



Charter Schools Institute  
*The State University of New York*

# **Renewal Report:**

## **King Center Charter School**

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## **INTRODUCTION**

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

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

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

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

### ***Statutory and Regulatory Considerations***

Charters may be renewed, upon application, for a term of up to five years. There is no limitation upon the number of times that a charter may be renewed. The Act prescribes the following requirements for a charter school renewal application, whether such application be for an initial renewal or any subsequent renewals:

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

<sup>2</sup>The *Practices, Policies and Procedures for the Renewal of Charter Schools Authorized by the State University Board of Trustees* (revised December 13, 2005) are available at [www.newyorkcharters.org](http://www.newyorkcharters.org).

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

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

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

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

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

### ***Process for Subsequent Renewals***

While that renewal process formally commences with the submission of a renewal application, a school must work to make the case for renewal from the time it was last renewed. From that point, the school, just as it built its case for renewal during its initial charter, must build its case for renewal

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<sup>3</sup> § 2851(4) of the Act.

<sup>4</sup> Further explication of these policies and procedures is available on the Charter Schools Institute's website. See [www.newyorkcharters.org/schoolsRenewOverview.htm](http://www.newyorkcharters.org/schoolsRenewOverview.htm).

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

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

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

anew by setting educational goals and thereafter implementing a program that will allow them to meet those goals.

Under the State University's accountability cycle, a school that has previously been renewed one or more times, will have in place during the present charter period a plan setting forth the goals for the school's educational program (and other measures if the school desires) (the "Accountability Plan").<sup>8</sup> Progress toward each goal is determined by specific measures. Both goals and measures, while tailored in part to each school's program, must be consistent with the Institute's written guidelines. The Board of Trustees approves each Accountability Plan when it approves the school's renewal application, though the Institute may require changes to that plan before entering into a proposed charter with the school.

The charter school is required to provide an annual update on its progress in meeting its Accountability Plan goals and measures (the "Accountability Plan Progress Report").<sup>9</sup> The progress report not only allows the school to provide all stakeholders with a clear sense of the school's progress, but forces the school to focus on specific academic outcomes. In the same vein, both the Institute and the State Education Department conduct visits to the school on a periodic basis. The main purpose of the Institute's visits is to determine the progress the school is making in implementing successfully a rigorous academic program that will permit the school to meet its Accountability Plan goals and measures and to provide feedback to the school on the Institute's conclusions. Reports and de-briefings for the school's board or leadership team are designed to communicate the school's progress, its strengths and its weaknesses. Where possible, and where it is consistent with its oversight role, the Institute identifies potential avenues for improvement. To further assist the school in this regard, the Institute may contract with third-party, school inspection experts to conduct a school visit to look specifically at the strength of the school's case for renewal. The number, breadth and scope of visits that the Institute conducts depend on the length of the charter period that the school was granted as well as the school's performance on standardized assessments.

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

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

The application is reviewed by Institute staff. The staff also conducts a desk audit to both gather additional evidence as well as verify the evidence the school has submitted. This audit includes examination of the school's charter, including amendments, Accountability Plan, Accountability Plan Progress Reports, Annual Reports and internal documents (such as school handbooks, policies, memos, newsletters, and school board meeting minutes). Institute staff also examines audit reports,

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<sup>8</sup> See <http://www.newyorkcharters.org/schoolsAccountability.htm> for detailed information on Accountability Plan guidelines.

<sup>9</sup> See <http://www.newyorkcharters.org/schoolsAccountability.htm> for a model Accountability Plan Progress Report.

budget materials, and reports generated over the term of the school's charter both by the Institute and the State Education Department.

Thereafter, the Institute conducts a site visit to the school. Based on a review of each school's application for charter renewal, the leader of the Institute's renewal visit team works with the school's leadership to design a visit schedule and request any additional documentation the team may require to ensure that analysis of the school's progress is complete. A subsequent renewal visit generally is focused on discussions and interviews with senior administrative staff and the school's board of trustees. In contrast with renewal visits during the initial renewal review, the renewal team does not conduct a comprehensive review of the educational program using the Institute's educational renewal benchmarks. However, though less comprehensive in this regard than an initial renewal review, renewal visit team members do visit classes, observe lessons, examine student work and interview staff members to get a sense of the educational program and determine if there are material deficiencies.

In subsequent renewal reviews, and in contrast with initial renewal reviews, the State University evaluates the strength and effectiveness of a school's academic program almost exclusively by the degree to which the school has succeeded in meeting its academic program Accountability Plan goals. In other words, educational soundness and the likelihood that the school will improve student learning and achievement is determined almost wholly by the track record of student achievement that the school has amassed over the life of the charter (which includes where appropriate prior charter periods). This approach is consistent with the greater time that a school has been in operation and a concomitant increase in the quantity and quality of the data set of student assessment outcomes that the school has generated, as well as the fact that the school has successfully navigated the start-up phase of its operational life. It is also consistent with the Act's purpose of moving from a rules-based to an outcome-based system of accountability in which schools are held accountable for meeting measurable student achievement results.

In such cases where a school has generated a set of student assessment outcomes that would lead the Charter Schools Institute to be able to make the Required Findings that are related to academic success, but the Institute's renewal site visit generates overwhelming and incontrovertible evidence that the academic program is in disarray and that the structures, personnel and practices that led to such positive assessment outcomes are, in material respect, no longer in place (through an assessment of the Qualitative Education Benchmarks), the Institute's recommendations and the Board of Trustees' decisions may take account of such countervailing evidence, and such countervailing evidence if of sufficient strength and weight may affect the Institute's recommendations and the Board of Trustees' decisions.

As with initial renewal reviews, the evidence that the Institute gathers is structured by a set of benchmarks that are grouped under the four renewal application questions listed above. These benchmarks are linked to the Accountability Plan structure and the charter renewal requirements in the Act; many are also based on the correlates of effective schools.<sup>10</sup> However, as indicated above, in subsequent renewal reviews the Institute does not generally utilize the qualitative indicators that relate directly to the quality of the educational program to inform its recommendation on renewal (except in exceptional circumstances). The Institute believes that the inspectors' observations and conclusions about the school provide the school board and leadership with valuable information that only an external inspection team is able to present to the school. As such, the Institute offers

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

observations and insights regarding qualitative aspects of the school's academic program (specifically under Benchmarks 1B – 1F) to the school under separate cover. These are developed using an array of evidence collected during the school's renewal visit, including interviews with the school's leaders, teachers, parents and students; documentary evidence; and classroom observations. Although the information provided in that letter is not intended as a prescription, the Institute expects the school to review thoroughly the issues highlighted and use them, as they deem appropriate, to assist in guiding the school's leadership team to further develop its academic program or other aspects of the school.

Following the visit, the Institute's renewal team finalizes the analysis of all evidence generated regarding the school's performance. The Institute's renewal benchmarks are discussed and the lead writer uses the team's evidence and analysis to generate comments under each renewal benchmark. The team members' completed benchmark comments present a focus for discussion and a summary of the findings. The benchmarks are not used as a scorecard, do not have equal weight, and support—but do not individually or in limited combination provide—the aggregate analysis required for the final renewal recommendation. The Institute then prepares a draft report and provides a copy to the school for its review and comment. The draft contains the findings, discussion and the evidence base for those findings, as well as a preliminary recommendation.

The following outcomes are available to schools that are applying for subsequent renewal. Each outcome contains specific criteria that a school must meet in order to be eligible for that outcome. These criteria are keyed to one or more of the Required Findings. In addition to any specific criteria set forth in a particular outcome, a school, to be eligible for any type of renewal, must be able to provide evidence that permits the State University to make *each* of the Required Findings:

- *Early Renewal*: available to any school that, over the life of the school, has consistently met or come close to meeting its academic program Accountability Plan goals. A school that is able to make that showing is eligible to apply for Early Renewal four years from the time it applied for its prior renewal.
- *Full-Term Renewal*: available to any school that has been previously renewed and that has consistently met or come close to meeting its academic program Accountability Plan goals during the present charter period.
- *Renewal with Conditions*: available to a school (a) that otherwise meets the standards for Full-Term Renewal as regards its educational program, but that has material educational, legal, fiscal or organizational deficiencies that cannot be fully corrected by the time of renewal – so long as such deficiencies are not fatal to the State University making each of the Required Findings, or that (b) meets the standards for Full-Term Renewal as regards some portion of its educational program, but requires conditions to improve the academic program. Such conditions may include, but are not limited to, restrictions on the number of students and grades served. Conditions may also be imposed that are consonant with the requirements of NCLB as to schools requiring corrective action. Where appropriate, conditions may be imposed which, if not met by the school, shall be deemed a substantial and material violation of the school's charter and therefore expose the school to probation or revocation.

- *Restructuring Renewal*: available to a school that does not meet the standards for any type of renewal but which submits plans to the Board of Trustees for a restructuring of the school that legally commits the school to implementing a wholesale restructuring of the education corporation, including, but not necessarily limited to, a new board of trustees, administrative team, academic program, organizational structure, and such plans, if implemented, would lead to the school likely meeting its standardized assessment measures set forth in its Accountability Plan during the next charter period. Whether to permit a school to submit an application for a Restructuring Renewal is at the discretion of the State University.
- *Non-Renewal*: where a school does not present a case for any kind of renewal, the charter will not be renewed and the charter will be terminated upon its expiration.

Note that *Short-Term Renewal* is not available as an option to schools that have been previously renewed.

Upon receiving a school's comments on the draft report, the Institute reviews its draft, makes any changes it determines are necessary and appropriate and renders its findings and recommendations in their final form. The report is then transmitted to the Committee on Charter Schools of the Board of Trustees, the other members of the Board of Trustees and the school itself. This report is the product of that process.



## **READER'S GUIDE**

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

### ***Recommendations and Executive Summary***

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

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

### ***Renewal Benchmarks***

The Renewal Benchmark section contains the renewal benchmarks that the Institute uses in subsequent renewals, together with a review of the pertinent evidence gathered during the renewal cycle (both at the school and through Institute staff's desk audit of the school's file). In a subsequent renewal report, depending on whether the preliminary recommendation is for renewal or non-renewal of the school's charter, the evidence in response to the first renewal question ("Is the school an academic success?") will be provided somewhat differently. If the preliminary recommendation is for renewal, with or without conditions, the report will contain a full discussion of the school's academic performance, per Benchmark 1A. However, if the renewal visit team has any additional observations and insights regarding the school's attainment of the Qualitative Education Benchmarks, 1B – 1F, that information will be provided in a separate letter to the school's board of trustees. If the preliminary recommendation is for non-renewal, the report will contain not only the full discussion of the school's academic performance, but also a discussion of the evidence related to the Qualitative Education Benchmarks, 1B – 1F. In all cases, the subsequent renewal report will address the evidence gathered and analyzed regarding the school's organizational (governance and legal) and fiscal performance as viewed through the benchmarks under Questions 2 and 3. Also, in all cases, the initial and subsequent renewal reports will include discussion of the benchmarks contained under Question 4 ("What are the school's plans for the term of the next charter and are they reasonable, feasible and achievable?").

