



Charter Schools Institute
State University of New York

REPORT TO THE BOARD OF TRUSTEES

**FINDINGS AND RECOMMENDATIONS
OF THE CHARTER SCHOOLS INSTITUTE
AS TO THE APPLICATION FOR CHARTER
RENEWAL OF THE FAMILY LIFE ACADEMY
CHARTER SCHOOL**

FEBRUARY 13, 2006

TABLE OF CONTENTS

Introduction	Page 1
Reader’s Guide.....	Page 5
School Description and Background History	Page 7
Recommendation and Executive Summary.....	Page 10
Renewal Benchmarks	Page 15

INTRODUCTION

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

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

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

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

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

²The *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. A former version of those practices, which set the criteria under which the application for renewal at issue here, is available on request at the offices of the Charter Schools Institute.

Statutory and Regulatory Considerations

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

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

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

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

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

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.⁶ The Regents may approve the proposed charter or return the proposed charter to the Board of Trustees with the Regents' comments and recommendation. In the former case, the charter will then issue and become operational on the day the initial charter expires. In the latter case (return to the Board of Trustees), the Board of Trustees must review the returned proposed charter in light of the Regents' comments and respond by resubmitting the charter (with or without modification) to the Regents, or by abandoning the proposed charter. Should the Board of Trustees resubmit the charter, the Regents have thirty days to act to approve it. If they do not approve the proposed charter, it will be deemed approved and will issue by operation of law; as above it will become operational upon expiration of the current charter.⁷

³ § 2851(4) of the Act.

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

⁵ See § 2852(2) of the Act.

⁶ See § 2852(5) of the Act.

⁷ See §§ 2852(5-a) and (5-b) of the Act.

Process for Renewal

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

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

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

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

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

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

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

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 Board meeting minutes). Institute staff also examines audit reports, budget materials, and reports generated over the term of the school's charter both by the Institute and the State Education Department.

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

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

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

The Institute then prepares a draft report and provides a copy to the school for its review and comment. The draft contains the findings, discussion and the evidence base for those findings, as well as a preliminary recommendation. Upon receiving a school's comments, the Institute reviews its draft, makes any changes it determines are necessary and appropriate and determines its findings 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.

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

READER'S GUIDE

This renewal report contains the following sections: Introduction, Reader's Guide, School Description and Background History, Recommendations and Executive Summary, and Renewal Benchmarks. As this guide, the Introduction, and School Description and Background History 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.*, short or long-term, grades and number of students it is recommended the school be authorized to serve, conditions under which the charter is renewed, *etc.* Following the recommendations themselves is a short executive summary that lays out in abbreviated form reasons for the recommendation as well as the findings that support the recommendation.

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

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

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

In addition to discussing the recommendations themselves (and any conditions made part of those recommendations), the executive summary also 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 each renewal benchmark together with a review of the pertinent evidence gathered during the renewal cycle and incorporates the findings (which are in bold). As noted earlier, the benchmarks are grouped under the four renewal questions.

SCHOOL DESCRIPTION AND BACKGROUND HISTORY

School Description

The Family Life Academy Charter School (“FLACS”), approved by the State University Board of Trustees in January 2001, and by the Board of Regents in March, opened in September of that year in a newly renovated space leased from the Latino Pastoral Action Center located at 14 West 170th Street in the Bronx, New York. For 2001-02, the school enrolled 99 students in grades Kindergarten through first and has added a grade per year to arrive at its current year five enrollment of 290 students in grades Kindergarten through five. The school’s population is largely comprised of English language learners in the Highbridge section of the South Bronx where there are a high number of overcrowded and low performing schools.

The school’s mission as written in the original charter is:

The Family Life Academy Charter School seeks to empower New York City English Language Learners (ELL) in grades K-5 to achieve high standards in both English and Spanish, help them take responsibility for their own learning, and encourage them to explore and affirm human values. Like a family – and in collaboration with each family – the school will create an orderly, nurturing and dynamic environment where learning is engaging, meaningful, and often joyful. All members of the learning community will develop the knowledge, skills, and enthusiasm to continue learning throughout their lives, to expand their understanding of what is possible for themselves and their world, and lead productive and satisfied lives.

Prior Observations and History

The Institute’s 2002-03 End-of-Year Visit report noted that although “classrooms at FLACS are considered ‘family’ and ‘community’ environments, [there was] little evidence that they were also academically rigorous places.” Student work did not reflect growth over the school year and teacher assessment of student work was questionable. Instruction and student work displayed low academic expectations. The school director at the time acknowledged that there was no procedure in place for teachers to provide feedback to students. There was also little support and feedback for the several minimally-experienced teachers. Teachers’ ability to maintain student order and discipline was lacking.

SchoolWorks, Inc. conducted the Third Year Visit on behalf of the Institute in February 2004. SchoolWorks observers noted that collaboration and meaningful participation among staff, parents, and the community are the hallmarks of the school. The school had implemented a number of initiatives to address its core values and to serve students with special needs and diverse learners. SchoolWorks observers also noted that instructional delivery and quality of student work was mixed, as well as teacher ability to maintain consistent discipline. It was further noted that the school leadership was aware of these concerns and providing additional direction to teachers who needed it.

