03/31/13 Q3	05/15/13	05/20/13	5 Days Late
06/30/13 Q4	08/01/13	08/01/13	--
06/30/13 Audit	11/01/13	11/01/13	--
2013-14 Budget	06/30/13	07/15/13	15 Days Late
09/30/13 Q1	11/15/13	01/19/14	65 Days Late
12/31/13 Q2	02/15/14	01/19/14	--
03/31/14 Q3	05/15/14	06/22/14	38 Days Late
06/30/14 Q4	08/01/14	09/12/14	42 Days Late
06/30/14 Audit	11/01/14	12/31/14	60 Days Late
2014-15 Budget	06/30/14	08/23/14	54 Days Late
09/30/14 Q1	11/15/14	11/18/14	3 Days Late
12/31/14 Q2	02/15/15	Not Yet Due	

**Financial Reporting.** The education corporation has not complied with financial reporting requirements by providing the SUNY Trustees and NYSED with required financial reports that are on time, complete and follow generally accepted accounting principles.

## RENEWAL BENCHMARK CONCLUSIONS

- The education corporation presents its annual financial statements in accordance with generally accepted accounting principles and the independent audits of those statements have received unqualified opinions.
- The education corporation has not filed key reports timely and accurately including audit reports, budgets, cash-flow statements, un-audited reports of income, expenses and enrollment. Despite the education corporation's assertions in comments on the Institute's draft recommendation report to the contrary, as evidenced by the due date table above, the school established a pattern of late reporting throughout the charter term. The external auditor noted that staff turnover and issues relating to obtaining source documents has resulted in the most recent delinquent report filings.

**Financial Condition.** The education corporation maintains inadequate financial resources needed to ensure stable operations.

- The education corporation has posted *fiscal monitoring needed* composite-score ratings on the SUNY Fiscal Dashboard indicating fiscal instability over the charter contract term.<sup>17</sup>
- As reported in the audited financial statements, the education corporation has long-term mortgage debt held jointly with BC Boys related to the facility utilized by both schools. The facility is recorded 50% of total costs of the facility acquisition as well as 50% of the debt obligations.
- As the audited financial statements report, the mortgage loan agreement includes certain financial statement covenants for maintaining a debt service coverage ratio and liquidity requirements for maintaining cash on hand of not less than 7 days as measured semiannually. As of June 30, 2014, cash on hand was measured at 9.7 days. The audited financial statements report cash of \$95,074 on hand at June 30, 2014; comparing that to the \$9,739 needed per day to cover expenses (\$3,554,746 total annual expenses / 365 days) results in the 9.7 days of cash on hand. The education corporation board's lack of complete understanding of the facility financing requirements is concerning.
- The education corporation maintains inadequate cash flow by Institute standards. On average over the charter term, the education corporation maintained approximately 12 days of cash reserves to cover current bills and those coming due shortly. The general guidance from not-for-profit and charter school financial analysts used by the Institute recommends cash reserves of at least one month. The SUNY Fiscal Dashboard, which uses the same period of time, shows a high risk in this category.
- As the audited financial statements report, the school had consecutive losses of (\$215,729) in 2014 and (\$793,677) in 2013 that has resulted in net assets being a fraction of 1% (0.00009) of total assets.
- In December 2014, Fitch Ratings placed the schools' bonds on "Rating Watch Negative."
- The New York State Comptroller issued a report dated February 7, 2014 on the education corporation's compact agreement with ACSN stating that the service fees structure does

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<sup>17</sup> The composite score assists in measuring the financial health of an education corporation using a blended score that measures the school's performances on key financial indicators. The blended score offsets financial strengths against areas where there may be financial weaknesses.

## RENEWAL BENCHMARK CONCLUSIONS

not appear to be reasonable as the services being provided do not have any bearing on the number of students at the school or the tuition rate, and the increasing fees place additional financial burden on the education corporation. While the board stated it is satisfied with the value and delivery of ACSN's services despite the school's failure to meet its academic Accountability Plan goals or basic financials tests outlined in SUNY's Fiscal Dashboard, the future fee structure calls for increases in the rate to 3% - 7%. This would place tremendous financial burden on the education corporation's finances. BC Girls has not entered into a formal charter management agreement with ACSN. In that case, the Institute would require such an agreement include detailed service deliverables and measurable outcomes.

- Contributions and fundraising activities have played a diminishing role in the financial health of the school. Contributions for the year ended June 30, 2014 were less than 0.3 percent of total revenues.
- There are additional reserve requirements that will affect the education corporation's cash position. SUNY authorized charter agreements have changed to include a required \$75,000 Dissolution Reserve Fund for the purpose of covering legal and administrative costs associated with the closure/dissolution of a school.

The SUNY Fiscal Dashboard, provided in the Appendix, presents color-coded tables and charts indicating that BC Girls has not demonstrated fiscal soundness over the course of its charter term.<sup>18</sup>

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<sup>18</sup> The U.S. Department of Education has established fiscal criteria for certain ratios or information with high – medium – low categories, represented in the table as green – gray – red. The categories generally correspond to levels of fiscal risk, but must be viewed in the context of each education corporation and the general type or category of school.

## RENEWAL BENCHMARK CONCLUSIONS

### IF THE SUNY TRUSTEES RENEW THE EDUCATION CORPORATION'S AUTHORITY TO OPERATE THE SCHOOL, ARE ITS PLANS FOR THE SCHOOL REASONABLE, FEASIBLE AND ACHIEVABLE?

BC Girls has not developed an academic program that will likely result in the school's being able to meet or come close to meeting its Accountability Plan goals in a new charter term. The education corporation is not fiscally sound and the school lacks the organizational capacity to support an effective educational program. As such, its plans for the next charter term are not reasonable, feasible and achievable.

## APPENDIX: SCHOOL OVERVIEW

### Mission Statement

The mission of the Brighter Choice Charter Middle School for Girls is to prepare girls for high school and college success while attending to the unique developmental needs of middle school scholars.

### Board of Trustees

Board Member Name <sup>19</sup>	Position
Martha J. Snyder	Chair
Zoe Nelson	Trustee
Nilsa Velilla	Trustee
Shawn Wallace	Treasurer/Trustee
Rebecca Calos	Trustee

### School Characteristics

School Year	Proposed Enrollment	Actual Enrollment <sup>20</sup>	Proposed Grades	Actual Grades
2010-11	54	42	5	5
2011-12	112	105	5-6	5-6
2012-13	168	159	5-7	5-7
2013-14	220	210	5-8	5-8
2014-15	238	223	5-8	5-8

<sup>19</sup> Source: Institute Board Records at the time of the renewal review.

<sup>20</sup> Source: The Institute's Official Enrollment Binder. (Figures may differ slightly from New York State Report Cards, depending on date of data collection.)