## SCHOOL DESCRIPTION

The King Center Charter School (“King Center”), named after Dr. Martin Luther King Jr., was approved by the State University Board of Trustees in January 2000 and by the Board of Regents in April. It opened in the fall of that year. The school is located in the former St. Mary of Sorrows Church, an historic landmark at 938 Genesee Street, Buffalo, New York, in Buffalo’s economically distressed East Side (designated a federal Enterprise Zone Community in 1994). The school was founded by Dr. Claity Massey, an early childhood educator affiliated with the King Urban Life Center, a social service and community organization created to save the former St. Mary of Sorrows Church from demolition in the mid 1980s. Dr. Massey remains the school’s director.

Per its Short-Term Renewal Charter agreement, the school served 105 students in grades K-4 for both the 2004-2005 and the 2005-06 school years.

In its 2004 Application for Renewal, the school cited an evolution of the school’s mission into two distinct project areas: a research based project focusing on the social and emotional development of students utilizing video technology; and the use of multimedia portfolio for teachers, students and parents used to monitor progress. The school further detailed a broadening of the key design elements of its instructional program for the term of its second charter:

- **Learning Environment:** Key features include acquisition of basic skills, hands-on activities, small classroom sizes with assistants, and technology rich environments executed over an extended school year. Collaborations with the Buffalo Museum of Science and Technology and the Albright Knox Art Gallery are mentioned as important resources.
- **Social Environment:** Key features include early intervention focused on the social, emotional, psychological and physical needs of the child, and using the Responsive Classroom model which includes the teacher and parent in the progress analysis.
- **Research:** Rich collaboration with area wide colleges and universities, corporations, and WNET public television makes it possible to study the art and science of teaching by utilizing a state-of-the-art technology infrastructure to assist future educators with real-time learning environments.
- **Accountability:** the King Center Charter School sets out clear expectations for teachers and provides professional development opportunities to assist them in fulfilling those expectations. Accountability is achieved through standardized testing, ongoing teacher evaluation, individualized and comprehensive conferences that utilize multimedia portfolios and incorporates the child, teacher, and parents in the progress analysis.

As a result of the implementation of a Reading First grant, the King Center Charter School instituted a new seamless reading program for grades K-3 (fourth grade is not part of the Reading First program) in the 2004-05 school year. The school uses the Scott Foresman mathematics program, with its accompanying mathematics portfolio scope and sequence.

### School Year (2005-06)

185 instructional days: This is slightly more than the Buffalo City School District. King Center Charter School also offers an optional summer program.

### School Day (2005-06)

8:00 a.m. to 3:30 p.m.: This 7.5 hour day is 1.5 hours longer than that of the Buffalo City School District.

### Enrollment

	<b>Original Chartered Enrollment</b>	<b>Approved Chartered Enrollment</b>	<b>Actual Enrollment</b>	<b>Original Chartered Grades</b>	<b>Approved Grades Served</b>	<b>Actual Grades Served</b>	<b>Complying</b>
<b>2000-01</b>	80	80	80	K-3	K-3	K-3	<b>Yes</b>
<b>2001-02</b>	80	100	101	K-3	K-4	K-4	<b>Yes</b>
<b>2002-03</b>	80	100	100	K-3	K-4	K-4	<b>Yes</b>
<b>2003-04</b>	80	100	100	K-3	K-4	K-4	<b>Yes</b>
<b>2004-05</b>	80	100	105	K-3	K-4	K-4	<b>Yes</b>
<b>2005-06</b>	105	105	105	K-4	K-4	K-4	<b>Yes</b>
<b>2006-07</b>	105	105	105	K-4	K-4	K-4	<b>Yes</b>

<b>Race / Ethnicity</b>	<b>2002-03</b>		<b>2003-04</b>		<b>2004-05</b>	
	<b>No. of Students</b>	<b>% of Enroll.</b>	<b>No. of Students</b>	<b>% of Enroll.</b>	<b>No. of Students</b>	<b>% of Enroll.</b>
American Indian, Alaskan, Asian, or Pacific Islander	0	0.0%	2	1.9%	1	1.0%
Black (Not Hispanic)	98	96.1%	103	98.1%	103	98.1%
Hispanic	0	0.0%	0	0.0%	0	0.0%
White (Not Hispanic)	4	3.9%	0	0.0%	1	1.0%

Source: NYSED 2004-05 Report Card

	2002-03		2003-04		2004-05	
Free / Reduced Lunch	No. of Students	% of Enroll.	No. of Students	% of Enroll.	No. of Students	% of Enroll.
Eligible for Free Lunch	75	73.5%	74	70.5%	72	68.6%
Eligible for Reduced Lunch	11	10.8%	22	21.9%	22	21.0%

Source: NYSED 2004-05 Report Card

### School Charter History

Charter Year	School Year	Year of Operation	Evaluation Visit	Feedback to School	Other Actions Taken
1 <sup>st</sup> Charter – 1 <sup>st</sup> Year	2000-01	1 <sup>st</sup>	Yes	Evaluation Report	None
1 <sup>st</sup> Charter – 2 <sup>nd</sup> Year	2001-02	2 <sup>nd</sup>	Yes	Evaluation Report	None
1 <sup>st</sup> Charter – 3 <sup>rd</sup> Year	2002-03	3 <sup>rd</sup>	Yes	Evaluation Report	None
1 <sup>st</sup> Charter – 4 <sup>th</sup> Year	2003-04	4 <sup>th</sup>	No		Request to Offer 5 <sup>th</sup> Grade Denied
1 <sup>st</sup> Charter – 5 <sup>th</sup> Year	2004-05	5 <sup>th</sup>	Yes	Initial Renewal Visit, Initial Renewal Report	Granted Short-Term Renewal to run through 2007
2 <sup>nd</sup> Charter – 1 <sup>st</sup> Year	2005-06	6 <sup>th</sup>	No		
2 <sup>nd</sup> Charter – 2 <sup>nd</sup> Year	2006-07	7 <sup>th</sup>	Yes	Subsequent Renewal Visit, Subsequent Renewal Report	Renewal Application Submitted Summer 2006 Renewal Visit Conducted September 2006

## **RECOMMENDATION AND EXECUTIVE SUMMARY**

### **Recommendation: One-Year Renewal with Conditions - Non-Precedent-Setting**

- The Charter Schools Institute recommends that the Board of Trustees approve the application for renewal by the King Center Charter School and that it authorize renewal of the charter for one year with authority to provide instruction to students in Kindergarten through fourth grades only with a maximum enrollment of 105 students for the duration of the charter period, subject however to the applicable terms of the renewal application and the further conditions set forth below. The charter would expire on July 31, 2008.
- The Institute found that the King Center Charter School did not meet the criteria required by the practices of the Board of Trustees for the subsequent renewal of the school's charter for a full-term of five years. Normally, this would result in the Institute recommending non-renewal. *However, due to the uniqueness of the King Center Charter School's data set, and the desire of the Board of Trustees, through the Institute, to be explicitly clear with regard to the implementation of its renewal policies and practices, the Charter Schools Institute recommends to the Board of Trustees that it exercise its discretion and approve the application for charter renewal of the King Center Charter School for one year on a non-precedent setting basis.*
- The non-precedent setting one-year renewal of the charter of the King Center Charter School is not to be considered a "short-term renewal" under the *Practices, Policies and Procedures for the Renewal of Charter Schools Approved by the State University Trustees*, which has typically been a term of two years. The renewal will be considered a subsequent renewal, and the school will be eligible to apply for a subsequent renewal in the Fall of 2007 with the available outcomes being (1) a full-term, five-year renewal or (2) non-renewal.
- As a condition of being eligible for a full-term, five-year renewal at that time, the King Center Charter School, as any other school seeking a subsequent renewal, will have to meet, or come close to meeting, *both* the English language arts (ELA) and mathematics Accountability Plan goals. Also, in this case, for each of these two goals, which consist of five measures, the Institute has defined successful achievement as either: 1) meeting the required absolute measure of student proficiency on State assessments *and* coming close to meeting three of the four remaining required measures; or 2) coming close to meeting each of the five required measures. In addition, the school will have to meet, or come close to meeting, its science goal.

## **Required Findings**

Under the Charter Schools Act, and in keeping with the State University Renewal Practices, the Institute must find for every school it recommends for renewal the following:

- a) the school as described in the renewal application meets the requirements of the of the Charter Schools Act and all other applicable laws, rules and regulations;
- b) the school has demonstrated the ability to operate in an educationally and fiscally sound manner in the next charter period; and
- c) approving the school to operate for the recommended charter term is likely to improve student learning and achievement in the next charter period and materially further the purposes set out in Education Law subdivision 2850(2).

The Institute finds that, at this time, based on all the evidence submitted, its past record, and as described in its subsequent renewal application, the school meets the first two requirements (a and b) outlined above. In terms of the school's educational program, the school presents a unique data set that draws into question the school's ability to demonstrate, and the Institute's ability to ascertain, whether or not approving the school to operate for a full five-year term would indeed assure improved student learning and achievement. Accordingly, the Institute recommends that King Center Charter School's charter be renewed, on a non-precedent setting basis, for a period of one year.

## **Summary Discussion**

The King Center Charter School is located in Buffalo, New York, and serves approximately 105 students in Kindergarten through 4<sup>th</sup> grades. Since King Center had generally not met the critical ELA outcomes, the essential measures of basic literacy, it had set for itself, during its initial charter period, the school was previously awarded a short-term, two-year renewal. That two year renewal period ends in June of 2007. Therefore, the King Center Charter School submitted its application for a subsequent renewal to the State University of New York for a full-term, five-year renewal of its charter.

Taking into account the fact that schools that have been renewed at least once have been in existence for a longer period of time, the Board of Trustees has established different outcomes and criteria for evaluating subsequent renewal applications. The State University requires that schools applying for subsequent renewals demonstrate that they have met or have come close to meeting their academic program Accountability Plan goals. These goals involve excellence in reading/literacy, mathematics, science and social studies and are tied to specific numeric measures/targets set forth in the Accountability Plan. When a school meets or comes close to meeting the Accountability Plan goals, it allows the Institute to make the finding that approving the renewal application will likely improve student learning and achievement, and further that the school will be operated in an educationally sound manner. The State University Renewal Practices further require that a school present plans that are reasonable, feasible and achievable.