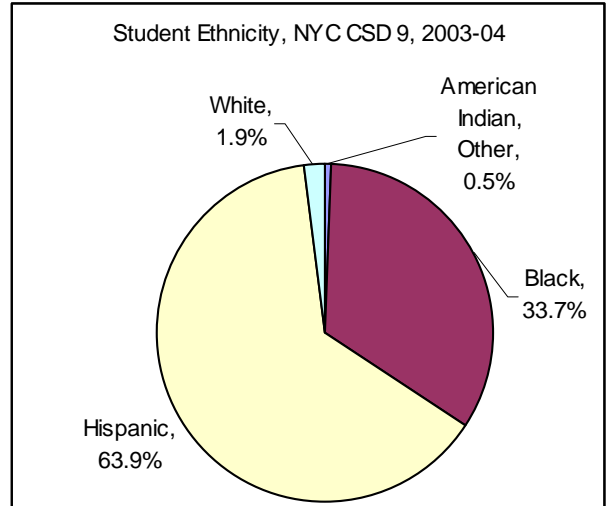
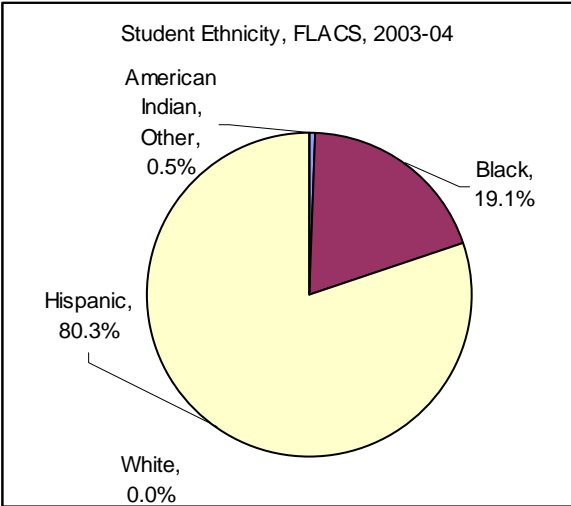
The Institute made a special visit to the school on May 3, 2005 to make observations and discuss renewal visit policies and procedures. The Institute noted the significant number of inexperienced teachers and the necessity of the school leaders to provide sustained and customized professional development.

The Institute conducted its renewal visit to the Family Life Academy Charter School on November 1-3, 2005. The renewal team consisted of nine team members.

Enrollment

YEAR	ORIGINAL CHARTERED ENROLLMENT	APPROVED CHARTERED ENROLLMENT	ACTUAL ENROLLMENT	ORIGINAL CHARTERED GRADES SERVED	APPROVED GRADES SERVED	ACTUAL GRADES SERVED
2001-2002	100	100	99	K-1	K-1	K-1
2002-2003	142	156	148	K-2	K-2	K-2
2003-2004	182	192	192	K-3	K-3	K-3
2004-2005	219	219	243	K-4	K-4	K-4
2005-2006	255	255	290	K-5	K-5	K-5

Demographics



Free Lunches (2003-04):

FLACS: 80.9%
 CSD 9: 89.0%

Students with Disabilities (2003-04):

FLACS: 14.7%
 CSD 9: 11.4%

English Language Learners (2003-04)

FLACS: 36.6%
 CSD 9: 23.0%

RECOMMENDATION AND EXECUTIVE SUMMARY

Recommendation: Short-Term Renewal

The Charter Schools Institute recommends that the State University Board of Trustees approve the application for charter renewal of the Family Life Academy Charter School (“FLACS”) and that it authorize the renewal of the charter for a period of two years with authority to provide instruction to students in Kindergarten through fifth grade with a maximum enrollment of 290 students for the duration of the charter period.

Summary Discussion

In order for a charter school to make the compelling case that it needs to make to be recommended for a full-term renewal of five years (and in order for the Institute to make the required legal findings regarding educational soundness and likelihood of improving student learning and achievement), a charter school authorized by the State University Board of Trustees must have met its academic Accountability Plan goals or at least have made consistent and meaningful progress towards meeting those goals. It must also demonstrate that it is, at the time of renewal, a fiscally and organizationally sound entity and meets the requirements of the Charter Schools Act and applicable law. Further it must demonstrate that its plans for the next charter period are reasonable and feasible and that approving the renewal application will materially further the purposes of the Charter Schools Act.

In order for a charter school to qualify for short-term renewal (a renewal of less than five years - usually two), and again to make the required findings regarding educational soundness and likelihood of improving student learning and achievement, the school must be able to present student assessment data that, at the very least, present a mixed record of academic success. In addition, the school, at the time of renewal, must have in place the personnel, programs and structures, such that, if the school were allowed more time to operate, the school would be likely in that time to produce improvements in student achievement and meet its Accountability Plan measures and goals, or at the very least make significant and consistent progress towards them.

The charter school must also be able to show that it is organizationally and fiscally sound, that its plans for the next charter period are reasonable and feasible and that approving the application will materially further the purposes of the Charter Schools Act.

Based on all the evidence gathered during the charter period, and as supported by the evidence and findings contained in this report, the Institute has not made and cannot make the findings that it would need to support a positive recommendation for a full-term renewal. However, the Institute has gathered evidence sufficient to make a recommendation that the Family Life Academy Charter School be granted a short-term renewal of two years.

In the first four years of its charter, the Family Life Academy Charter School met almost none of the key academic outcomes in English language arts (ELA) and mathematics it set for itself in its Accountability Plan. The results are based on limited data, as the school did not administer state examinations until the fourth year of its charter, when it performed far from its absolute measures on the state ELA and math exams. However, and notably, FLACS did out-perform its community school district of location on the state ELA exam (52 percent to 48 percent) and showed some notable gains on the Terra Nova test in reading.¹¹ On the other hand, the school under-performed the district on the state math exam and showed minimal gains in the Terra Nova math test.