## APPENDIX: SCHOOL OVERVIEW

### Student Demographics

	2011-12		2012-13		2013-14 <sup>21</sup>
	% of School Enrollment <sup>22</sup>	% of Albany CSD Enrollment	% of School Enrollment	% of Albany CSD Enrollment	% of School Enrollment
<b>Race/Ethnicity</b>					
American Indian or Alaska Native	0	0	0	0	0
Black or African American	79	55	80	53	83
Hispanic	19	14	15	15	14
Asian, Native Hawaiian, or Pacific Islander	0	7	0	8	0
White	3	21	4	21	2
Multiracial	0	2	0	3	0
<b>Special Populations</b>					
Students with Disabilities	8	--	4	15	3
English Language Learners	5	7	4	8	4
<b>Free/Reduced Lunch</b>					
Eligible for Free Lunch	78	60	83	60	84
Eligible for Reduced-Price Lunch	9	7	9	7	8
Economically Disadvantaged	92	--	92	76	100

### School Leaders

School Year(s)	Name(s) and Title(s)
2010-11 to 2011-12	Vanessa Threatte, Principal
2012-13 to 2013-14	Darryl Williams, Director of Schools Kim Arrington, Principal
2013-14 to Present	Marcus Puccioni, Director of School Quality Kim Arrington, Principal

<sup>21</sup> The Institute derived the 2013-14 Students with Disabilities, ELL and Economically Disadvantaged statistics from the school's October 2013 student enrollment report to NYSED (2013-14 BEDS Report). District data are not yet available. Because NYSED releases data up to a full year after the conclusion of any one school year, the data presented in this table may differ from current information reported by the school and included in this report.

<sup>22</sup> Source: 2012-13 School Report Card, NYSED.

## APPENDIX: SCHOOL OVERVIEW

### School Visit History

School Year	Visit Type	Evaluator (Institute/External)	Date
<b>2010-11</b>	First Year Visit	Institute	April 6, 2011
<b>2012-13</b>	Evaluation Visit	Institute	March 14-15, 2013
<b>2013-14</b>	Pre-renewal Visit	Institute	March 27, 2014
<b>2014-15</b>	Initial Renewal Visit	Institute	October 22-23, 2014
<b>2014-15</b>	Follow Up Renewal Visit	Institute	December 12, 2014

### Conduct of the Renewal Visit

Date(s) of Visit	Evaluation Team Members	Title
<b>October 22-23, 2014</b>	Heather Wendling	Senior Analyst
	Jeff Wasbes	Executive Deputy Director of Accountability
	David Montes de Oca	External Consultant

# APPENDIX: FISCAL DASHBOARD



## Brighter Choice Charter Middle School for Girls

### SCHOOL INFORMATION

#### FINANCIAL POSITION

##### Assets

##### Current Assets

Cash and Cash Equivalents - GRAPH 1  
Grants and Contracts Receivable  
Accounts Receivable  
Prepaid Expenses  
Contributions and Other Receivables

##### Total Current Assets - GRAPH 1

Property, Building and Equipment, net

Other Assets

##### Total Assets - GRAPH 1

##### Liabilities and Net Assets

##### Current Liabilities

Accounts Payable and Accrued Expenses  
Accrued Payroll and Benefits  
Deferred Revenue  
Current Maturities of Long-Term Debt  
Short Term Debt - Bonds, Notes Payable  
Other

##### Total Current Liabilities - GRAPH 1

L-T Debt and Notes Payable, net current maturities

##### Total Liabilities - GRAPH 1

##### Net Assets

Unrestricted  
Temporarily restricted

##### Total Net Assets

##### Total Liabilities and Net Assets

#### ACTIVITIES

##### Operating Revenue

Resident Student Enrollment  
Students with Disabilities

##### Grants and Contracts

State and local  
Federal - Title and IDEA  
Federal - Other  
Other  
Food Service/Child Nutrition Program

##### Total Operating Revenue

##### Expenses

Regular Education  
SPED  
Regular Education & SPED (combined)  
Other

##### Total Program Services

Management and General  
Fundraising

##### Total Expenses - GRAPHS 2, 3 & 4

##### Surplus / (Deficit) From School Operations

##### Support and Other Revenue

Contributions  
Fundraising  
Miscellaneous Income  
Net assets released from restriction

##### Total Support and Other Revenue

Total Unrestricted Revenue

Total Temporarily Restricted Revenue

##### Total Revenue - GRAPHS 2 & 3

##### Change in Net Assets

##### Net Assets - Beginning of Year - GRAPH 2

Prior Year Adjustment(s)

##### Net Assets - End of Year - GRAPH 2

Opened 2010-11					
	2009-10	2010-11	2011-12	2012-13	2013-14
<b>Assets</b>					
<b>Current Assets</b>					
Cash and Cash Equivalents - GRAPH 1	-	42,656	58,691	152,615	95,074
Grants and Contracts Receivable	-	137,478	259,482	18,097	187,862
Accounts Receivable	-	91,668	97,066	202,249	359,508
Prepaid Expenses	-	839	725	8,464	6,012
Contributions and Other Receivables	-	22,707	115,935	108,610	-
<b>Total Current Assets - GRAPH 1</b>	-	295,348	531,899	490,035	648,456
Property, Building and Equipment, net	-	85,882	7,751,968	7,474,532	7,174,044
Other Assets	-	-	1,800,623	1,495,610	1,582,743
<b>Total Assets - GRAPH 1</b>	-	381,230	10,084,490	9,460,177	9,405,243
<b>Liabilities and Net Assets</b>					
<b>Current Liabilities</b>					
Accounts Payable and Accrued Expenses	-	63,488	345,471	84,398	209,865
Accrued Payroll and Benefits	-	1,806	62,834	449,840	446,233
Deferred Revenue	-	-	-	30,358	7,440
Current Maturities of Long-Term Debt	-	-	-	75,000	75,000
Short Term Debt - Bonds, Notes Payable	-	-	-	-	-
Other	-	35,106	98,653	-	-
<b>Total Current Liabilities - GRAPH 1</b>	-	100,400	506,958	639,596	738,538
L-T Debt and Notes Payable, net current maturities	-	-	8,720,188	8,695,813	8,665,813
<b>Total Liabilities - GRAPH 1</b>	-	100,400	9,227,146	9,335,409	9,404,351
<b>Net Assets</b>					
Unrestricted	-	271,635	601,824	(77,732)	(156,608)
Temporarily restricted	-	9,195	255,520	202,500	157,500
<b>Total Net Assets</b>	-	280,830	857,344	124,768	892
<b>Total Liabilities and Net Assets</b>	-	381,230	10,084,490	9,460,177	9,405,243
<b>ACTIVITIES</b>					
<b>Operating Revenue</b>					
Resident Student Enrollment	-	613,905	1,514,507	2,211,121	3,000,967
Students with Disabilities	-	10,082	65,857	39,378	34,801
<b>Grants and Contracts</b>					
State and local	-	-	97,500	-	-
Federal - Title and IDEA	-	31,289	29,627	95,534	163,725
Federal - Other	-	167,232	338,222	92,653	15,898
Other	-	-	115,935	21,999	-
Food Service/Child Nutrition Program	-	-	119,923	92,855	123,626
<b>Total Operating Revenue</b>	-	822,508	2,281,571	2,553,540	3,339,017
<b>Expenses</b>					
Regular Education	-	364,690	959,472	1,536,246	1,763,311
SPED	-	27,933	92,644	159,343	218,638
Regular Education & SPED (combined)	-	-	-	-	-
Other	-	47,021	239,765	266,507	329,035
<b>Total Program Services</b>	-	439,644	1,291,881	1,962,096	2,310,984
Management and General	-	472,523	761,506	1,385,121	1,243,762
Fundraising	-	-	-	-	-
<b>Total Expenses - GRAPHS 2, 3 &amp; 4</b>	-	912,167	2,053,387	3,347,217	3,554,746
<b>Surplus / (Deficit) From School Operations</b>	-	(89,659)	228,184	(793,677)	(215,729)
<b>Support and Other Revenue</b>					
Contributions	-	354,775	330,613	7,000	724
Fundraising	-	9,195	-	-	-
Miscellaneous Income	-	6,519	17,717	54,101	91,129
Net assets released from restriction	-	-	-	-	-
<b>Total Support and Other Revenue</b>	-	370,489	348,330	61,101	91,853
Total Unrestricted Revenue	-	1,183,802	2,383,576	2,667,661	3,475,870
Total Temporarily Restricted Revenue	-	9,195	246,325	(53,020)	(45,000)
<b>Total Revenue - GRAPHS 2 &amp; 3</b>	-	1,192,997	2,629,901	2,614,641	3,430,870
<b>Change in Net Assets</b>	-	280,830	576,514	(732,576)	(123,876)
<b>Net Assets - Beginning of Year - GRAPH 2</b>	-	-	280,830	857,344	124,768
Prior Year Adjustment(s)	-	-	-	-	-
<b>Net Assets - End of Year - GRAPH 2</b>	-	280,830	857,344	124,768	892