## *Unique Considerations*

King Center completed the 2005-06 school year in stable financial condition and has been a generally viable organization throughout its existence. During the renewal term, King Center met or came

close to meeting its Accountability Plan goals in mathematics and science, but is far from its Accountability Plan goal in the critical core subject of ELA. Moreover, the school's governing board is yet unable to identify and put in place the necessary personnel and structure to support instruction that results in improved student academic performance in this area.

In determining whether King Center has met the renewal standards, the State University Renewal Practices require the Institute to weigh more heavily the school's performance as to the goals relating to ELA and mathematics. The State University Renewal Practices do not distinguish between or give greater weight to ELA or mathematics. In addition, the State University Renewal Practices give the Institute the option to accord greater weight to the most recent outcomes given their likely greater predictive value.

While a strict reading of the standard might suggest that it is not satisfied unless the school comes close to meeting each and every goal, such a reading would be at odds with the conceptual guide in the State University Renewal Practices that renewal decisions will be based on the totality of the evidence (within the framework established). On the other hand, the State University Renewal Practices in no way excuse a school's failure to meet or come close to meeting an important goal, such as success in ELA.

In this case, King Center has unarguably met, and even exceeded, the goals set for it in mathematics and science. The contrary is equally true for ELA, in which all of the indicators (measures) currently demonstrate a low-level of performance. As such the school has not met one of the two most important goals it is required to meet. Moreover, the ELA outcomes are at this time on a downward trend in important respects and consistent with the school's larger record in which, with the exception of one year (2004-05), at best one in three students scored at the proficient level in each of the five years for which test data is available.

In addition, the school's application for subsequent renewal did not demonstrate any apparent awareness that the ELA outcomes are materially deficient. For example, the school's application for renewal did not contain plans for changing the leadership structure, recruiting better teachers or any other initiative which would likely result in improved student outcomes. In fact, the school requested instead to expand its grade structure to add a 5<sup>th</sup> through 8<sup>th</sup> grade upper school, as well as to increase the numbers of students enrolled in its Kindergarten through 4<sup>th</sup> grade program.

Ordinarily, the Institute, given the aforementioned circumstances and performance of the King Center and its board, would put forth a recommendation of non-renewal of the school's charter. In this case, however, certain factors are unique (perhaps dramatically so) and cannot be ignored:

1. Although the significance and weighting of student performance in ELA and mathematics is discussed in this report, the Institute, in keeping with its charge to be transparent, was not as certain that such clarity had been afforded to the school. This factor mitigated against a non-renewal recommendation. However, given that the ability to be literate and to read and write with comprehension and fluency are considered foundation skills relative to all learning and further academic success, a school cannot be excused from attaining the goal of meeting or coming close to meeting its Accountability Plan goals for those disciplines, even though it has met other academic goals.

2. In terms of student performance, King Center has one of the most disparate sets of scores ever seen by the Institute, with only one-third of the students proficient in ELA on one hand, and the vast majority of students exceeding proficiency in mathematics on the other. This extreme divergence is highly unlikely. Added to this mix is the significantly strong performance by King Center students in science. The State University Renewal Practices were neither developed with this type of data pattern in mind, nor was such a fact pattern anticipated in existing Institute policy documents.

Therefore, after much deliberation, it was determined that a one year renewal would allow the school to amass an additional year of student performance data to provide greater clarity regarding the school's academic performance, as well as improve the Institute's ability to ascertain whether or not approving the school to operate for a full five-year term would indeed assure improved student learning and achievement, as described on page 12 of this report and required by the Charter Schools Act. In other words, the additional year of performance data would be considered along with the current two years of data reviewed in making the present recommendation.

At the end of this one year renewal term, the renewal options available to King Center Charter School will be (1) a full-term, five year renewal or (2) non-renewal.

### *Academic Success*

During the *charter period*,<sup>11</sup> King Center posted good results on the New York State Testing Program (NYSTP) assessment in ELA during the first of the two years of the charter period and then registered uniformly weak results in the second year. In the case of the state's mathematics assessment, King Center registered consistently strong results during both years of the charter period. According to the outcome measures used to evaluate King Center's attainment of academic goals, the school met the mathematics and science goals contained in its Accountability Plan over the term of its charter. While it came close to meeting its ELA goal in 2004-05, it was far from meeting the goal in 2005-06. King Center has made adequate yearly progress according to the state's NCLB accountability system and is deemed to be in good standing.

From a more long-term perspective, with the exception of 2004-05, the pattern of ELA results persists throughout the life of the school. To reiterate, during the other four of the five years of ELA results, less than one-third of the students met the proficiency standard and the school accordingly under-performed the district. In contrast since the third year of the five years of mathematics results, at least three-fourths of King Center students scored at the proficient level; correspondingly, the school out-performed the district. Despite the strong mathematics results, given the ELA performance, the vast majority of students have not been prepared to succeed in middle school and beyond.

In 2005-06, the second year of the current charter period, the state's testing program expanded to include third grade. Thus, King Center's students in both the third and fourth grades were administered the state ELA and mathematics exams for the first time. To the extent that more than twice as many students took the assessments in 2005-06 than had in previous years, the exam became

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<sup>11</sup> For the purpose of reporting student achievement results, *charter period* is defined as the time the Accountability Plan was in effect. In the case of a two year subsequent renewal, the plan covers two annual data reporting cycles: the one subsequent to the initial renewal decision and the one prior to the subsequent renewal decision. This period represents the last year of a school's first charter and the first year of its second charter.



a more valid representation of overall student performance. Given the expansion of the testing program and the five year pattern of results, the Institute interprets the school's 2005-06 ELA results as an extension of an ongoing low-level of performance and views the stronger 2004-05 results as anomalous. This conclusion is supported by the Institute's observations of the implementation of King Center's ELA program since the beginning of its initial charter period.

### *Organizational Effectiveness and Viability*

Although the board of trustees of King Center has refined its organizational focus, the board is yet unable to identify and put in place the necessary personnel and structure to support instruction that results in uniform improved student academic performance. King Center's board of trustees is currently comprised of eleven members, of which four are founding members. Almost half of the members have three or more years experience serving on its board. Since the school's initial renewal in 2005, the board has become active in monitoring academic outputs through its Academic Committee. The board schedules monthly meetings and, with the exception of one four-month period, typically a quorum is present. The school's Director reports directly to the board, and the board continues to support her leadership decisions even in light of the continued poor performance of students in the core subject area of ELA.

In response to the school's initial renewal report in 2005 where the Institute noted that the school did not yet "provide adequate centralized instructional leadership" and that the school "had yet to sustain day-to-day instructional supervision," the school's board of trustees implemented and supported changes aimed at improving teaching and learning. The board formed a committee structure consisting of the following committees – Finance and Facilities, Education and Curriculum, Nominating, and Procedures and Policies – of which the Education and Curriculum Committee has enabled school trustees to play a more active role in the school's academic program. In addition, in order to enable the school's Director to focus more on instruction and less on administrative issues, in the 2005-06 academic year, the board supported the hiring of an Executive Assistant. Also, in the 2005-06 school year, the board instituted a new policy of formally evaluating the school Director's performance. The evaluation categories for the 2005-06 school year included test assessment, curricular, pedagogical and organizational measures. The 2006-07 evaluation focuses on standardized test performance.

However, the number of structural and organizational changes instituted by the board raises certain questions regarding the effectiveness of the school's long-range planning and analysis. When school trustees were asked what actions the school would take in response to potentially low 2006 student performance results, trustees responded they would rely on a deep analysis from the school's Director, regardless of the Director's relatively new role as instructional leader (see Instructional Leadership section below) and the continuing poor student performance on the state's ELA assessment. Further, regardless of the school's academic performance, the school trustees explicitly stated they were "100% behind" the school's Director, leading inspectors to question their objectivity in terms of the long-range ramifications of their statement.

Another example of questionable long-range planning and analysis is evident in the planning process for the next charter term, the school submitted its application for renewal without a curriculum for the 7<sup>th</sup> and 8<sup>th</sup> grades. Since King Center has not previously provided education to students in those grades to establish a record of performance, and since a curriculum establishes the foundation of an academic program, to submit an incomplete application reflects a degree of shortsightedness on the part of the school's board of trustees. Only upon the request for such a curriculum from the Institute

did the school's board make a determination regarding a curriculum for those grades. In making that determination, only one model, Expeditionary Learning Outward Bound (ELOB), was investigated, primarily at the recommendation of the board chairperson.

Also, in its subsequent renewal application, King Center indicated that it plans to significantly increase the number of enrolled students, growing to 315 students in Kindergarten through 8<sup>th</sup> grades. However, no efforts were made to assay the community's demand and support for greater enrollment at the upper school level, grades 5 through 8. In its defense, the school indicated that it has always sustained a wait list. During the subsequent renewal visit, however, the team found that the wait list consisted of 20 students across all grades.

Finally, at the point of submitting its subsequent renewal application, the school board had made no decision regarding how to address the needs of students with disabilities who require special education programs and services should they enroll through school expansion. Given both the significant legal and budgetary implications related to the provision of special education programs and services, evidence of such consideration would have been warranted. In terms of meeting legal requirements, the school's performance was more akin to a school coming to renewal for the first time than a school in its seventh year of operation. With a number of exceptions the school appears to be in general and substantial compliance with applicable law, rules and regulations as well as its by-laws and charter.

#### *Fiscal Soundness*

While the school has presented a reasonable and appropriate fiscal plan for the proposed new charter period, it faces significant challenges concerning the facility plans, which were proposed on the basis of the school's application to expand instruction through the eighth grade. The school has no room to expand at its current facility. King Center is in stable financial condition, but it has not accumulated significant reserves. Also, the school has not shown the capacity for obtaining significant philanthropic support and has not been particularly effective in obtaining competitive state grants. In addition, based on its most recent application round and waiting list, the school has not demonstrated a sufficient level of enrollment demand to meet the projected enrollment in its plan for the requested charter period.

The school completed the 2005-06 school year in stable financial condition and has been generally stable throughout its existence. The school has no long-term debt and throughout its renewal charter period has generated adequate cash flow to support operations. The school has never been cited for any material financial or internal control weaknesses as part of its annual audits. The school has been timely in meeting its financial reporting requirements and such reporting has been complete and accurate with minor exceptions. The school has operated in a fiscally sound manner in its current grade configuration.