FLACS did not meet or come close to meeting most of the key measures in ELA and math it had set for itself in its Accountability Plan in the year prior to coming to renewal and the only year for which data are available. To be eligible for a full term renewal of five years the school must have met its academic Accountability Plan goals or at least have made consistent and meaningful progress towards meeting those goals. Because of its low scores, FLACS did not come close to meeting its goals. Because of its limited data -- essentially one year of results for most measures -- FLACS also cannot show meaningful and consistent progress over a number of years toward meeting the goals.

While the student achievement record does not support a full-term renewal of five years, some of the student outcome data, especially in ELA, were promising. Again, FLACS outperformed the local school district in ELA. In addition, FLACS began to demonstrate the effectiveness of its second language learner program, based on a strong performance on the state's English-as-a-second language test. Over 80 percent of the school's English language learners scored at least the "Advanced" level (Level 3) on the New York State English as a Second Language Achievement Test (NYSESLAT).

In addition, the qualitative review of the school's program demonstrate a serious change in climate and effectiveness of the school overall. The school has established groundwork for a comprehensive and solid ELA program, solidified its English language learner program, and laid the groundwork for a promising math program. These changes and the others described below are likely to lead to significant improvements in student learning and achievement and in turn allow the school to meet or come close to meeting its Accountability Plan goals.

Over the life of the charter, the Family Life Academy Charter School has undergone notable change. The school obtained new instructional leaders and undertook a significant curricular shift. Starting in its third year under clear direction of the school's third principal; FLACS has taken deliberate steps to develop into a school with a clearly defined and comprehensive curriculum, an internal teacher support system and a positive learning environment. However, because of the recent implementation of these changes, the effectiveness of this organization has not yet been fully demonstrated through student achievement data.

In its fifth year with a new administrative structure, the principal spends a large proportion of the school day in classrooms and, with significant support from the instructional team, is the instructional leader of the school. In this capacity, the principal has emphasized aligning

curriculum and assessment to standards, increasing the rigor of instruction and teacher expectations, and providing special support to students who are struggling academically, especially English language learners (ELLs). Teachers' instructional programs are aligned school-wide and clearly defined, made possible by the principal's inspiring their commitment to the redesigned instructional program.

When the current principal began at FLACS in September 2003, she began a deliberate, strategic process to set up the necessary structures at the school to promote academic success. The process of change during the past two-and-a-half years has been intentionally gradual in order to get as much teacher buy-in as possible. In the early part of the 2003-04 school year, after going through a process to promote greater commitment from staff, the principal changed teachers' schedules to ensure all teachers received at least one common prep period per week. At the end of the 2003-04 school year, the principal began, with input from some teachers, critiquing and analyzing the curriculum and instructional program. The results of the analysis led the principal to implement a series of changes during the 2004-05 school year. These changes have included implementing more student assessments, transitioning to a curriculum that is more clearly standards-based, and relying less on staff developers from outside of FLACS. By the start of the current school year, the principal garnered the commitment and support of teachers for the instructional program and for herself as the school leader. They generally appreciate the ELA and mathematics programs and support the school's staffing changes, whereby a one-teacher-in-a-class model has replaced a two-teacher model.

In contrast to the conditions at the school observed by the Institute just six months prior to the renewal visit, FLACS has, under clear direction from the principal, developed a clear and precise curriculum, significant in-house support, a renewed focus on English language learners, a growing focus on the use of assessment data and high expectations for its teachers. These are encouraging indications that the reconstituted program will enable students to achieve academically and meet state performance standards.

Last year's poor ELA results may be attributed to the transition from the Teachers College, Columbia University - *Reading and Writing Program to Trophies*, which is aligned with New York State Standards and which provides a methodical and concise scope and sequence that enables students to achieve essential knowledge and skills. Other elements of a culture of learning have been put in place at the school: behavior management is effective, classes are orderly and students come to school ready to learn.

While, many of the key design elements of the original charter were not met, in large part due to major changes to the curriculum, the mission of the school has generally been implemented. In particular, Family Life Academy Charter School is a nurturing educational community in which many stakeholders consider themselves part of its larger "family."

In the last two years, with the principal providing guidance, the school's board has developed a broad as well as in depth understanding of critical policy issues in establishing a quality educational program and effective board oversight. Board members have become well versed

in the subjects of delivering instruction and using assessment data. The board has begun to conduct annual evaluations of the director's performance.

The board has generally provided adequate financial oversight during the term of its charter and that oversight has improved over time. The school operates pursuant to a long-range fiscal plan and has produced realistic budgets over the term of the charter. The school's financial condition has been stable throughout its existence; it has generated sufficient cash flow from operations to pay ongoing expenses and has no long-term debt. The school has established appropriate written fiscal policies and procedures, and its overall implementation of the school's internal controls and procedures has greatly improved since 2004. The school has presented a fiscal plan which is reasonable and likely to be achievable. The school's financial position during the term of a future charter should remain stable assuming the continued demand for enrollment in the school.

In general, the school's board of trustees has implemented effective and appropriate policies, systems and processes to fulfill the requirements of the Charter Schools Act and other applicable law, and appears to have abided by them. One exception is the school board's failure to stagger trustee board terms and hold elections in accordance with the school's bylaws. Except for compliance with teacher certification requirements and other issues noted herein, the school also appears to have operated in general and substantial compliance with the terms of its charter and applicable laws and regulations. With certain exceptions, including, but not limited to, failure to conduct fingerprint supported criminal background checks for all employees, review of certain school, Institute and State Department of Education documentation during and prior to the renewal visit, as well as interviews, demonstrate the school's general and substantial compliance with the Charter Schools Act, applicable provisions of New York and federal law and regulations, and the provisions of the school's charter and bylaws. The Institute will, if the school is renewed, follow up on the deficiencies noted above by implementing corrective action for the school.