# APPENDIX: FISCAL DASHBOARD



## Brighter Choice Charter Middle School for Girls

### SCHOOL INFORMATION - (Continued)

#### Functional Expense Breakdown

	2009-10	2010-11	2011-12	2012-13	2013-14
Personnel Service	-	345,224	408,241	411,767	347,653
Administrative Staff Personnel	-	177,875	490,817	1,003,390	1,050,759
Instructional Personnel	-	-	16,516	-	128,057
Non-Instructional Personnel	-	-	-	-	-
Personnel Services (Combined)	-	-	-	-	-
Total Salaries and Staff	-	523,099	915,574	1,415,157	1,526,469
Fringe Benefits & Payroll Taxes	-	90,679	181,409	332,760	414,417
Retirement	-	8,502	25,942	44,921	-
Management Company Fees	-	-	-	-	-
Building and Land Rent / Lease	-	45,833	31,439	-	612,750
Staff Development	-	13,688	23,851	10,469	7,074
Professional Fees, Consultant & Purchased Services	-	63,288	167,744	206,390	235,403
Marketing / Recruitment	-	16,648	-	4,531	3,821
Student Supplies, Materials & Services	-	44,814	166,279	197,889	162,556
Depreciation	-	19,235	121,363	322,550	315,202
Other	-	86,381	419,786	812,550	277,054
<b>Total Expenses</b>	-	<b>912,167</b>	<b>2,053,387</b>	<b>3,347,217</b>	<b>3,554,746</b>

### SCHOOL ANALYSIS

#### ENROLLMENT

	2009-10	2010-11	2011-12	2012-13	2013-14
Chartered Enroll	-	54	112	168	220
Revised Enroll	-	-	-	-	-
Actual Enroll - GRAPH 4	-	42	105	159	210
Chartered Grades	Planning	5	5-6	5-7	5-8
Revised Grades	-	-	-	-	-

#### Primary School District: Albany

Per Pupil Funding (Weighted Avg of All Districts)	2009-10	2010-11	2011-12	2012-13	2013-14
	-	14,072	14,072	14,072	14,055
Increase over prior year	0.0%	20.2%	0.0%	0.0%	-0.1%

#### PER STUDENT BREAKDOWN

	2009-10	2010-11	2011-12	2012-13	2013-14	Average - 5 Yrs. OR Charter Term
<b>Revenue</b>						
Operating	-	19,584	21,729	16,060	15,900	18,318
Other Revenue and Support	-	8,821	3,317	384	437	3,240
<b>TOTAL - GRAPH 3</b>	-	<b>28,405</b>	<b>25,047</b>	<b>16,444</b>	<b>16,337</b>	<b>21,558</b>
<b>Expenses</b>						
Program Services	-	10,468	12,304	12,340	11,005	11,529
Management and General, Fundraising	-	11,251	7,252	8,711	5,923	8,284
<b>TOTAL - GRAPH 3</b>	-	<b>21,718</b>	<b>19,556</b>	<b>21,052</b>	<b>16,927</b>	<b>19,813</b>
% of Program Services	0.0%	48.2%	62.9%	58.6%	65.0%	58.7%
% of Management and Other	0.0%	51.8%	37.1%	41.4%	35.0%	41.3%
% of Revenue Exceeding Expenses - GRAPH 5	0.0%	30.8%	28.1%	-21.9%	-3.5%	8.8%

#### Student to Faculty Ratio

2009-10	2010-11	2011-12	2012-13	2013-14
-	9.9	9.5	8.4	11.1

#### Faculty to Admin Ratio

2009-10	2010-11	2011-12	2012-13	2013-14
-	1.3	2.0	3.2	3.2

#### Financial Responsibility Composite Scores - GRAPH 6

Score	2009-10	2010-11	2011-12	2012-13	2013-14	0.8
Fiscally Strong 1.5 - 3.0 / Fiscally Adequate 1.0 - 1.4 / Fiscally Needs Monitoring < 1.0	0.0	2.7	2.0	(0.0)	0.0	0.8
	N/A	Fiscally Strong	Fiscally Strong	Fiscally Needs Monitoring	Fiscally Needs Monitoring	Fiscally Needs Monitoring

#### Working Capital - GRAPH 7

	2009-10	2010-11	2011-12	2012-13	2013-14	(4,939)
Net Working Capital	0	194,948	24,941	(149,561)	(90,082)	(4,939)
As % of Unrestricted Revenue	0.0%	16.5%	1.0%	-5.6%	-2.6%	2.3%
Working Capital (Current) Ratio Score	0.0	2.9	1.0	0.8	0.9	1.4
Risk (Low > 3.0 / Medium 1.4 - 2.9 / High < 1.4)	N/A	MEDIUM	HIGH	HIGH	HIGH	MEDIUM
Rating (Excellent > 3.0 / Good 1.4 - 2.9 / Poor < 1.4)	N/A	Good	Poor	Poor	Poor	Good