## RENEWAL BENCHMARKS

Evidence Category	Benchmarks
	<b>Renewal Question 1</b> <b>Is the School an Academic Success?</b>
<b>Benchmark 1A</b> <b>Academic Attainment &amp; Improvement</b>	<b>1A.1</b> <b>English language arts: The school meets or has come close to meeting the English language arts goal in its Accountability Plan over the term of its charter.</b>
	<b>1A.2</b> <b>Mathematics: The school meets or has come close to meeting the mathematics goal contained in its Accountability Plan over the term of its charter.</b>
	<b>1A.3</b> <b>Science: The school meets or has come close to meeting the science goal contained in its Accountability Plan over the term of its charter.</b>
	<b>1A.4</b> <b>Social Studies: The school meets or has come close to meeting the social studies goal contained in its Accountability Plan over the term of its charter.</b>
	<b>1A.5</b> <b>NCLB: The school has made adequate yearly progress as required by NCLB.</b>

### *Accountability Plan Academic Goals*

In its Accountability Plan the school established academic goals in the key subjects of English language arts (ELA) and mathematics, as well as science and social studies.<sup>12</sup> For each goal there are specific outcome measures to demonstrate academic success. These outcome measures include the following three required types: 1) the absolute level of student performance on state examinations; 2) the comparative level of student performance on state examinations; and 3) the value-added to student learning according to year-to-year comparisons of student cohort performance on a school-selected standardized test (in reading and mathematics only). The following table shows the required outcome measures for each subject area goal.

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<sup>12</sup> As King Center does not have a fifth grade and the NYSTP social studies assessment is administered only to fifth graders in elementary schools, the school's Accountability Plan does not include a social studies goal.

Type of Measure	Required Accountability Plan Outcome Measure	Goal			
		ELA	Math	Science	Social Studies
Absolute	75 percent of students who are enrolled in at least their second year will perform at or above Level 3 on the New York State exam.	●	●	●	●
	Each year the school's aggregate Performance Index on the State ELA exam will meet its Annual Measurable Objective set forth in the State's No Child Left Behind (NCLB) accountability system.	●	●		
Comparative	Each year the percent of students who are enrolled in at least their second year and are performing at or above Level 3 on the State ELA exam will be greater than the local school district.	●	●	●	●
	Each year, the school will exceed its expected level of performance on the State exam by at least a small Effect Size (performing higher than expected to small degree) according to a regression analysis controlling for students eligible for free lunch among all public schools in New York State.	●	●		
Value Added	Grade level cohorts of students will reduce by one-half the gap between their average NCE in the previous spring on a nationally normed test, and an NCE of 50 in the current spring. If a grade level cohort exceeds an NCE of 50 in the previous year, the cohort is expected to show at least an increase in the current year.	●	●		

Besides the required outcome measures under each subject area goal and a required NCLB outcome measure, the school may also have included additional self-selected academic outcome measures as part of its Accountability Plan. As the basis for determining if a school has met its goals, the various required and optional outcome measures provide the framework for evaluating the school's performance and addressing the sub-sections of this benchmark. The following tables indicate the specific outcomes under each of the goals and measures contained in the school's Accountability Plan for the charter period.<sup>13</sup>

**English Language Arts Goal:** *Students will be proficient readers and writers of the English language.*

In 2004-05, the first year of the period under review, King Center met some of the English language arts (ELA) outcome measures set for its Accountability Plan's ELA goal. Specifically, with 60 percent of fourth grade students at Levels 3 and 4 on the state's ELA examination, the school came fairly close to meeting its absolute measure of fourth-grade student proficiency and met the criterion for aggregate fourth grade ELA performance under the state's NCLB accountability system. In its comparative measures, the school out-performed the district and came close to meeting the measure of performing better than predicted in comparison to comparable public schools state-wide. Finally, King Center came close to meeting its value-added measure to the extent that the mean NCE score of students in grades 1-3 cohorts on the TerraNova Test exceeded their overall numerical target and the students on average scored above grade-level. However, despite this overall TerraNova performance, two of the three cohorts did not meet their individual targets.

In 2005-06, the second year of the period under review, King Center was far from meeting the English language arts (ELA) outcome measures set for its Accountability Plan's ELA goal. Looking at the respective measures, King Center met neither of the two absolute measures and performed worse than predicted in comparison to comparable public schools state-wide. Only 33 percent of

<sup>13</sup> Bold numbers appearing in the tables are the critical values for determining if a measure was met in a given year.

tested students were proficient on the state’s ELA exam. The school did not meet its value-added measure insofar as the mean NCE score of students in both the second and third grade cohorts showed a decline on the TerraNova. The school performed slightly below the district on the state exam, but reported out-performing four neighborhood schools with comparable free-lunch statistics.

Absolute Measures	Results (in percents)		
Each year, <b>75 percent</b> of students who are enrolled in at least their second year will perform at or above Level 3 on the New York State ELA examination. <sup>14</sup>	Grade	School Year	
		2004-05 (N=15)	2005-06 (N=42)
	3	-	33.3
	4	<b>60.0</b>	33.3
All		<b>33.3</b>	

  

Absolute Measures	Results (in percents)		
Each year, the school’s aggregate Performance Index (PI) on the State ELA exam will meet its Annual Measurable Objective (AMO) set forth in the state’s NCLB accountability system. <sup>15</sup>	Index	School Year	
		2004-05 (Grade 4 only) (N=17)	2005-06 (Grades 3-4) (N=42)
	PI	<b>153</b>	<b>110</b>
	AMO	<b>131</b>	<b>122</b>

Comparative Measures	Results (in percents)		
A <b>higher proportion</b> of students who have been enrolled for at least two years will score on or above level 3 on the New York State English language arts Examination than students in the local school district. <sup>16</sup>	Comparison	School Year	
		2004-05 (Grade 4)	2005-06 (Grades 3-4)
	School	<b>60.0</b>	<b>33.3</b>
District	<b>39.2</b>	<b>37.5</b>	

  

Comparative Measures	Results (in percents)		
Each year, the school will exceed its expected level of performance on the State ELA exam by at least a small <b>Effect Size</b> (performing higher than expected to a small degree or <b>greater than 0.3</b> ) according to a regression analysis controlling for students eligible for free lunch among all public schools in New York State. <sup>17</sup>	Analysis	School Year	
		2004-05 (Grade 4) (N=17)	2005-06 (Grades 3-4) (N=42)
	Predicted	55.4	49.7
	Actual	58.8	33.3
Effect Size	<b>0.19</b>	<b>-0.88</b>	

<sup>14</sup> New York State administered ELA exams to students only in grades 4 and 8 until the 2005-06 school year when it began testing students in grades 3-8.

<sup>15</sup> PI is calculated by adding the percent of students in all tested grades who are performing at Levels 2, 3 & 4 to the percent at Levels 3 & 4. Beginning in 2005-06 the aggregate PI for all tested grades is compared to a single AMO rather than comparing the PI of each tested grade to an AMO specific to that grade.

<sup>16</sup> The percentages compare the aggregate of all students performing at Levels 3 & 4 in tested grades who have been enrolled for two or more years in the charter school to the aggregate of all students in the same tested grades in the local school district.

<sup>17</sup> The Institute conducts this Comparative Performance Analysis of the school’s actual performance in relation to its predicted performance based on the performance and free-lunch statistics of all New York State schools with the same grades. This complex and fair statistical analysis provides an opportunity to see where an individual school stands compared to demographically similar schools across the state. A small Effect Size is 0.3 or greater. Please note: this analysis is based on free-lunch statistics from 2004-05, the most current ones available.

Value-Added Measure	Results		
	NCE	School Year	
Each year grade-level cohorts of students will <b>reduce</b> by one-half <b>the gap</b> between their average NCE in the previous spring on the Terra Nova Standardized Test, a nationally-normed reading test, and an NCE of 50 (i.e., grade-level) in the current spring. If a grade-level cohort exceeds an NCE of 50 in the previous year, the cohort is expected to show at least an increase in the current year.		2004-05 (Grades 1-3) (N=61)	2005-06 <sup>18</sup> (Grades 2-3) (N=42)
	Baseline Mean NCE	47.7	56.8
	Target Mean NCE	48.9	56.9
	Actual Mean NCE	52.7	48.1
	Cohorts Made Target	<b>(1 of 3)</b>	<b>(0 of 2)</b>

**Mathematics Goal:** *Students will demonstrate competency in the understanding and application of mathematical computation and problem solving.*

In 2004-05, King Center met all of its mathematics outcome measures set for its Accountability Plan's mathematics goal. Specifically, with 93 percent of fourth grade students scoring at Levels 3 and 4 on the state's mathematics exam, the school exceeded its absolute measure of aggregate fourth-grade student proficiency and met the criterion for fourth grade mathematics performance under the state's NCLB accountability system. In its comparative measures, the school out-performed the district and met the measure of performing better than predicted in comparison to comparable public schools state-wide. Finally, King Center met its value-added measure insofar as the mean NCE score of students in grades 1-3 cohorts on the TerraNova Test exceeded their overall numerical target, students on average scored above grade-level, and two of three grade-level cohorts met their targets.

In 2005-06, King Center met all but one of the mathematics outcome measures set for its Accountability Plan's mathematics goal. The school again posted strong results for the outcome measures based on the state's mathematics exam (83 percent proficient), but it did not perform as well on the TerraNova mathematics test. In terms of the types of measures, King Center met both of the absolute measures and performed better than predicted in comparison to comparable public schools state-wide. The school did not meet its value-added measure with the mean NCE score of students in both the second and third grade cohorts showing a decline on the TerraNova.

Absolute Measures	Results (in percents)		
	Grade	School Year	
Each year, <b>75</b> percent of students who are enrolled in at least their second year will perform at or above Level 3 on the New York State mathematics examination. <sup>19</sup>		2004-05 (N=15)	2005-06 (N=42)
	3	-	76.2
	4	<b>93.3</b>	90.4
	All		<b>83.3</b>

  

Each year, the school's aggregate Performance Index (PI) on the State mathematics exam will meet its	Index	School Year
		2004-05

<sup>18</sup> King administered the Terra Nova only to grades 1-3 in 2004-05, and continued administering it to grades 1-3 in 2005-06 under their Reading First grant.

<sup>19</sup> New York State administered Mathematics exams to students only in grades 4 and 8 until the 2005-06 school year when it began testing students in grades 3-8.