In sum, while the school has not met or come close to meeting most of the key outcome measures in its Accountability Plan during the first four years of its charter, there have been notable improvements in the instructional program, especially in English language arts in which a lengthy and deliberate transition has been completed. Teachers have begun to deliver the precise and well-defined ELA program with the support of in-house coaches currently dedicated mostly to literacy instruction. In tandem with the ELA program, the school has refined its English language learner instruction over the last two years to provide an effective sheltered English immersion program. Less firmly established than the ELA program and instruction for English language learners is the school's math program, which was only put in place at the beginning of the current school year, based on the board's and director's analysis of math results on the TerraNova math test. While subsequent results on the state's fourth grade math test support their decision, the fact remains that the school has yet to demonstrate success with Saxon math. On the other hand, given the board's emerging competence in assuming oversight responsibility, the principal's strong, well-seasoned leadership, her instructional team's mentoring ability, and the teacher's commitment and dedication, the school is likely to succeed in the future, reversing the record of low achievement recorded thus far during the charter period.

In sum, the school is likely to meet its student achievement goals with the additional time that renewal of the charter for two years would give it. The program that the school will implement is educationally sound. At the organizational level, the school is an effective and viable organization and is and will be fiscally sound. As it proposes to operate during the next charter period, the school will meet the requirements of the Charter Schools Act and other applicable law and will materially further each of the goals set forth in the Charter Schools Act.

Accordingly, as set forth above, the Charter Schools Institute recommends that the State University Board of Trustees approve the Family Life Academy Charter School's application for a short-term renewal and authorize a renewal of its charter for a term to commence immediately upon expiration of the original term and to continue through June 30, 2008.

RENEWAL BENCHMARKS

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

Academic Attainment & Improvement

The Family Life Academy Charter School has met almost none of the key academic outcomes in English language arts (ELA) and mathematics it set for itself in its Accountability Plan. The results are based on limited data, as the school did not administer state examinations until the fourth year of its charter, when it performed far from its absolute measures on the state ELA and math exams. For other key measures in the fourth year, FLACS did out-perform its community school district of location on the state ELA exam and showed some notable gains on the Terra Nova test in reading. On the other hand, the school under-performed the district on the state math exam and showed minimal gains in the Terra Nova math test.

In its absolute level of performance on the fourth grade state examinations, FLACS performed below the measure it had set for itself on the fourth grade ELA exam, even when only accounting for fourth graders who were in the school for at least two years and who were not second-language learners. In math, the results were also substantially below the measure the school had established in its Accountability Plan. Because FLACS only

had a fourth grade for the first time in its fourth year, 2004-05, the results are limited and not indicative of any trend.

In its comparative level of performance on the state's fourth grade ELA examination, FLACS outperformed Community School District 9, as well as three similar local public schools it had identified in its Accountability Plan. The comparative results on the mathematics exam were not as good: the fourth graders scored substantially below the district and the similar schools.

Results on the value-added to student learning according to spring-to-spring cohort gains on the TerraNova Test have been mixed. Cohorts in the third and fourth grade have generally not met the Accountability Plan measure for reducing the gap between their level of performance and grade level. In 2004-05, the strongest gains were registered by the fourth grade cohort on the Terra Nova reading test. This cohort came close to grade level and boosted the overall school-wide results to enabling the school to meet the measure. In contrast to these results, however, the 2004-05 math results were weaker. The third grade cohort showed bigger declines and the fourth grade showed smaller gains than they had in ELA. Neither cohort met the math measure.

The State Education Department has deemed FLACS to be a *Charter School in Good Standing*, which indicates that the school has not failed to make adequate yearly progress for two successive years under the NCLB requirements. In 2004-05, the school made adequate yearly progress in ELA, but did not do so in math.

In its Accountability Plan, FLACS also includes unique outcome measures on the literacy skills of second graders and the English-language acquisition of English language learners (ELLs). In literacy skills for second graders, the school has fallen below its measure. On the other hand, in 2004-05, a much larger proportion of ELL students scored advanced or proficient on the New York State English as a Second Language Achievement Test (NYSESLAT). These results enabled the FLACS to meet the measure for ELL students.

Accountability Plan Outcome Measures

In its Accountability Plan, FLACS set outcome measures to demonstrate its academic success in the key subjects of English language arts (ELA) and mathematics, as well as science and social studies. The outcome measures include the following three required types: 1) the absolute level of student performance on state examinations; 2) the comparative level of student performance on state examinations; and 3) the value-added to student learning according to year-to-year comparisons of student cohort performance on a school-selected standardized test. The following tables indicate the specific outcomes FLACS set for itself accompanied by its annual results.¹²

In addition to being held to these accountability measures, FLACS 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 math examinations. In holding charter schools to the same standards as other public schools, the state issues a school accountability report. Family Life Academy's accountability status in the most recent report is indicated below.

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

¹² Please note: since FLACS has had a fourth grade for one year, it administered the state examinations for the first time in 2004-05. As 2001-02 was the FLACS' first year of operation and it only had a second grade for the first time in 2002-03, there are no TerraNova value-added cohort results for second-to-third grade 2003-04.