#### Quick (Acid Test) Ratio

Score	2009-10	2010-11	2011-12	2012-13	2013-14	1.4
Risk (Low > 2.5 / Medium 1.0 - 2.4 / High < 1.0)	0.0	2.9	1.0	0.8	0.9	1.4
	N/A	LOW	MEDIUM	HIGH	HIGH	MEDIUM
Rating (Excellent > 2.5 / Good 1.0 - 2.4 / Poor < 1.0)	N/A	Excellent	Good	Poor	Poor	Good

#### Debt to Asset Ratio - GRAPH 7

Score	2009-10	2010-11	2011-12	2012-13	2013-14	0.8
Risk (Low < 0.50 / Medium 0.51 - .95 / High > 1.0)	0.0	0.3	0.9	1.0	1.0	0.8
	N/A	LOW	MEDIUM	HIGH	HIGH	MEDIUM
Rating (Excellent < 0.50 / Good 0.51 - .95 / Poor > 1.0)	N/A	Excellent	Good	Poor	Poor	Good

#### Months of Cash - GRAPH 8

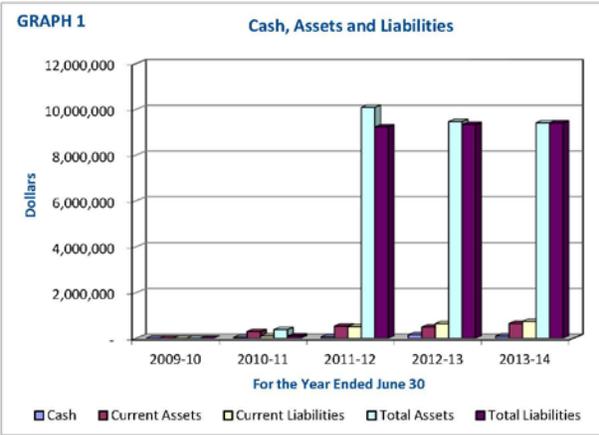
Score	2009-10	2010-11	2011-12	2012-13	2013-14	0.4
Risk (Low > 3 mo. / Medium 1 - 3 mo. / High < 1 mo.)	0.0	0.6	0.3	0.5	0.3	0.4
	N/A	HIGH	HIGH	HIGH	HIGH	HIGH
Rating (Excellent > 3 mo. / Good 1 - 3 mo. / Poor < 1 mo.)	N/A	Poor	Poor	Poor	Poor	Poor

# APPENDIX: FISCAL DASHBOARD

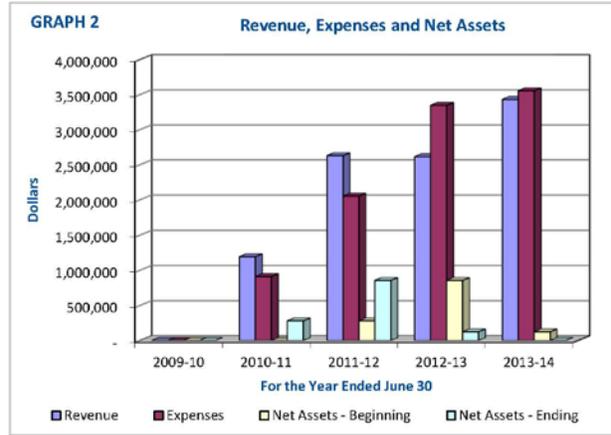


**Charter Schools Institute**  
The State University of New York

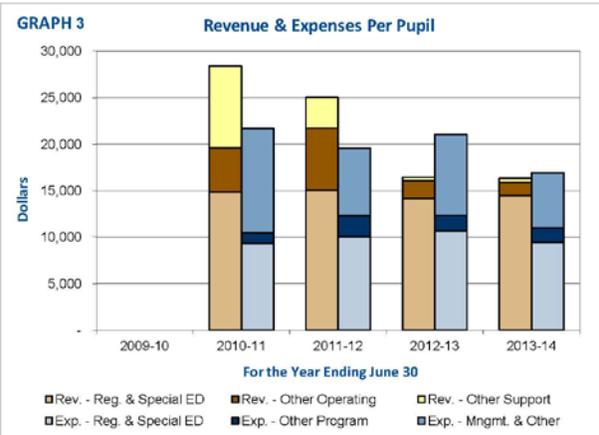
## Brighter Choice Charter Middle School for Girls



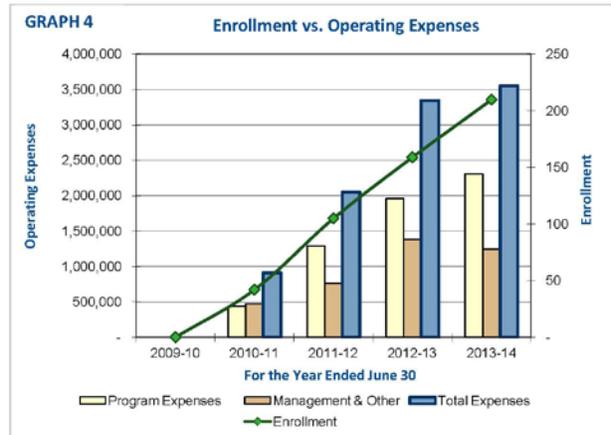
This chart illustrates total revenue and expenses each year and the relationship those subsets have on the increase/decrease of net assets on a year-to-year basis. Ideally subset 1, revenue, will be taller than subset 2, expenses, and as a result subset 3, net assets - beginning, will increase each year building a more fiscally viable school.



This chart illustrates the relationship between assets and liabilities and to what extent cash reserves makes up current assets. Ideally for each subset, subsets 2 thru 4, (i.e. current assets vs. current liabilities), the column on the left is taller than the immediate column on the right; and, generally speaking, the bigger that gap, the better.



This chart illustrates the breakdown of revenue and expenses on a per pupil basis. Caution should be exercised in making school-by-school comparisons since schools serving different missions or student populations are likely to have substantially different educational cost bases. Comparisons with similar schools with similar dynamics are most valid.



This chart illustrates to what extent the school's operating expenses have followed its student enrollment pattern. A baseline assumption that this data tests is that operating expenses increase with each additional student served. This chart also compares and contrasts growth trends of both, giving insight into what a reasonable expectation might be in terms of economies of scale.