Annual Measurable Objective (AMO) set forth in the state's NCLB accountability system. <sup>20</sup>	(Grade 4) (N=17)	(Grades 3-4) (N=42)
	PI AMO	188 142

Comparative Measures	Results (in percents)		
A higher proportion of students who have been enrolled for at least two years will score on or above level 3 on the New York State mathematics examination than students in the local school district. <sup>21</sup>	Comparison	School Year	
		2004-05 (Grade 4)	2005-06 (Grades 3-4)
	School	93.3	83.3
District	66.5	43.7	

Each year, the school will exceed its expected level of performance on the State mathematics exam by at least a small <b>Effect Size</b> (performing higher than expected to a small degree or <b>greater than 0.3</b> ) according to a regression analysis controlling for students eligible for free lunch among all public schools in New York State. <sup>22</sup>	Analysis	School Year	
		2004-05 (Grade 4) (N=17)	2005-06 (Grades 3-4) (N=42)
	Predicted	76.4	63.7
Actual	88.2	83.3	
Effect Size	0.87	1.03	

Value-Added Measures	Results		
Each year grade-level cohorts of students will reduce by one-half the gap between their average NCE in the previous spring on the Terra Nova Standardized Test, a nationally-normed mathematics test, and an NCE of 50 (i.e., grade-level) in the current spring. If a grade-level cohort exceeds an NCE of 50 in the previous year, the cohort is expected to show at least an increase in the current year.	NCE	School Year	
		2004-05 (Grades 1-3) (N=61)	2005-06 (Grades 2-3) (N=42)
	Baseline	50.0	60.7
	Target	50.1	60.8
	Actual	58.1	48.8
Cohorts Made Target	(2 of 3)	(1 of 2)	

**Science Goal:** *Students will demonstrate competency in the understanding and application of scientific concepts.*

In 2004-05 and 2005-06, the two years of the period under review, King Center met its science outcome measures set for its Accountability Plan's science goal. The school met its absolute measure of fourth-grade student proficiency on the state's science examination with 76 and 86 percent proficient in the two years. It out-performed the district in 2004-05; district results on the 2005-06 science exam are not currently available.

<sup>20</sup> PI is calculated by adding the percent of students in all tested grades who are performing at Levels 2, 3 & 4 to the percent at Levels 3 & 4. Beginning in 2005-06 the aggregate PI for all tested grades is compared to a single AMO rather than comparing the PI of each tested to grade to an AMO specific to that grade.

<sup>21</sup> The percentages compare the aggregate of all students performing at Levels 3 & 4 in tested grades who have been enrolled for two or more years in the charter school to the aggregate of all students in the same tested grades in the local school district.

<sup>22</sup> The Institute conducts this Comparative Performance Analysis of the school's actual performance in relation to its predicted performance based on the performance and free-lunch statistics of all New York State schools with the same grades. This complex and fair statistical analysis provides an opportunity to see where an individual school stands compared to demographically similar schools across the state. A small Effect Size is 0.3 or greater. Please note: this analysis is based on free-lunch statistics from 2004-05, the most current ones available.

Absolute Measures	Results (in percents)		
	Grade	School Year	
		2004-05 (N=17)	2005-06 (N=21)
Each year, <b>75</b> percent of students who are enrolled in at least their second year will perform at or above Level 3 on the New York State Science examination.	<b>4</b>	<b>76.4</b> <sup>23</sup>	<b>85.7</b>

Comparative Measures	Results (in percents)		
	Comparison	School Year	
		2004-05 (Grade 4)	2005-06 (Grades 3-4)
A <b>higher proportion</b> of students who have been enrolled for at least two years will score on or above level 3 on the New York State Science Examination than students in the local school <b>district</b> .	School	<b>76</b>	<b>86</b>
	District	<b>63</b>	<b>NA</b>

## NCLB Goal

King Center is expected, under No Child Left Behind (NCLB), to make adequate yearly progress toward enabling all students to score at the proficient level on the state ELA and mathematics examinations. In holding charter schools to the same standards as other public schools, the state issues a school accountability report indicating King Center’s accountability status each year. King Center is deemed to have been in good standing under the state’s NCLB accountability system.

Accountability Plan Measure	Results (in percents)		
	Status	School Year	
		2004-05	2005-06
Under the state’s NCLB accountability system, the school’s Accountability Status will be “Good Standing” each year. <sup>24</sup>	Good Standing	<b>Yes</b>	<b>Yes</b>

<sup>23</sup> Percentage of all students tested.

<sup>24</sup> The New York State Education Department issues report cards for each school which indicate whether a school has made adequate yearly progress (AYP) as required by the federal No Child Left Behind Act. Schools that have not failed to make AYP for the two previous years are considered to be in “Good Standing.”



Evidence Category	Benchmarks	
<p><b>Benchmark 1B</b> Use of Assessment Data</p>	<p><b>1B</b></p>	<p>The school has a system to gather assessment and evaluation data and to use it to improve instructional effectiveness and student learning.</p>
<p><b>Benchmark 1C</b> Curriculum</p>	<p><b>1C</b></p>	<p>The school has a clearly defined and aligned curriculum and uses it to prepare students to meet state performance standards.</p>
<p><b>Benchmark 1D</b> Pedagogy</p>	<p><b>1D.1</b></p>	<p>The school has strong instructional leadership.</p>
	<p><b>1D.2</b></p>	<p>High quality instruction is evident throughout the school.</p>
	<p><b>1D.3</b></p>	<p>The school has programs that are demonstrably effective in helping students who are struggling academically to meet the school's academic Accountability Plan goals, including programs for students who require additional academic supports, programs for English Language Learners and programs for students eligible to receive special education.</p>
<p><b>Benchmark 1E</b> Student Order &amp; Discipline</p>	<p><b>1E</b></p>	<p>The school's culture allows and promotes a culture of learning.</p>
<p><b>Benchmark 1F</b> Professional Development</p>	<p><b>1F</b></p>	<p>The school's professional development program assists teachers in meeting student academic needs and school goals, by addressing identified shortcomings in student learning and teacher pedagogical skill and content knowledge..</p>

*Assessments and Use of Assessment Data*

The school has instituted a clear system to collect and archive assessment results. Teachers are knowledgeable about the system but the extent to which they can use the assessment results to modify instruction is yet to be seen.

For example, King Center has implemented a school-wide “Assessment Box” program. Teachers collect and archive assessment results in a file box which remains in the classroom; however they are only at the beginning stages of utilizing this data to plan instruction. These boxes generally contain the following assessment results: score sheets from the previous spring’s administration of the Terra Nova; weekly updates (computer printouts) from the students’ sessions in Waterford; Dynamic Indicators of Basic Early Literacy Skills (DIBELS) reports; and reading comprehension and listening tests from the Harcourt Trophies reading program and the Scott Foresman mathematics assessments. 2006-07 is the first year the Assessment Box system has been implemented. The school has not yet archived individual student performance data from prior years within this system though teachers stated that the intent of the assessment boxes would be to do so through the students’ enrollment at the school.

Assessment results are not widely used to modify instruction. At the time of the renewal visit, some teachers had performed a cursory evaluation of which students had achieved levels three or four on the Terra Nova and had not met benchmarked performance standards on the latest administration of the DIBELS. However, those teachers had yet to determine how they would utilize that information. For other teachers, test data itself was used primarily as the basis to group students in the classroom. The use of data to inform instruction (i.e. to provide the teacher with contemporary information about how students are grasping what is being taught) was limited to the class work which they produce, the homework they turn in, and their performance on basal tests. This year, some teachers requested training in how to use data to modify instruction in the classroom, reflecting the need at the school for assessment results to better inform instruction.

### *Ongoing Academic Changes*

During the 2005-06 and 2006-07 academic years, the King Center Charter School has implemented numerous and ongoing academic and organizational changes. The changes implemented in the 2005-06 school year include: forming four board of trustees’ committees; conducting the first formal evaluation of the school’s Director; forming the School Leadership Team; and hiring an Executive Assistant. Additional changes implemented as of the 2006-07 academic year include: creating a 2<sup>nd</sup>/3<sup>rd</sup> grade combination class; eliminating all Teaching Assistants from 2<sup>nd</sup> and 3<sup>rd</sup> grade classrooms; dividing responsibility for providing instructional leadership between the school director and Assistant Director; shifting the focus of the School Leadership Team from exclusively reading to a mixture of reading, writing and other academic subjects; blending special education and other academic interventions; hiring the first mathematics intervention teacher; encouraging classroom teachers, rather than relying on intervention teachers, to independently analyze and then use assessment information to inform instruction; transitioning the Executive Assistant position to Director of Compliance, a more independent position designed to give the school’s Director even more time for instructional support and leadership; implementing classroom lessons based on segments of standardized test examples as an extension of a redefined professional development program; conducting classroom teacher self-evaluations; and the school director implementing three, rather than one, formal teacher evaluations. Given the numerous significant changes still occurring, the King Center Charter School resembles a school in the midst of its initial charter period rather than in the second year of its second charter term.

### *Learning and School Objectives*

The continually evolving academic program, and its concomitant developing instructional goals, correlate strongly with instructional practices marked by unclear objectives and purposes. Although

the academic program at the school appears generally organized with students transitioning appropriately between activities and teachers being generally subject matter competent, inspectors were unable to ascertain with clarity the specific learning objectives of lessons and the purpose of many learning activities.

At the time of the renewal visit, there was little to no evidence that teachers identify student learning objectives to specify the skills and content students should learn as a result of having participated in a particular lesson or activity; nor was their evidence that the teachers design learning activities based upon a set of specific and desired student outcomes. Teachers did not post student learning objectives in or around their classrooms. Teachers' lesson plan books did not reference student learning objectives or state standards. Instead, the general format of lesson plan books could more appropriately be likened to a class agenda. Further, in several classrooms in which students were involved in independent learning activities, little or no assessment of what they were, or were not, learning was available to the teacher. As a result of the uncertain learning objectives, inspectors questioned the extent to which learning expectations were clear to students.

### *Planning*

The renewal visit team questioned the effectiveness of the school's long-range planning and analysis. When trustees were asked what actions the school would take in response to potentially low 2006 student performance results, trustees responded they would rely on a deep analysis from the school's Director, regardless of the Director's relatively new role as instructional leader (see Instructional Leadership section below). Further, regardless of the school's academic performance, the trustees explicitly stated they were "100% behind" the school's Director, implying re-evaluation of those who comprise the school leadership would never be contemplated.

With regard to the planning process for the next charter term, the school submitted its application for renewal without a curriculum for the 7<sup>th</sup> and 8<sup>th</sup> grades. Only upon the request for such a curriculum from the Institute did the school's board make a determination regarding a curriculum for those grades. In making that determination, only one model, Expeditionary Learning Outward Bound, was investigated. Also, King Center plans to significantly increase the number of enrolled students without having first conducted market research to assay the community's demand and support for greater enrollment at the middle school level, grades 5 through 8. Additionally, no decision had been made regarding how to address the needs of students with disabilities who require special education programs and services should they enroll through school expansion.

### *Instructional Leadership*

Instructional support and supervisory duties at the King Center are divided between the Director and Assistant Director. However, the Reading First Coach (with assistance from the Assistant Director) provided much of the direct instructional support; this is in spite of the fact that the school had recently hired an Executive Assistant with the intent of freeing the Director to increase her capacity to provide instructional support to teachers.. Since its initial renewal and in part as response to the 2005 renewal report, the King Center Charter School has formalized an instructional leadership team structure to maintain an awareness of and address issues in the school. However, the effectiveness of these structures is yet to be determined.