Absolute Level of Performance on State Examinations

Accountability Plan		Results				
Subject	Outcome Measure	Grade	School Year			
			2001-02	2002-03	2003-04	
ELA	In 2004-05, seventy-five percent (75%) of fourth graders who have been enrolled at FLACS for two or more years will perform at or above Level 3 on the NYS 4 th Grade English Language Arts Assessment	4	No students in grade	No students in grade	No students in grade	57%
Math	In 2004-05, seventy-five percent (75%) of fourth graders who have been enrolled at FLACS for two or more years will perform at or above Level 3 on the NYS 4 th Grade Mathematics Assessment.	4	No students in grade	No students in grade	No students in grade	50%
Science	In 2004-05 and 2005-06, seventy-five percent (75%) of fourth graders who have been enrolled at FLACS for two or more years will get a passing score on the New York State Science Assessment.	4	No students in grade	No students in grade	No students in grade	44%
Social Studies	In 2005-06, seventy-five percent (75%) of FLACS fifth grade students will perform at or above Level 3 on the NYS 5 th Grade Social Studies Assessment.	5	No students in grade	No students in grade	No students in grade	No students in grade

Comparative Level of Performance on State Examination

Accountability Plan		Results					
Subject	Outcome Measure	Grade	Comparison	School Year			
				2001-02	2002-03	2003-04	2004-05
ELA	A greater number of FLACS students will meet proficiency level than students in similar schools on the New York State 4 th Grade English Language Arts Assessment. In 2004-05 and 2005-06, a comparative analysis will be made using local data from Public School 28, Public School 55 and Public School 64, as well as Community School District 9	4	FLACS	No students in grade	No students in grade	No students in grade	52%
			CSD 9				48%
			PS 28				37%
			PS 55				40%
			PS 64				34%
Math	A greater number of FLACS students will meet proficiency level than students in similar schools on the New York State 4 th Grade Mathematics Assessment. In 2004-05 and 2005-06, a comparative analysis will be made using local data from Public School 28, Public School 55 and Public School 64, as well as New York City School District #9.	4	FLACS	No students in grade	No students in grade	No students in grade	44%
			CSD 9				63%
			PS 28				58%
			PS 55				65%
			PS 64				69%
Science	A greater number of FLACS students will meet proficiency level than students in similar schools on the New York State 4 th Grade Science Assessment. In 2004-05 and 2005-06, a comparative analysis will be made using local data from Public School 28, Public School 55 and Public School 64, as well as New York City School District #9.	4	FLACS	No students in grade	No students in grade	No students in grade	44%
			CSD 9				N/A
			PS 28				N/A
			PS 55				N/A
			PS 64				N/A
Social Studies	A greater number of FLACS students will meet proficiency level than students in similar schools on the New York State 5 th Grade Social Studies Assessment	5	FLACS	No students in grade	No students in grade	No students in grade	No students in grade

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

Accountability Plan		Results								
Subject	Outcome Measure	Grades In Target Year	2003-04				2004-05			
			Base NCE	Target NCE	Actual NCE	Met Target?	Base NCE	Target NCE	Actual NCE	Met Target?
ELA	In 2003-04, 2004-05 and 2005-06, cohorts of FLACS students will reduce the gap between the baseline performance and grade level on the Terra Nova Total Reading Battery. *	3	34.9	39.9	34.0	No	43.0	45.3	41.3	No
		4	N/A				35.0	42.5	47.9	Yes
Math	In 2003-04, 2004-05 and 2005-06, cohorts of FLACS students will reduce the gap between the baseline performance and grade level on the Terra Nova Total Math Battery. *	3	31.8	37.9	41.9	Yes	46.7	47.8	42.8	No
		4	N/A				42.9	46.4	45.8	No

Source: TerraNova results from school-submitted Excel Workbook.

* The third grade cohort will reduce by one-third the gap between its average NCE score on the second grade test and an NCE of 50. The fourth grade cohort will reduce by one-half the gap between its average NCE score on the third grade test and an NCE of 50. If the cohort's baseline exceeds an NCE score of 50, it will be expected to show an increase in its NCE score.

Adequate Yearly Progress as Required by NCLB

The State Education Department’s School Accountability Report states Family Life Academy’s 2004-05 School Accountability Status: *Charter School in Good Standing*, which indicates that the school has not failed to make adequate yearly progress for two successive years.

The State Education Department will hold FLACS accountable for its performance on the state’s ELA and math examinations for the first time in 2004-05, when the school administered fourth grade state exams for the first time.

Preliminary results indicate that that FLACS had a **Performance Index of 143 in ELA**,¹³ surpassing the state’s 2004-05 annual yearly progress requirement in ELA; it had a **Performance Index of 137 in Math**, below the state’s 2004-05 annual yearly progress requirement in math. However, FLACS did perform within the Confidence Interval (above 127 for schools with 40-44 students tested) for the AMO defined by the State Education Department.

Student Achievement According to Unique Academic Measures

Accountability Plan		Results			
Subjects	Outcome Measure	Grades	2002-03	2003-04	2004-05
ELA	At the end of the 2 nd grade, 75% of students will show proficiency in the critical literacy skills of ECLAS along the continuum on the ABC/Sight Words, Phonemic Awareness, Reading, and Writing strands by meeting the following end-of-year benchmarks or higher by the end of second grade.	2	71%	56%	64%
	60% of FLACS ELL/LEP students will score at least the ‘Advanced’ level (Level 3) in the New York State English as a Second Language Achievement Test (NYSESLAT).	1-4	N/A	39.1%	81.2%

¹³ The state’s accountability system takes into account English language learner performance on the New York State English as a Second Language Achievement Test (NYSESLAT) exam as an alternative measure for those students who have been in an English-language school for a limited period of time. Scores on the NYSESLAT test are converted to comparable results on the ELA exam based on a specific formula.