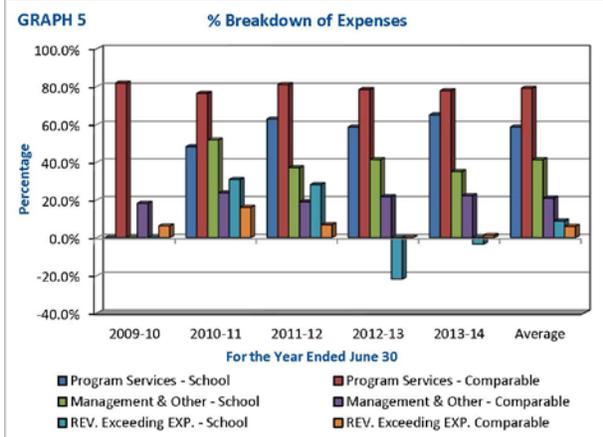
# APPENDIX: FISCAL DASHBOARD



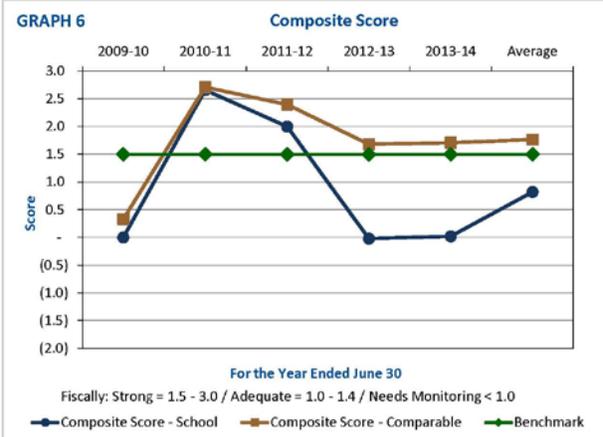
## Brighter Choice Charter Middle School for Girls

Comparable School, Region or Network: Capital District & Hudson Valley Schools

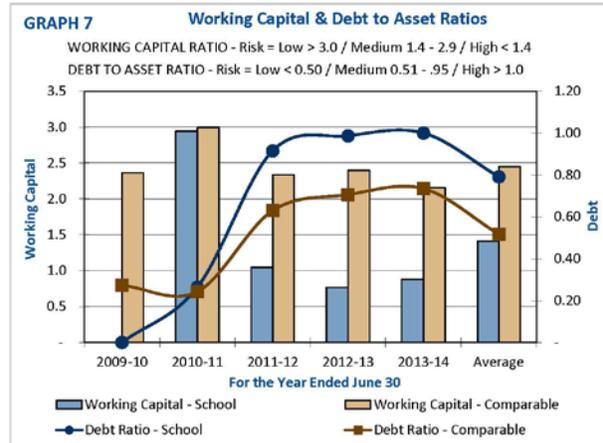
\* Average = Average - 5 Yrs. OR Charter Term



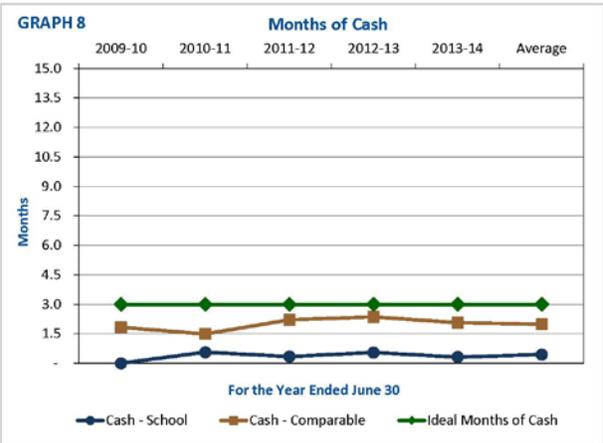
This chart illustrates the percentage expense breakdown between program services and management & others as well as the percentage of revenues exceeding expenses. Ideally the percentage expense for program services will far exceed that of the management & other expense. The percentage of revenues exceeding expenses should not be negative. Similar caution, as mentioned on GRAPH 3, should be used in comparing schools.



This chart illustrates a school's composite score based on the methodology developed by the United States Department of Education (USDOE) to determine whether private not-for-profit colleges and universities are financially strong enough to participate in federal loan programs. These scores can be valid for observing the fiscal trends of a particular school and used as a tool to compare the results of different schools.



This chart illustrates Working Capital and Debt to Asset Ratios. W/C indicates if a school has enough short-term assets to cover its immediate liabilities/short term debt. Debt to Asset indicates what proportion of debt a school has relative to its assets. The measure gives an idea to the leverage of the school along with the potential risks the school faces in terms of its debt-load.



This chart illustrates how many months of cash the school has in reserves. This metric is to measure solvency – the school's ability to pay debts and claims as they come due. This gives some idea of how long a school could continue its ongoing operating costs without tapping into some other, non-cash form of financing in the event that revenues were to cease flowing to the school.

# APPENDIX: PERFORMANCE SUMMARIES

## SCHOOL PERFORMANCE SUMMARY: English Language Arts Brighter Choice Charter Middle School for Girls



	2011-12 Grades Served: 5-6			MET	2012-13 Grades Served: 5-7			MET	2013-14 Grades Served: 5-8			MET			
	Grades	All Students % (N)	2+ Years Students % (N)		Grades	All Students % (N)	2+ Years Students % (N)		Grades	All Students % (N)	2+ Years Students % (N)				
<b>ABSOLUTE MEASURES</b> 1. Each year 75 percent of students who are enrolled in at least their second year will perform at proficiency on the New York State exam.	3	(0)	(0)	NO	3	(0)	(0)	NA	3	(0)	(0)	NA			
	4	(0)	(0)		4	(0)	(0)		4	(0)	(0)				
	5	20.3 (59)	0.0 (3)		5	8.9 (56)	0.0 (1)		5	22.0 (59)	(0)				
	6	29.2 (48)	33.3 (33)		6	5.3 (57)	4.4 (45)		6	9.8 (61)	12.5 (40)				
	7	(0)	(0)		7	7.1 (42)	8.3 (36)		7	7.1 (56)	7.0 (43)				
	8	(0)	(0)		8	(0)	(0)		8	22.9 (35)	22.9 (35)				
	All	24.3 (107)	30.6 (36)		All	7.1 (155)	6.1 (82)		All	14.7 (211)	13.6 (118)				
2. Each year the school's aggregate Performance Level Index on the State exam will meet the Annual Measurable Objective set forth in the State's NCLB accountability system.	Grades	PI	AMO	NO	Grades	PLI	AMO		Grades	PI	AMO	NA			
	5-6	107	135		5-7	59	5-8		73	89					
<b>COMPARATIVE MEASURES</b> 3. Each year the percent of students enrolled in at least their second year and performing at proficiency will be greater than that of students in the same grades in the local district.	Comparison: Albany City Schools			NO	Comparison: Albany City Schools			NO	Comparison: Albany City Schools			NO			
	Grades	School	District		Grades	School	District		Grades	School	District				
	6	30.6	40.1		6-7	6.1	18.8		6-8	13.6	14.3				
4. Each year the school will exceed its predicted percent of students at proficiency on the state exam by at least a small Effect Size (at least 0.3) based on its percentage of Economically Disadvantaged students.	% ED	Actual	Predicted	Effect Size	NO	% ED	Actual	Predicted	Effect Size	NO	% ED	Actual	Predicted	Effect Size	NO
	79.6	24.3	38.6	-0.88		89.7	7.1	15.3	-0.73		82.3	14.7	18.5	-0.26	
<b>GROWTH MEASURE</b> 5. Each year, the school's unadjusted mean growth percentile will meet or exceed the state's unadjusted median growth percentile.	Grades	School	State	NO	Grades	School	State	NO	Grades	School	State	YES			
	4				4	0.0			4	0.0					
	5				5	34.6			5	61.4					
	6				6	47.3			6	52.1					
	7				7	42.6			7	48.0					
	8				8	0.0			8	68.9					
	All	35.0	50.0		All	41.6	50.0		All	56.5	50.0				