At King Center the question remains: who will provide the consistent, full range of academic support that teachers need? The 2006-07 school year marks the first time the Director is consistently

delivering direct instructional support to teachers. Although instructional support duties are divided between the school's Director and Assistant Director, the school's Director is responsible for informally and formally evaluating all teachers. At the time of the renewal visit, teachers had received informal written and verbal feedback from the school's Director. However, several teachers were unable to articulate the school director's specific role and responsibilities with regard to academic leadership. Moreover, there was little to no evidence that the Director provides high-quality ongoing coaching and support in classrooms, or has further supports in place for the effective delivery of instruction in an environment of high expectations. The Director does not provide detailed feedback to teachers about their instructional practices, how they are using data to assess students' learning, or how they might make appropriate modifications to their instruction based on the student learning data which they have collected. In fact, there was no evidence that the Director had set any expectations for the delivery of instruction, other than the arrangement of classroom furniture and that learning activities should be engaging for students. The Director had not required that teachers focus their lessons on explicitly stated learning objectives or that learning activities be purposeful and delivered with clear expectations for student learning.

The school's Assistant Director, whose day-to-day responsibilities have not changed considerably in the two years since the school's initial renewal and remain largely that of serving as the school's first grade teacher, notes that her first and foremost responsibility is teaching students in her classroom, followed by supporting other teachers. This is reflected in the fact that, during a fifty minute interview with an inspector, the Assistant Director never mentioned her role as Assistant Director. The Assistant Director does not provide optimal instructional support and guidance to teachers. For example, rather than providing direct instructional support to a particular teacher, the Assistant Director provides indirect instructional support by teaching in her own classroom with the hopes that the teacher in the neighboring classroom, teaching her own lessons, will somehow absorb good instructional practices. Further, this year's Reading First Coach, a position of direct teacher support usually reserved for educators with significant reading instruction experience, is a third-year teacher. Despite seven years of operation, King Center's teachers do not receive the level and quality of instructional support they need.

### *Special Needs and Remediation*

The King Center Charter School has revised its delivery of instructional support services to more fully integrate special needs teachers and students requiring remediation into the fabric of the school. At the time of the renewal visit, however, the school was without a special education coordinator.

The King Center Charter School was awarded a three-year federally-funded Reading First grant which concludes in June of 2007. The grant required the school to employ both a Reading First Coordinator and Reading First Coach to institute an intensive reading program that includes the use of prescribed materials and assessments, and to ensure that instructional staff was provided with professional development regarding the program and use of materials. For students not achieving the benchmarks, the Reading First program requires that students receive intervention services. The Reading Coach provides these services, and as of the 2006-07 school year, the special education teacher and the Reading First coach are providing services using more of the "push in" approach in order to create a more seamless academic program for students. The special education teacher is using some of the Reading First materials in providing support for students identified through the special education process. In addition, all special needs teachers, including the special education teacher, Reading First Coach, and any intervention teachers, meet with regular classroom teachers at least weekly. Although the school plans for the teacher responsible for Waterford to become its

mathematics intervention teacher, at the time of the renewal visit, there were no school-wide interventions in place for mathematics.

In addition, at the time of the renewal visit, the school did not have a written procedure for teachers to request a child study meeting or to refer a student for possible evaluation for special education services. Teachers were simply “informed” about letting the Director know of any student issues to have a child study meeting arranged. The Director verbally shared the school’s process for referring a student for a special education evaluation, but that process was not available in written form. However, teachers generally seemed to be aware of the informal process of informing the school’s Director of any issues or problems.

### *Professional Development*

The King Center Charter School changed its approach to professional development by identifying ongoing themes for all instructional staff for the duration of 2006. In addition, staff, in consultation with the school leader, were to identify additional topics or areas for individual pursuit. At the time of the renewal visit, the school had yet to develop a formal, long-term staff development program that directly supported the school’s academic program and linked to identified instructional weaknesses and student performance outcomes. At the time of the renewal visit, there were no professional development goals or initiatives related to the classroom observations made by the Director.

Evidence Category	Benchmarks
	<b>Renewal Question 2</b> <b>Is the School an Effective, Viable Organization?</b>
<b>Benchmark 2A</b>  <b>School Specific Non-Academic Goals</b>	<b>2A</b> <b>The school meets or has come close to meeting the Unique Measures of non-academic student outcomes that are contained in its Accountability Plan over the life of the charter (if any).</b>

The King Center Charter School puts significant effort into providing a nurturing, socially supportive learning environment. The administrators and staff of the King Center Charter School have instituted the “Kindness and Respect” (KAR) program, in which every two weeks particular acts of students’ kindness and respect in the classroom are celebrated and publicly recognized. Parents are invited to, and attend, the bi-weekly KAR awards program. Further, part of the School Leadership Team’s mandate is to improve the social and emotional supports provided by the school and, as the Director states, to give all students a “trusting relationship” with an adult. Additionally, utilizing the Responsive Classroom student management program, the school promotes calm, safe classrooms.

<b>Benchmark 2B</b>  <b>Mission &amp; Design Elements</b>	<b>2B</b>  <b>The school is faithful to its mission and has implemented the key design elements included in its charter.</b>
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The school’s mission statement, as it appeared in its 2005 accountability plan, is as follows:

*The King Center Charter School provides a viable alternative to traditional education in a bright, colorful, open space where children utilize a year-round calendar to engage in individualized, technology rich learning experiences. Key elements to the success of the program include institutional accountability for outcomes, educational research supported through a distance technology link to area colleges and universities, and a commitment to meaningful parent involvement.*

Since 2005, the Board of Trustees has modified the school’s mission, removing references to a year-round calendar and technology rich learning experiences and adding references to early intervention, high expectation and academic excellence. King Center fulfills its mission in regards to early intervention and family and community involvement but has yet to prove it provides an environment of high expectations and academic excellence. The revised mission of the King Center Charter School is as follows:

*Committed to urban education, the King Center Charter School builds on an early intervention foundation by partnering with families and community to ensure a respectful, student-centered environment of high expectation and academic excellence.*

King Center’s current key programmatic design elements include:

- 200 – 210 school days per year (including summer program);
- 7.5 hour school day;
- school uniforms and a daily school pledge and song to encourage school spirit;
- the Responsive Classroom student discipline model to develop a respectful and responsible community of learners;
- a collaboration with Buffalo State College that provides pre-service and in-service professional development opportunities;
- small classes (maximum 21 students);
- small group instruction and learning centers for individualized and independent learning opportunities;
- reading instruction 2 hours a day for Grades K-3;
- access to technology daily;
- multimedia Literacy Portfolios for each student to enhance communication with parents and help students see themselves as learners;
- academic intervention programs for students below grade level;
- music opportunities: chorus, violin and/or recorder lessons; and
- parent representation on the Board of Trustees with full voting rights.

In short, King Center implements the majority of its key design elements. The school provides significant avenues for early intervention programs and, in part through the Parent-Child Home Program and parent representation on the Board of Trustees, parental involvement. Also important to note are King Center's small class sizes, some of which contain a maximum of fourteen students.



<b>Benchmark 2C Governance</b>	<b>2C.1</b>	<b>The school board has worked effectively to achieve the school’s mission and specific goals.</b>
	<b>2C.2</b>	<b>The board has implemented and maintained appropriate policies, systems and processes and has abided by them.</b>

At the time of the original renewal visit, there was little evidence that the school board had fully developed policies or a defined timetable or system for review of policies. While at the time of the most recent renewal visit the school has assigned a person to draft policies for various topics and be the Director of Compliance, the employee had only recently taken on those responsibilities (August 21, 2006) and had yet to develop full policies. For example, the school lacked a Family Educational Rights and Privacy Act (FERPA) policy and procedures for properly implementing FERPA. School employees stated they were just beginning to formalize many school policies for compliance with FERPA, the Freedom of Information Law, Open Meetings Law, fingerprinting, etc. The school also lacked a working special education discipline policy, or regular education discipline policy beyond a synopsis of the regular education policy in the *Parent Handbook 2006-07*. As the synopsis did not reference alternative instruction for suspended students or due process for suspensions or expulsions, parents do not have notice of such safeguards. The school board indicated it reviews policies at its annual meeting. In addition, the school board formed a policies and procedures committee to begin to address policy issues.

In terms of its own materials, the school board did show improvement. In November of 2005, it discussed new trustee orientation and subsequently created a book of materials to give to new board members, which included, *inter alia*, the by-laws, lists of trustees, officers, staff and board committees, a definition of governance and key responsibilities, and other relevant information. We note that it did not contain the charter agreement without attachments or a summary thereof.

While the school board has adequate mechanisms for dealing with conflicts of interest, there was little or no evidence that it was using them. Its code of ethics has a provision requiring full disclosure by any trustee with an interest in a transaction, which would cover trustees associated with the King Urban Life Center. Provisions in the school’s by-laws (article II, section 7(b)) dealing with conflicts of interest require disclosure of material facts regarding any transaction with the King Urban Life Center, and at least one non-King Urban Life Center board member must approve any King Urban Life Center transaction in addition to a majority of school trustees present. However, the school board’s minutes did not reflect adherence to this provision with respect to the school’s annual lease with the King Urban Life Center, and a few limited circumstances where the school lent money to the King Urban Life Center. Otherwise the school avoided conflicts of interest and there was no indication that any trustee had a personal financial interest in any transaction at issue.

According to the school board’s minutes, the by-laws provision related to forming committees by resolution was not followed during the February 2006 meeting, but was followed at an earlier meeting (March 2005). Also, the provision of the school’s by-laws related to removal of a trustee (article II, section 6) does not fully conform to subdivision 226(8) of the Education Law. While the provision references removal for cause and with notice, it does not specify that the notice must be at

least one week, and that there must be a written complaint by a trustee and an examination by the board thereof prior to removal.

Except as set forth above, the school has adhered to its by-laws.

<b>Benchmark 2D</b>  <b>Parents &amp; Students</b>	<b>2D</b>  <b>Parents/guardians and students are satisfied with the school.</b>
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Parents at the King Center Charter School are generally quite pleased with the school’s performance. Consider the results of the most recent annual parent survey, completed by ninety-seven percent of parents. Ninety-five percent of the parents expressed that they were “Very Satisfied” with King Center. In rating the overall school performance, 76% selected “Excellent,” 21% selected “Good,” and 3% selected “Satisfactory.” One hundred percent indicated they would recommend King Center to a friend.

Over the last two years, additional factors suggest high parent and student satisfaction. Student stability is high as evidenced by the student re-enrolled rate exceeding 95%. King Center has surpassed its goal of 95% student attendance. A high percentage (93%) of parents attends parent-teacher conferences. However, the current student waiting list of twenty, as compared with a student body of 105, is rather low.