<p>Benchmark 1B</p> <p>Use of Assessment Data</p>	<p>1B</p> <p>The school effectively and systematically uses assessment and evaluation data to improve instructional effectiveness and student learning.</p> <p>A school that fully meets this benchmark will have put in place during the life of the charter a system for the effective use of assessment data. Such a system would include at least the following elements.</p> <ul style="list-style-type: none"> ● the collection and analysis of student performance data, including data gathered from an analysis of student work pursuant to a set of well-defined and well-aligned standards; ● the use of assessment instruments and data to determine accurately whether State performance standards and other academic goals are being achieved; ● the use of assessment data to make changes and improvements, where the data indicates a need, to curriculum and instruction; ● the regular communication between teachers and administrators of assessment results and a common understanding between and among teachers and administrators of the meaning and consequences of those results; and ● the regular communication to parents of assessment data to assist them in their efforts to improve student learning and achievement. <p>More generally, a school should be able to demonstrate a system where performance standards, instruction, required student work and assessments are integrated and have led to increased student knowledge and skills.</p>
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Over the first four years of the charter, the school did not have a system in place to collect and analyze student achievement data. However, in its fifth year, the school’s instructional team has modeled the analysis and use of assessment data to inform instruction while teachers have been in the initial stages of using data for making instructional decisions.

Use of assessments to inform instruction in FLACS’ early years was limited, due in part to a school culture that did not embrace the use of assessment data to inform instruction. During the 2003-04 academic year, primarily two assessments were administered at FLACS: the Early Childhood Literacy Assessment System (ECLAS) and the Terra-Nova norm-referenced test. According to the 2003-04 SchoolWorks Third-Year Report, FLACS did not employ standardized assessments “in other areas of the curriculum on which to base additional judgments about student attainment of essential skills and knowledge.” The exception was ECLAS, which the principal and Education Director had included in the school’s Accountability Plan.

Moreover, the Third Year Report indicates that FLACS had not developed “a complementary internal assessment system [to ECLAS and Terra-Nova] for measuring progress.” In the third year of operation, FLACS was, according to SchoolWorks, “beginning to use rubrics to demonstrate proficiency among its students, but the method for collecting and tracking these assessments [was still] under development.” Further, the rubrics were not aligned to classroom curriculum or to the quarterly reports sent to parents.

During the Institute's visit to FLACS during the 2004-05 school year, as compared to the previous academic year, more internal assessments were utilized for ELA, including DIBELS (Dynamic Indicators of Basic Early Literacy Skills) and DRA (Developmental Reading Assessment). The school's assistant principal/education director began working with teachers to interpret and analyze the information the assessments provided on student achievement; however, the analysis had limited impact on how teachers modified their instruction or increased their instructional rigor. Further, though writing rubrics were common throughout the school, FLACS had not implemented a set of internal rubrics that defined for students what students needed to produce in order to meet the demands of the New York State performance standards for writing at the fourth grade level.

In contrast to the earlier years, at the start of FLACS's fifth year, the school's instructional leadership team was analyzing student data and modeling the analyses for teachers. To increase the use of student data to inform instruction, FLACS also hired a data specialist who, in November 2005, was essentially working full-time. The data specialist's role is to gather and analyze assessment data. For example, the data specialist disaggregated Terra-Nova ELA and math scores according to individual students' demonstrated skill level and made a comparison with previous years. The multi-year comparison is color coded to facilitate teachers' use of the report to determine quickly whether a student's particular skill level has decreased, remained relatively constant, or increased. This analysis is then shared with the literacy coaches and the entire instructional team (comprised of the principal, two literacy coaches/staff developers, data specialist and special education coordinator/test coordinator). School-wide performance data is also presented to, and discussed among, the teaching staff as well as the board of directors to help evaluate the effectiveness of the school's academic programs.

Further, the literacy coaches and, to some extent, the data specialist, are currently working with teachers to use assessment information to inform instruction. For example, staff developers spend time in grade level meetings looking at Terra Nova results in order to identify individual students' skills in need of improvement. The data specialist has met with some teachers individually to analyze assessment data.

In response to the instructional team's 2005-06 focus on rubric assessments of students, all first through fifth grade classrooms had posted rubrics on the walls, especially writing-related rubrics. However, these rubrics often did not reflect a particular assignment: they often focused on the process of student work rather than the content of a particular lesson.

It is important to note that in the 2005-06 school year, though FLACS has in general placed greater emphasis on the analysis of assessments than in previous years, this emphasis is directed more toward using assessment information to inform ELA instruction than toward instruction in other subjects. While there are weekly assessments in ELA and math, as well as end-of-unit assessments in ELA, math, social studies and science, the focus of assessment analyses remains on ELA. Most of the standardized assessments are deliberately focused on reading/literacy and writing. Indeed, at the time of the renewal visit, the administration called the school's staff developers "literacy coaches", reflecting the deliberate attention paid to ELA. The plan is to expand their field of activity to incorporate other subjects when the ELA assessment system is fully in place.

At the time of the renewal visit, teachers were not yet independently using the assessment data, but were still relying on the literacy coaches/staff developers to guide them. For example, while a literacy coach skillfully facilitated fourth grade meetings, and thereby contributed to meaningful professional development experiences, the teachers were not yet able to interpret accurately student achievement data or to select appropriate instructional strategies to address the areas in which students were weak. Similarly, while writing rubrics were posted alongside student work in the fourth grade classrooms and the use of these rubrics had become routine among the teachers, the teachers reported that they had never participated in a grade-norming process, nor had they jointly analyzed a piece of student work using the rubric.

More generally, teachers have assessment binders in their classrooms; yet, there was little evidence that they were using them regularly. The data specialist indicated that teachers were "coming around to appreciating the importance of numbers" in the assessment data, but that understanding how to use the numbers would require more work.