# APPENDIX: PERFORMANCE SUMMARIES

## SCHOOL PERFORMANCE SUMMARY: Mathematics Brighter Choice Charter Middle School for Girls

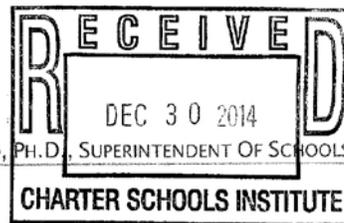


	2011-12 Grades Served: 5-6			MET	2012-13 Grades Served: 5-7			MET	2013-14 Grades Served: 5-8			MET			
	Grades	All Students % (N)	2+ Years Students % (N)		Grades	All Students % (N)	2+ Years Students % (N)		Grades	All Students % (N)	2+ Years Students % (N)				
		3	(0)			(0)	3			(0)	(0)		3	(0)	(0)
<b>ABSOLUTE MEASURES</b>															
1. Each year 75 percent of students who are enrolled in at least their second year will perform at proficiency on the New York State exam.	4	(0)	(0)		4	(0)	(0)		4	(0)	(0)				
	5	11.9 (59)	0.0 (3)		5	7.1 (56)	0.0 (1)		5	16.9 (59)	(0)				
	6	29.2 (48)	36.4 (33)		6	10.5 (57)	11.1 (45)		6	14.8 (61)	17.5 (40)				
	7	(0)	(0)		7	4.8 (42)	5.6 (36)		7	7.1 (56)	7.0 (43)				
	8	(0)	(0)		8	(0)	(0)		8	2.9 (35)	2.9 (35)				
	All	19.6 (107)	33.3 (36)	NO	All	7.7 (155)	8.5 (82)	NA	All	11.4 (211)	9.3 (118)	NA			
2. Each year the school's aggregate Performance Level Index on the State exam will meet the Annual Measurable Objective set forth in the State's NCLB accountability system.	Grades	PI	AMO		Grades	PLI	AMO		Grades	PI	AMO				
	5-6	98	148	NO	5-7	60			5-8	68	86	NA			
<b>COMPARATIVE MEASURES</b>	Comparison: Albany City Schools				Comparison: Albany City Schools				Comparison: Albany City Schools						
3. Each year the percent of students enrolled in at least their second year and performing at proficiency will be greater than that of students in the same grades in the local district.	Grades	School	District		Grades	School	District		Grades	School	District				
	6	33.3	50.7	NO	6-7	8.5	11.2	NO	6-8	9.3	8.7	YES			
4. Each year the school will exceed its predicted percent of students at proficiency on the State exam by at least a small Effect Size (at least 0.3) based on its percentage of Economically Disadvantaged students.	% ED	Actual	Predicted	Effect Size	% ED	Actual	Predicted	Effect Size	% ED	Actual	Predicted	Effect Size			
	79.6	19.6	51.3	-1.52	NO	89.7	7.7	16.0	-0.53	NO	82.3	11.4	23.0	-0.60	NO
<b>GROWTH MEASURE</b>	Grades	School	State		Grades	School	State		Grades	School	State				
5. Each year, the school's unadjusted mean growth percentile will meet or exceed the state's unadjusted median growth percentile.	4				4	0.0			4	0.0					
	5				5	58.2			5	57.9					
	6				6	60.7			6	57.8					
	7				7	60.3			7	40.2					
	8				8	0.0			8	51.7					
	All	21.3	50.0	NO	All	59.7	50.0	YES	All	52.0	50.0	YES			

## APPENDIX: SCHOOL DISTRICT COMMENTS



MARGUERITE VANDEN WYNGAARD, PH.D., SUPERINTENDENT OF SCHOOLS



December 29, 2014

Mr. Ralph A. Rossi II  
Vice President and General Counsel  
Charter Schools Institute  
The State University of New York  
41 State Street, Suite 700  
Albany, NY 12207

Dear Mr. Rossi:

I am writing in regard to the SUNY Board of Trustees' Charter Schools Committee's pending consideration of the renewal applications for the Brighter Choice Charter Middle School for Boys and the Brighter Choice Charter Middle School for Girls. The City School District of Albany respectfully asks that the trustees deny both requests in the best interests of all students, families and taxpayers in the City of Albany. As justification we cite the following:

- The Brighter Choice middle schools' continued substandard academic performance.
- The significant financial burden charter schools have created in Albany – on public education and the community at large – with many unanswered questions about how the charter schools have spent more than a quarter-billion in taxpayer dollars. This situation is highlighted by New York State Comptroller Thomas DiNapoli's continued findings of imprudent management of public funds at several Albany charter schools, including the two Brighter Choice middle schools that are the subject of this letter.

The Brighter Choice middle schools, as with other Albany charter schools, routinely fail to retain the majority of students who enroll in their programs, and also fail to provide equal opportunities to students with disabilities. Moreover, their academic performance consistently has lagged that of the district's middle schools in many or all testing subjects and grades. It is telling that even the Brighter Choice middle schools recognize that they have failed Albany students and families through their request only for a short-term renewal rather than a full-term renewal.

We believe that it is critical to the future of public education in Albany for the Board of Trustees to acknowledge that the oversaturation of charter schools in Albany is adversely affecting all students, families and taxpayers. We ask that you deny the renewal requests for both Brighter Choice middle schools and require the schools to close when their current charters expire following the 2013-14 academic year.

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## I. Substandard academic performance

The Brighter Choice middle schools have consistently been the lowest-performing schools, or among the lowest-performing, in the City of Albany throughout their existence.

This has been especially true for the Brighter Choice Charter Middle School for Girls. This school underperformed the district as a whole in all testing grades in 2013, and both district middle schools (Hackett and Myers) in grades 6-7 in 2013 and 2014 (with the exception of a 1 percentage point edge over Hackett in students achieving proficiency in 2014 seventh-grade math).