<b>Benchmark 2E</b> <b>Legal Requirements</b>	<b>2E</b> <b>The school has substantially complied with applicable laws, rules and regulations and the provisions of its charter.</b>
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The Charter Schools Institute’s legal compliance review covered the period from the commencement of the term of the school’s renewal charter through the date of the renewal visit (September 2006). One aspect of the Institute’s review was to follow up on issues identified in the school’s first renewal report and determine if the school had made progress in those compliance areas. Unfortunately, the school exhibited more weakness than strengths in this regard as set forth below.

With respect to complying with the provisions of the New York Charter Schools Act of 1998 (as amended) that require a charter school to conduct fingerprint-supported background checks on all employees, the school had still not created policies or systems to ensure that such background checks are consistently performed. At the time of the last renewal, the school had an unwritten process (not a policy) for fingerprinting teaching staff that was followed with one or two exceptions, but was deficient in performing checks on non-teaching staff. During the Institute’s current renewal visit, two employees, the school nurse and a literacy coordinator, did not have proper background clearances or emergency conditional appointments. In the case of one of those employees, the fingerprints had been submitted to the State Education Department’s Office of School Personnel Review and Accountability. More troubling is the above referenced absence of any policies or procedures in place for appointing employees—for whom the school does not have time to complete a full background check before commencing employment—on an emergency conditional basis as contemplated by the Charter Schools Act. The school did not have the required policy in place for the supervision of such employees or statements regarding criminal history for employees to sign. The school also lacked any mechanism to have the school board chair designate such employees for emergency conditional appointment or to have the school board vote on such appointments or required reappointments after 20 business days (nor any delegation of such functions).

At the time of the original renewal visit, there was no evidence that the school was aware of its obligations under the Freedom of Information Law (FOIL). During the latest renewal visit, the only evidence related thereto was a lone response to a FOIL request. The school still did not have a working FOIL policy as required by Paragraph 7.3 of its renewal charter agreement, proper FOIL regulations or a posted FOIL notice as required by the Public Officers Law. There also was no mention of the FOIL policy in the school’s *Parent Handbook 2006-07*. The FOIL provisions related to minutes of school board meetings were also not strictly followed for several meetings. In some cases, votes of the school board were recorded without indication of the votes of individual trustees or of whether the motion carried unanimously in contravention of Public Officers Law subdivision 87(3)(a). Lastly, the school was not maintaining the lists of records required by that subdivision.

The school’s Open Meetings Law compliance in terms of public notice was improved. Evidence of proper media notification was found whereas it was absent during the renewal visit in 2004. While the school has a section in its *Parent Handbook 2006-07* that states parents may attend board meetings and gives the meeting dates, it did not state where notices would be posted in the school in general and in case of changes to the schedule. The parent handbook also did not include an Open Meetings Law policy and the school did not have such a working policy. There was no evidence that when school board committees met with a quorum present they kept minutes in violation of the Open Meetings Law.

The school was not in full compliance with the federal Family Educational Rights and Privacy Act (FERPA) at the time of the most recent renewal visit. While the school's *Parent Handbook 2006-07* contained a small section entitled "Request to Review Records," it was inadequate in terms of informing parents of their FERPA rights. For example, it did not state that records would be made available within the statutory 45-day time frame, nor did it apprise parents of the right to appeal negative determinations. The school also did not otherwise provide the required FERPA annual notice nor did it have access logs for its student records. The school did have a form for employees to sign regarding the confidentiality of student records, but its employee materials also did not include a FERPA policy.

From the documentation reviewed, the school also improved its compliance with the Safe Schools Against Violence in Education Act (SAVE). The State Education Department had indicated in January 2005 that the school had not submitted a complete school safety plan pursuant to Education Law section 2801-a; at the time of the most recent renewal visit, however, the matter appeared to have been resolved.

Another area where the school continued to display weakness was notifying the Institute pursuant to Paragraph 2.11 of its renewal charter agreement regarding changes to its board of trustees. Specifically, the school failed to inform the Institute of the departure of two trustees and failed to send the required information for approval of a new trustee. The school did improve its compliance record in terms of sending school board meeting minutes to the Institute in compliance with its Monitoring Plan, which is part of the school's charter agreement. A shortcoming noted was that the school board amended its by-laws without notifying or seeking approval of the Institute as required by its renewal charter agreement.

As reflected by the school board minutes, when the school's finance committee was formed in March of 2005, only two trustees were placed on the committee in contravention of subdivision 712(a) of the Not-For-Profit Corporation Law.

The school appeared to be in compliance with the provisions of the Charter Schools Act related to employing sufficient numbers of New York State Certified teachers. The school also appeared to be in compliance with the "highly qualified teachers" requirements of the federal No Child Left Behind Act of 2001 (NCLB).

The school board has more than one lawyer and has used different outside counsel to handle different legal matters, in particular, employment issues. One of the lawyers on the board is associated with the King Urban Life Center, but both the school and the attorney are fully aware of the potential for conflict of interest. From the foregoing, the Institute concluded that the school has demonstrated an active and on-going relationship with in-house and outside counsel. However, based on the legal and policy deficiencies noted above and under Benchmark 2C.2, the board did not adequately consult with counsel regarding policies and procedures and certain by-laws provisions and amendment thereof.

Except for the policy deficiencies noted above and under Benchmark 2C.2, and except as set forth above, the school has had in place and maintained effective systems and other internal controls for ensuring general compliance with the terms of its renewal charter agreement and applicable laws and regulations. With the exceptions noted above, the school's board meeting minutes and other documentation, as well as responses to interview questions by board members and school personnel,

demonstrate the school's general and substantial compliance with the Charter Schools Act, applicable provisions of the New York Education Law and other New York law and regulation, applicable federal law and regulations, its by-laws and the provisions of its charter during the term of its renewal charter and at the time of the renewal visit.

<b>Evidence Category</b>	<b>Benchmarks</b>
	<b>Renewal Question 3</b> <b>Is the School Fiscally Sound?</b>
<b>Benchmark 3A</b>  <b>Budgeting and Long Range Planning</b>	<b>3A</b> <b>The school has operated pursuant to a long-range financial plan. The school has created realistic budgets that are monitored and adjusted when appropriate. Actual expenses have been equal to or less than actual revenue with no material exceptions.</b>

For the term of its renewal charter, the school has operated pursuant to year to year plans. Other charter schools have used rolling five-year budget plans to assist them in long-range fiscal planning. Given the limited life of the school’s renewal charter and the lack of expansion plans during that time, the year to year planning has been sufficient. The school’s annual budgets have provided a realistic framework for the school’s spending activities and monitoring procedures are in place.

The annual budget is developed in conjunction with the school director, the outside accountant and finance committee. The full Board typically reviews, discusses, modifies and approves the budget over the course of two to three Board meetings. Modifications to the budget are infrequent with the focus on the overall budget rather than on individual line items. A process by which material budget adjustments could be made, as needed, could provide more effective monitoring by the Board.

<p><b>Benchmark 3B</b></p> <p><b>Internal Controls</b></p>	<p><b>3B</b></p> <p><b>The school has maintained appropriate internal controls and procedures. Transactions have been accurately recorded and appropriately documented in accordance with management’s direction and laws, regulations, grants and contracts. Assets have been and are safeguarded. Any deficiencies or audit findings have been corrected in a timely manner.</b></p>
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The school has written fiscal policies and procedures related to external and internal compliance for cash disbursements, cash receipts, bank reconciliations, payroll, fixed assets, grants/contributions and the preparation of financial statements. The Board has documented its purchasing procedures in writing and uses a purchase order system. School officials indicated that out of the ordinary expenditures are discussed with the Board. The school could enhance its purchasing practices by adopting a written purchasing policy to provide overall guidance to school personnel. The school recently adopted a fraud policy to lay out responsibilities and procedures related to fraud or suspected fraud.

The Board has outsourced the financial back-office operations of the school to an accounting firm, while maintaining appropriate oversight. This arrangement provides a level of independent oversight over the processing of transactions and also allows the school to leverage the experience and competency of staff at the accounting firm. Duties at the accounting firm’s office are appropriately segregated.

The school could improve its controls over capital assets. The school does have written procedures related to maintaining records related to capital assets and requires that physical inventories are completed at the end of each year. However, school policies do not require that assets be affixed with tags identifying the property as being owned by the school. The school could improve its control over fixed assets by using such tags, at a minimum. It could further improve its controls by assigning unique identifying numbers to each item/tag when feasible. Also, the school’s policies could more fully describe the person(s) responsible and procedures to be performed when conducting physical inventories.



<p><b>Benchmark 3C</b></p> <p><b>Financial Reporting</b></p>	<p><b>3C</b></p> <p><b>The school has complied with financial reporting requirements. The school has provided the State University Board of Trustees and the State Education Department with required financial reports on time, and such reports have been complete and have followed generally accepted accounting principles.</b></p>
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Generally, the school has met its financial reporting requirements. The annual financial statements, budget, and quarterly financial reports were generally filed on time. Each financial statement audit report received an unqualified opinion. An unqualified opinion on the financial statements indicates that, in the auditor’s opinion, the school’s financial statements and notes fairly represent, in all material respects, the financial position, changes in net assets and its cash flows in accordance with accounting principles generally accepted in the United States of America. All statements required by generally accepted accounting principles were included in the school’s financial statements.

The independent auditor has not issued management letters and, as a result, the school has not needed to follow up on any such comments. Also, the school’s annual audit reports on internal controls over financial reporting and compliance with laws, regulations and grants did not disclose any reportable conditions, material weaknesses, or instances of non-compliance. The lack of deficiencies in these independent reports provides some, but certainly not absolute, assurance that the school has maintained adequate internal controls and procedures. The purposes of the reports are not to provide assurance on internal control over financial reporting or an opinion on compliance. The Board reviews and approves the annual financial statement audit report, although it does not meet separately with the independent auditors, which is considered a best practice and is recommended.

<b>Benchmark 3D Financial Condition</b>	<b>3D</b>	<b>The school has maintained adequate financial resources to ensure stable operations and has monitored and successfully managed cash flow. Critical financial needs of the school are not dependent on variable income (grants, donations and fundraising).</b>
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The school completed the 2005-06 school year in stable financial condition. The school's total net assets increased by \$65,348 and it finished with total net assets of \$400,253. The school increased its cash position by \$39,697. The school has property and equipment (net of accumulated depreciation and amortization) totaling \$204,465 that consist of leasehold improvements, furniture and equipment. The school has no long-term debt and leases office and program space from an affiliated party, King Urban Life Center, Inc.