Teachers regularly communicate with parents about their children's performance. The school sends out formal reports in conjunction with parent/teacher conferences three times a year. They also send home brief written

reports of student's progress, based on assessment results, and make calls to parents or send home notes as warranted.

In the fourth year of the charter, FLACS had instituted Saturday and Summer School programs for students, based on test results and teacher observations. Students whose promotion-is-in-doubt are requested to attend Saturday School (February-May) and Summer School to receive additional instructional support and attention; only those Saturday School students whose TerraNova scores have shown significant improvement are not strongly encouraged to attend Summer School. In 2004, a list of students at-risk of academic failure was generated in each class according to reading and math scores on standardized tests (including DIBELS, DRA and ECLAS), end-of-unit assessments, writing samples and teacher observations. Teachers met with the principal to discuss each listed student to determine whether the student should attend Saturday School.

Benchmark 1C
Curriculum

1C

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

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

The school has recently defined with precision the essential knowledge and skills in English language arts, writing and mathematics that all students are expected to achieve and that meet state performance standards. It has laid the groundwork for an instructional program that is organized, cohesive, and seamless from grade to grade.

FLACS implemented many curricular changes over the life of the charter. During the first four years of the charter, FLACS did not define with precision the essential knowledge and skills that all students are expected to achieve. One teacher who taught during the first two years at FLACS said that she had “felt lost” because there was no easily identifiable curriculum. The absence of a common understanding resulted in wide variations of content delivery and methods of classroom instruction. Near the end of its third year, FLACS began the gradual and deliberate transition to new curricular models, resulting in a precise definition of desired student knowledge and skills in 2005-06.

Consider the English language arts curriculum. Early in the life of the charter, Family Life Academy Charter School based its literacy program on the Teachers College, Columbia University - *Reading and Writing Program*. However, according to staff that had been present during the early years of the charter, the manner in which the Teacher’s College program was implemented resulted in an unclear scope and sequence for teachers to follow. To them, it represented more of a teaching philosophy and less of a teaching script with prescriptive guidelines. With 2004-05 as a year of transition, FLACS continued to use the *Reading and Writing Program*, but began infusing Harcourt Brace *Trophies* reading into the curriculum, which, as a clearly defined and relatively prescriptive program, provided teachers with more instructional guidance. In the fifth year of the charter (2005-06, after the principal’s deliberate two-year curriculum transition, the English language arts curriculum has now become clearly defined for all instructional staff.

The evolution of the mathematics curriculum has paralleled that of ELA. In the early years of the charter, all grades utilized *Everyday Math*, which contains a range of materials and manipulatives. In the third year of the charter, the school began adding supplements, such as *Measuring Up*, to the math program in order to teach computational skills that the school identified as lacking. At the end of the 2004-05 school year, in order to, in the current principal’s words, “build the skills that students needed” and give students more opportunity to master mathematical concepts, FLACS completely replaced *Everyday Math* with *Saxon Math*.

In the 2005-06 school year, the curriculum at FLACS is well defined and aligned with state standards. The school administration has gone to some length to ensure that curriculum and instruction at the school are vertically aligned in both content and skill and tied to state standards. The school is using the following texts, all tied to state standards: *Trophies* reading program, *Saxon Math*, *Strategies for Writers*, and the Harcourt-Brace textbook-based curricula for science and social studies. Furthermore, FLACS’ instructional team has implemented reading program “pacing charts,” which teachers generally follow. This parallel instruction ensures a common curricular vocabulary – including guided reading, math meeting board, peer-to-peer reading and end-of-story test – and aids teachers in sharing instructional strategies and best practices. In addition to common classroom texts, FLACS promotes seamless curricula from grade to grade with “curriculum binders,” containing scope and sequences for each of the core academic subjects for the grades above and below each teacher’s assignment.

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

Instructional Leadership

Starting in its third year under clear direction of the school’s third principal; FLACS has taken deliberate steps to develop into a school with a clearly defined and comprehensive curriculum, an internal teacher support system and a positive learning environment. However, because of the recent implementation of these changes, the effectiveness of this organization has not yet been demonstrated.

In its fifth year, with a new administrative structure, the principal spends a large proportion of the school day in classrooms and, with significant support from the instructional team, is the instructional leader of the school. In this capacity, the principal has emphasized aligning curriculum and assessment to standards, increasing the rigor of instruction and teacher expectations, and providing special support to students who are struggling academically, especially English language learners (ELLs). Teachers’ instructional programs are aligned school-wide and clearly defined, made possible by the principal inspiring their commitment to the redesigned instructional program.

The Family Life Academy Charter School experienced a succession of leadership changes during its first three years. Three principals in three years resulted in confusion among some staff about the school’s educational leadership and direction. For example, during the 2002-03 school year, the morale among a significant number

of teachers was low, in part because teachers did not receive sufficient instructional guidance and support. In fact, during the school's first two years, the lesson plans for some teachers were never reviewed by an instructional leader. The Institute's 2002-03 report states: "No mechanism exists to ensure alignment of teachers' lessons to the school's curriculum as well as with the state standards."

When the current principal began at FLACS in September 2003, she began a deliberate, strategic process to set up the necessary structures at the school to promote academic success. The process of change was intentionally gradual in order to get as much buy-in as possible from teachers and minimize teacher turnover. In the early part of the 2003-04 school year, after going through a process to promote greater commitment from staff, the principal changed teachers' schedules to ensure all teachers received at least one common prep period per week. Additionally, the principal began instituting other supportive structures that were hitherto not used, such as memoranda on school letterhead (different from Rapid Memos described later).