**Table 1.** *Percentage of Brighter Choice Charter Middle School for Girls, Hackett Middle School and Myers Middle School students achieving Levels 3-4 in 2013 and 2014. Results in red indicate areas in which BCMG underperformed CSDA. (Source: New York State Education Department)*

Grade/Subject	BCMG 2013	BCMG 2014	Hackett 2014 (2013)	Myers 2014 (2013)	CSDA Grade 5 2014 (2013)
5 ELA	9%	22%	NA	NA	10% (18%)
5 Math	7%	18%	NA	NA	13% (14%)
6 ELA	5%	10%	22% (22%)	21% (17%)	NA
6 Math	11%	14%	16% (16%)	27% (15%)	NA
7 ELA	7%	7%	10% (20%)	10% (21%)	NA
7 Math	5%	7%	6% (10%)	12% (8%)	NA
8 ELA	NA	23%	19% (17%)	21% (20%)	NA
8 Math	NA	3%	0%* (8%)	1%* (12%)	NA

\* 120 City School District of Albany eighth-grade students took the Algebra Regents only in 2014 and did not sit for the grade 8 math exam. Of those students, 104 (87%) achieved a passing grade on the Algebra Regents.

Brighter Choice Charter Middle School for Boys has performed somewhat better than its counterpart for girls. However, the Brighter Choice boys' middle school still has performed only about on par with the district.

**Table 2.** Percentage of Brighter Choice Middle School for Boys, Hackett Middle School and Myers Middle School students achieving Levels 3-4 in 2013 and 2014. Results in red indicate areas in which BCMG underperformed CSDA. (Source: New York State Education Department)

Grade/Subject	BCMB 2013	BCMB 2014	Hackett 2014 (2013)	Myers 2014 (2013)	CSDA Grade 5 (2013)
5 ELA	13%	5%	NA	NA	10% (18%)
5 Math	16%	16%	NA	NA	13% (14%)
6 ELA	4%	10%	22% (22%)	21% (17%)	NA
6 Math	17%	18%	16% (16%)	27% (15%)	NA
7 ELA	14%	7%	10% (20%)	10% (21%)	NA
7 Math	14%	13%	12% (10%)	12% (8%)	NA
8 ELA	NA	26%	19% (17%)	21% (20%)	NA
8 Math	NA	31%	0%* (8%)	1%* (12%)	NA

\* 120 City School District of Albany eighth-grade students took the Algebra Regents only in 2014 and did not sit for the grade 8 math exam. Of those students, 104 (87%) achieved a passing grade on the Algebra Regents.

Charter schools were implemented to provide students and families with choice options that significantly surpassed that of comparable public schools in terms of academic achievement for students. This has not been the reality for most charter schools in Albany, including the two Brighter Choice middle schools. These schools simply are providing another option for families, which serves primarily to destabilize the academic environment for students at ages where stability and consistency are crucial.

Combine this flagging academic achievement with the high rates of student attrition at the Brighter Choice middle schools since their inception, and there is no solid basis on which to reward them with three more years to operate.

## II. A significant financial burden with little public accountability to local taxpayers

The financial pressures that charter schools have put on our school district and our community have been significant. Charter schools in Albany educate approximately 20 percent of the students but consume the equivalent of 45 percent of the district's total state aid.

By the end of the current school year, our district will have sent nearly \$300 million – more than a quarter of a billion public dollars – in payments and state-mandated services to Albany’s charter schools since 1999 while receiving approximately \$33 million in charter transition aid – a net loss of approximately \$260 million over that time.

Furthermore, Albany’s charter schools – as well as the foundations and umbrella groups that support them – continue to be largely unaccountable to the local taxpayers for the management of the public funds they receive through our district. As Comptroller DiNapoli’s recent audit of Albany’s Henry Johnson Charter School suggested – as well as his audit findings at the two Brighter Choice middle schools earlier in 2014 – there are serious questions about where public tax dollars go after our school district sends them on to charter schools. The conviction in 2013 of a Brighter Choice employee accused of embezzling more than \$200,000 in public funds also highlights the grave concerns about how charter schools manage and allocate public funds.

In light of these critical and unanswered questions about how the Brighter Choice middle schools and other charter schools in Albany spend tax dollars, we ask that the Board of Trustees honor its commitment to close failing charter schools and deny the Brighter Choice middle schools’ renewal requests. Without this safeguard of public finances and the public trust, the city’s long-term financial health and stability will continue to erode.

### III. Unequal opportunities

In theory, charter schools provide valuable choice options for students and families. However, in practice the Brighter Choice middle schools have a consistent record of failing to enroll or retain certain students, especially those students who may need additional help to succeed academically. The Brighter Choice middle schools serve students with disabilities in disproportionately low numbers in spite of their regulatory charge to “increase learning opportunities for all students, with special emphasis on expanded learning opportunities for students who are at-risk of academic failure.”

The Brighter Choice middle schools, like the rest of Albany’s charter schools, do not practice a philosophy of providing equal access to all students. Rewarding this well-documented pattern of discriminatory behavior would be harmful to Albany’s children and families.

- **Boys** -- Of the 42 Albany fifth-graders reported in the November 2010 billing, 20 (47.6%) finished on time, according to the school’s year-end report for 2013-14.
- **Girls** – Of the 34 Albany fifth-graders reported in the November 2010 billing, 16 (47%) finished on time, according to the school’s year-end report for 2013-14.

During the 2013-14 school year, 30 Brighter Choice middle school students returned to district schools. That is equal to 8.5 percent of the schools’ average bimonthly enrollment of Albany students. From July 1-Nov. 30 of the current school year, 26 Brighter Choice middle school students already have returned to district schools.

Both Brighter Choice middle schools also capitalize on their statutory right to open their doors only to the students they choose, not to all students who choose them. For example, Brighter Choice middle schools have just 17 total students with disabilities from Albany enrolled in the current school year (13 at the boys' school, four at the girls' school). That's less than 5 percent of their total combined Albany student population (7 percent at the boys' school, 2 percent at the girls' school).

In total this year, our city's nine charter schools enroll 88 Albany students with disabilities, or less than 4 percent of the total population of Albany students enrolled in those schools. By comparison, about 12 percent of the students enrolled in our district's 15 public schools (1,091) are students with disabilities. Our district also serves another 202 Albany students in out-of-district placements.

Perpetuated annually at the Brighter Choice middle schools since they opened, this pattern of failing to retain students and excluding students with disabilities is harmful to the needs of all students, who are most successful in stable, consistent learning environments. The Brighter Choice middle schools have failed to provide this type of environment for all of their students and should not be rewarded with renewal of their current charters.