The school has generated adequate cash flow to support operations and has access to a \$200,000 line of credit with a local bank. At June 30, 2006, there was no balance owed by the school on the line. Spending per student (total expenses, including grant related, divided by the revised approved enrollment) in each year was as follows:

<b>2005</b>	<b>2006</b>
\$ 11,672	\$ 11,611

<b>Evidence Category</b>	<b>Benchmarks</b>
	<b>Renewal Question 4</b> <b>Should the School’s Charter Be Renewed,</b> <b>What Are Its Plans for the Term of a Future Charter?</b>
<b>Benchmark 4A</b>  <b>Plans for the School Structure (mission, enrollment, schedule)</b>	<b>4A</b> <b>Key structural elements of the school’s plans for the next charter period are reasonable, feasible and achievable.</b>

The mission of the King Center Charter School states that the school is “committed to urban education” and that the school “builds on an early intervention foundation by partnering with families and community to ensure a respectful, student-centered environment of high expectation and academic excellence,” and its vision is to “seek to establish and create successful models and curriculum for urban education with supportive research;” however, the Institute’s renewal visit found that even though the school had clearly established strong relationships with its community, there was limited evidence of high expectations for academic excellence. In addition, it was not clear that the school had established or created “successful” models and curriculum for urban education.

As part of its application for subsequent renewal, the school proposed the following mission statement for the next charter period:

*Committed to urban education, the King Center Charter School builds on an early intervention foundation by partnering with families and community to ensure a respectful, student-centered environment of high expectation and academic excellence.*

The King Center Charter School’s application for subsequent renewal included plans to double the number of students enrolled in its K through 4<sup>th</sup> grade program (105 to 210) and to expand by establishing a 5<sup>th</sup> through 8<sup>th</sup> grade upper school program with 105 students. At the time of the renewal visit, the school’s waiting list consisted of 20 students across all grades, and the school had not taken any actions to ascertain whether adequate interest and demand existed for an upper school to increase the likelihood the proposed upper school would attract sufficient numbers of students to meet the proposed enrollment targets.

In anticipation of establishing a 5<sup>th</sup> through 8<sup>th</sup> grade upper school, the King Center Charter School submitted daily class schedules for both the primary and upper schools, and discussed the proposed staffing plan for the upper school. The staffing plan would include two additional administrators: a full-time upper school principal and a part-time lower school principal (who would also oversee Kindergarten through third grade curriculum). The school intended for the school to add three teachers in the upcoming year to provide instruction to 42 4<sup>th</sup> and 5<sup>th</sup> grade students. The school expressed the need to find an experienced middle school principal, realizing the critical impact this individual would have on the success of the proposed upper school.

In terms of scheduling, the intent would be to limit 4<sup>th</sup> and 5<sup>th</sup> grade students to groups of 14 to 16. However, it was not clear whether the limitation was analogous to class size, subgroups in the classrooms, or some other organizational unit. According to the application for renewal, content specialists would be responsible for teaching blocks of core subjects: English language arts, social studies, science and mathematics. With each additional grade full-time teachers would be added to maintain the 14-16 student groups. Specialist staff would include physical education and Spanish teachers, a librarian, a technology coordinator, and a fine arts teachers.

<p><b>Benchmark 4B</b></p> <p>Plans for the Educational Program</p>	<p><b>4B</b></p> <p><b>The school has clearly laid out its plans for its educational program, shown that it can implement that program and such program will allow the school to meet its Accountability Plan goals.</b></p>
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As part of the school’s application for subsequent renewal, the King Center Charter School submitted curriculum plans initially for the addition of 5<sup>th</sup> and 6<sup>th</sup> grades, but had not yet made a decision regarding the curriculum to be used for 7<sup>th</sup> and 8<sup>th</sup> grades. That decision was not made until requested by the Charter Schools Institute, and was primarily the result of a suggestion by the board’s chairperson. The school’s intention for the next charter period is to extend the current Kindergarten through 4<sup>th</sup> grade curriculum through 6<sup>th</sup> grade. For Kindergarten through 4<sup>th</sup> grades, the King Center Charter School currently uses Scott Foresman-Addison Wesley Mathematics, Harcourt Trophies for English language arts, and Scott Foresman social studies and science programs as the foundation for its academic program; these programs would be continued through grade 6 in the next charter period, if granted. A curriculum crosswalk was submitted for each area to ensure each subject area plans were aligned with state standards.

The school decided to use the Expeditionary Learning Outward Bound (ELOB) program as the anchor for the proposed 7<sup>th</sup> and 8<sup>th</sup> grade curriculum. Although the philosophy and values of the ELOB mirror the mission, goals and objectives of the King Center Charter School, adoption of the ELOB approach would require considerable time and effort. According to the literature provided by the Expeditionary Learning Schools, the timeline for institutionalization and for acquiring regular and reliable gains in various assessments may be up to five years due to the need for extensive and ongoing staff development for administrators and teachers, for establishing a new school culture, and for becoming proficient in the use of authentic assessment. In addition, the school submitted schedules for the 7<sup>th</sup> and 8<sup>th</sup> grades that appeared traditional when the ELOB approach requires large flexible blocks for in-depth investigation.

The school had not, at the time of submitting its subsequent renewal application or at the time of the school’s renewal visit, made a decision regarding how services and programs for students with disabilities would be provided in the subsequent charter period for the requested 5<sup>th</sup> through 8<sup>th</sup> grade upper school. After the school’s renewal visit, the school determined that it would extend the services presently coordinated and provided by the school’s Special Education Coordinator to students with disabilities to any students with disabilities who might enroll in the proposed upper school.

Finally, given the King Center Charter School’s poor performance in the area of English language arts in all but one year of the school’s operation, even with the infusion of significant resources provided through its Reading First grant for the 2004-05 school year through the current 2006-07 school year, and given that the school has no record of achievement for grades beyond fourth, plans to expand are not reasonable, feasible or achievable.

The school should plan to continue for the 2007-08 school year as an elementary school including Kindergarten through 4<sup>th</sup> grades with a maximum enrollment of 105 students.

<p align="center"><b>Benchmark 4C</b></p> <p align="center"><b>Plans for the Governance Structure</b></p>	<p align="center"><b>4C</b></p> <p align="center"><b>The school has provided a reasonable, feasible and achievable governance structure for the term of the next charter.</b></p>
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In general, the school has provided a reasonable, feasible and achievable governance structure for the term of the next charter. Except for the deficiency related to the language of the school’s by-laws for removal of trustees noted under Benchmark 2E above, the school has provided a set of legally sufficient by-laws. The school provided the same code of ethics as was provided in the school’s prior renewal application. Unfortunately, according to the school board, the provision therein related to outside entity participation contained a typographical error – 20% rather than 40%. While the school board operated within the latter limit, which is consonant with section 2 of the school’s by-laws, the Code of Ethics in the current Renewal Application will have to be amended. Moreover, while the Code of Ethics contains adequate protections against conflict of interest, as set forth under Benchmark 2E, there was little evidence that those provisions were being adhered to strictly. While the Current School Board Organization Charter submitted with the current Renewal Application confusingly lists the School Director and Teacher Representative as ex officio, non-voting trustees, the school’s by-laws and trustees were clear that those persons are not trustees of any kind. Responses to interview questions and other evidence demonstrate that the school’s governance model is sustainable for a potential five-year renewal term.

<b>Benchmark 4D</b>  <b>Fiscal &amp; Facility Plans</b>	<b>4 D</b>  <b>The school has provided a reasonable, feasible and achievable appropriate five-year fiscal plan for the term of next charter, including plans for an adequate facility.</b>
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While the school has presented a reasonable and appropriate fiscal plan for the proposed new charter period, it would face significant challenges with regard to its proposed facility expansion. Long-range fiscal projections are more susceptible to error than those for a single year. Such projections are subject to revision due to changes in local conditions, objectives, and laws. The school will be required to develop and adopt annual budgets based on known per pupil amounts and other revenues.

The school is in stable financial condition, but it has not accumulated significant reserves and projects only a modest increase in net assets during the current year. Also, the school has not shown the capacity for obtaining significant philanthropic support and has not been particularly effective in obtaining competitive state grants. In addition, based on its most recent application round and waiting list, the school has not demonstrated a sufficient level of enrollment demand to meet the projected enrollment in the plan.

The school’s fiscal plan conservatively assumes level per-pupil and other revenue funding with increases only tied to enrollment increases. Additionally, it reasonably assumes the continued availability of Americorps staff at an economical cost to supplement existing school staff including a librarian, physical education instructor, teaching assistants and a fine arts/performing arts instructor.

The plan also assumes that requisite financing can be obtained to purchase and renovate an additional facility to house the upper grades of the school and that competitive Charter School Stimulus Fund grants and other unspecified grants can be obtained to help offset a significant part of the cost of the new facility. These assumptions, while not unreasonable, are certainly not assured.

The fiscal plan estimates operating and cash flow surpluses in each year after the first year of the proposed new charter. The fiscal plan projects that the school’s overall financial position will improve on a cash flow basis by more than \$475,000 over the proposed new charter term. This assumes a roll-out of 62 additional students in the first year of the proposed new charter period and then 42 additional students for the next three years, then an additional 21 students in the fifth year of the proposed new charter period. The plan assumes that enrollment demand is sufficient to meet these enrollment projections, although no evidence has been provided to support that assumption. The number of students reportedly on the school’s waiting list for Kindergarten and first grade are one and three, respectively. The school has historically not had to advertise to achieve its enrollment goals but presumably would need to do so to accomplish its expansion plans.

Generally, the school’s plan makes reasonable assumptions related to other expenses with a few exceptions. For example, it is unclear whether sufficient funds have been budgeted for the cost of expeditions at the upper grades. Also, because of the uncertainty related to a new facility, it is likely that the school would experience higher occupancy (utilities, security, etc.) costs in the early years of an expansion than estimated. These potentially higher expenses are mitigated in a large part by conservative revenue assumptions.

The school has no room to expand at its current facility, and any approval to expand to a new facility would be contingent on the school clearly documenting sufficient enrollment demand to ensure full enrollment in accordance with its fiscal plan. Therefore, the school’s assumptions related to the acquisition, renovation and financing of an additional facility must be considered preliminary, pending approval of the proposed grade and enrollment expansion. Absent approval of grade and enrollment expansion, it is reasonable and feasible that the school could operate in its current configuration in a fiscally sound manner.

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The final version of Institute renewal reports should be broadly shared by the school with the entire school community. The reports will be posted on the Institute’s website at: [www.newyorkcharters.org/pubsReportsRenewals.htm](http://www.newyorkcharters.org/pubsReportsRenewals.htm). Further, detailed information about the renewal process—from a summary overview for parents to the full set of Renewal Benchmarks (including the specific elements of each benchmark)—are available at: [www.newyorkcharters.org/schoolsRenewOverview.htm](http://www.newyorkcharters.org/schoolsRenewOverview.htm).