#### IV. 2015-16 enrollment planning

The City School District of Albany's enrollment has grown steadily in recent years, topping 9,000 in 2014-15 for the first time in a decade (9,107 as of Dec. 19, 2014). While the number of charter schools in Albany grew during the 2000s, the district was forced to close one middle school (Philip Livingston Magnet Academy following the 2008-09 school year) and faced similar questions at the elementary level during the 2009-10 school year.

However, as charter schools have closed and the city's overall population of school-age children has increased, the district currently is faced with different enrollment-related questions as it looks to the future. At this time, the district is in the process of examining elementary and middle school enrollment for 2015-16, and also beginning the process of a larger grade configuration discussion in partnership with the community for 2016-17 and beyond.

In the short term, planning for middle school enrollment with the future of the Brighter Choice middle schools (and KIPP Tech Valley Charter School) uncertain beyond the current school year is a challenge. With our two current middle schools projected to be at or over capacity for 2015-16, the district would need to employ an alternate solution to serve the Brighter Choice students if their charter is not renewed. **Let me state emphatically that our Board of Education and our district are fully prepared to provide robust academic, social-emotional and extracurricular programming for all current Brighter Choice middle school students in 2015-16.**

We would be prepared to accommodate all current Brighter Choice students in grades 5-7 at our Alternative Learning Center (the former New Covenant Charter School building). This facility, which originally served approximately 800 charter students in grades K-8, would

comfortably accommodate the approximately 285 current Brighter Choice students in grades 5-7. We would staff a strong middle school program that would provide all of these students with the supports they need and deserve.

Another option we would seek to pursue in partnership with Brighter Choice would be to maintain the students in grades 5-7 in their current building, again staffing a robust middle school program for these students while also avoiding the instability that having to change schools would bring for many students and families.

Under either scenario, we would include this expanded student cohort in our long-term planning for the 2016-17 school year and beyond. We would serve students who would have entered the Brighter Choice middle schools for grade 5 next year in our existing elementary schools.

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At the end of the 1998-99 school year, Albany had 17 publicly funded schools serving about 10,500 Albany students. Today, there are 25 publicly funded schools serving about the same student population. The inefficiencies and redundancies inherent in this model are threatening the future of an educational system charged with raising student achievement in an urban community with high poverty and large percentages of high-needs students and families.

Albany's unique charter-school situation is threatening the goal it was intended to achieve: improving the quality of educational opportunities for all of the city's students. The Brighter Choice middle schools have failed to demonstrate any benefit and failed to provide equal opportunities to all of Albany's students. Allowing them to perpetuate this damaging cycle by renewing them for three more years would be harmful to children, families and the entire Albany community.

There is much work to be done on behalf of all students in Albany for public and charter schools alike. Granting these renewal requests would continue to undermine those efforts for everyone.

Once again, we respectfully ask that the Charter Schools Committee and the Board of Trustees reject the Brighter Choice middle schools' requests to renew their charters for three more years.

Sincerely,



Marguerite Vanden Wyngaard, Ph.D.  
Superintendent of Schools

## Albany County Democratic Committee

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**Hon. Carolyn McLaughlin, Chairwoman**

**Shirley Brown, Vice-Chair  
Thomas Remmert, Treasurer**

**Thomas Clingan, 2<sup>nd</sup> Vice-Chair  
Tara Murphy, Secretary**

January 20, 2015

Mr. Joseph Belluck  
Chairman of the Charter Schools Committee  
State University of New York Board of Trustees

Dear Mr. Belluck,

I am writing in support of the renewal of the charters for the Brighter Choice Middle School for Boys and the Brighter Choice Middle School for Girls. I am Chairwoman of the Albany County Democratic Committee and I have spent the last twenty years representing the communities and families of the city of Albany. I currently serve as Albany City Common Council President and as such I have become intimately familiar with the issues facing our community. My full-time position with the New York State Teacher's Retirement System gives me additional perspective on education issues that affect the city of Albany and New York State. My experience and expertise tells me that the city of Albany unequivocally needs the Brighter Choice Middle Schools

My political career arose out of a discussion about schools and the dismal graduation rates of the children in the Albany City School district as well as other issues. The district schools were not serving our families in the best way possible – especially families that came from economically disadvantaged backgrounds. I can still recall conversations and community meetings held to discuss the concerns about the education of our children and the contributions and positive impact charter schools could possibly have in the city of Albany. Ultimately, the decision was that the educational needs of our children would be best served by providing every possible choice available. Subsequently, charter schools opened and began serving our children. That need has not decreased – it has increased over the last seventeen years that I have been on the Albany Common Council.

I have read a lot of the data that shows that the Brighter Choice Middle Schools are for the most part getting better proficiency results and making more progress than city school districts, and also have fewer disciplinary incidents – and that data speaks for itself. In addition, I would like to emphasize how deeply entwined the fate of the Brighter Choice Middle Schools is to the destinies of the hundreds of students in the schools, as well as their families. So I urge you to recognize how the entire community would be negatively affected by the closure of these schools.

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### Albany County Democratic Committee

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In Albany, there simply is not much choice for students and families when it comes to education. I began my education in the public school system in Albany, and while I was in grammar school my parents made a decision of choice to enroll my siblings and myself in Cathedral Academy, which was a parochial school. They were able to afford the tuition and provided us with an educational advantage. After graduation I was privileged enough to be privileged enough to attend a single-gender college.

Along the same lines, there are hundreds of parents in Albany who have made the choice to send their children to Brighter Choice Middle School for Boys or Brighter Choice Middle School for Girls, simply because they want their children to have a unique educational experience. The majorities of these families are economically disadvantaged and cannot afford to pay tuition at a private school. The Brighter Choice Middle Schools provide a more intimate environment for learning; where there is more opportunity to prepare students for college and to develop their skills so that they can eventually give back to the community. By closing the Brighter Choice Middle Schools, you are taking away choice – you are taking away the opportunity for these parents to give their children an educational experience that is similar to private schools that typically only wealthier families can afford.

Dr. Martin Luther King, Jr., said “Intelligence plus character – that is the goal of true education.” That is what the Brighter Choice Schools are doing: developing students’ intelligence, which is proven by the fact that these schools have scores that routinely outperform their district counterparts, and at the same time developing students’ character, which is demonstrated through the fact that they have fewer disciplinary incidents and more parental involvement than the typical district middle schools. There is a positive atmosphere at the Brighter Choice Middle Schools – the way students are taught to act and to speak respectfully with teachers and one another, the way this manner of carrying themselves becomes habit, and the way that these positive habits translate to their home lives and to their lives in the greater community.

I implore you to please extend the charters for the Brighter Choice Middle Schools. They are important to the destinies of so many individuals and groups. Students, families, and the City of Albany need these schools.

Sincerely,

Carolyn McLaughlin  
President, Albany Common Council  
Chair of the Albany County Democratic Committee

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