At the end of the 2003-04 school year, the principal began, with input from some teachers, critiquing and analyzing the curriculum and instructional program. The results of the analysis led the principal to implement a series of changes during the 2004-05 school year. These changes included implementing more student assessments, transitioning to a curriculum that was more clearly standards-based, and relying less on staff developers from outside of FLACS.

In 2004-05, the principal continued this deliberative strategy of school-wide change. Some examples were alluded to earlier, such as the ELA curriculum transition from the Teachers College program to *Trophies*. In addition to creating a part-time literacy coach position, an ESL teacher position was created to begin to address the needs of ELLs. Also, the principal instituted a system of lead teachers. Further, the principal began the process of working with the teachers to help them understand the utility of student assessment data.

The principal's deliberative style of educational change enhanced the professional investment of a significant number of staff. For example when the principal first arrived there was an "anti-testing" culture at FLACS. When faced with this antipathy and in order to help teachers understand student test anxiety, the principal had teachers take the Regents exam without preparation. After taking the Regents, teachers began to understand the importance of preparing for tests and the "anti-testing" environment began to change.

By the current school year, the principal had the commitment and support of teachers for the instructional program and for herself as the school leader. They generally welcome the ELA and mathematics programs and are supportive of the school's staffing changes, whereby a one-teacher-in-a-class model has replaced a two-teacher model.

The principal, with support from the instructional team, has created a school environment of high expectations. The principal has, according to one literacy coach, "raised the bar this year" in teachers' higher student expectations and adherence to standards. For example, teachers now have flip charts of standards and must have lesson plans completed and ready for review. Teachers referred to the current principal's higher expectations with appreciation, saying that they finally had an instructional leader. Teachers' assertions of approval included: "...the principal is a great leader who is very committed." "The principal has a great deal of experience and knows what a school should look like." "The principal is clearly the instructional leader in the school". "Since the current principal came, it is a completely different environment; the school had been a nightmare."¹⁴

The fourth grade teachers alluded to the strength of the principal as an instructional leader. From questions about the use of student assessment data at the school to support for at-risk students, the teachers were able to

¹⁴ When asked what the school was like before the arrival of the principal a few years ago, one teacher stated that the school was "not as organized" and that there was "no set standard" for how children should be learning. She also stated that there were "no expectations around how bulletin boards or the classroom library should be organized" and that the "goals and tasks" of the teachers were unclear." The teacher also stated that there was "a lot of struggle between teachers and administration" and that "things were thrown at you in the last minute." She stated that the work of teaching was not a priority, as teachers were often "pulled away from teaching" to do other things.

clearly state the expectations of their principal. One teacher stated that during their grade level planning time, the principal often calls the classroom to check on their progress. Both teachers stated that she visits classrooms regularly, reviews and provides feedback on lesson plans approximately two times a month, and discusses student assessment data with them on a regular basis.

Instructional Quality

At the time of the Institute’s visit, the academic learning environment at the school was one in which teaching and learning were valued and supported; there was a clear and strong focus on achievement goals. In its fifth year, classroom practice reflects competent teaching and instructional strategies that effectively engaged students, yet classroom instruction did not champion critical thinking skills.

During the first four years of the charter, the effectiveness of classroom instruction at FLACS varied, but was generally less effective in Spanish-dominant classes. In its first End-of-Year Report, at the end of the 2001-02 school year, the Institute indicated that classroom instruction “varied in purposefulness and effectiveness ... these characteristics were particularly evident in the school’s bilingual classrooms.” According to the Institute’s second End-of-Year Report (2002-03), teachers generally could not articulate exactly what the curriculum included or why it included particular elements and materials. SchoolWorks, in its Third-Year Report (2003-04), indicated that some teachers pushed students’ “understanding of concepts” while other lessons required “little intellectual involvement on the part of the students.” The report continued that, while teachers employed an often-appropriate array of instructional strategies, “the instructional quality was weaker in general in the bilingual classrooms. Students were held to less rigorous standards by the Spanish teachers in the quality of work they produced.” They also noted that, based on archived work samples, student work products were often not rigorous. During a 2004-05 Institute visit, some teachers utilized sufficient teaching strategies to increase student learning and achievement while several other teachers ran classrooms wherein students were compliant and well behaved but not fully intellectually engaged.

In its fifth year, the academic learning environment at FLACS is one in which teaching and learning are valued and supported with a clear and strong focus on achievement goals. Every teacher is cognizant of the school’s achievement goals, articulated by the principal and instructional team, and following the same plan on how to achieve those goals.

All teachers teach the same lesson on the same day as their grade level counterparts. If they are not, on a given day, they are able to give clear pedagogical reasons for their divergence. For example, a second grade teacher was asked why she was not presenting the same lesson as her grade level partner. She explained that her students needed more time to grasp an earlier lesson and that she would teach the regularly scheduled lesson later in the period. One teacher, in referring to the principal, stated: “She’s driven, and it rubs off on all teachers.”

Classroom practice reflects competent teaching and instructional strategies. Teachers employ a wide array of instructional practices. For example, in contrast to earlier years, Sheltered English strategies are prevalent across all grade levels. For example during the renewal visit, a team member observed a second-grade teacher employ the following instructional strategies:

modeling; teaching vocabulary before an assigned reading passage; checking comprehension during a teacher read-aloud; validating student comprehension by asking the less competent students questions about the material; and assigning (verbally) a page (to read) and concurrently writing the page on the bulletin board.

The visiting team observed that teachers engaged students. For example, in both fourth grade classrooms, teachers used a variety of techniques to help students connect with the instructional material and maximize time on task. The classroom environments clearly reflected an emphasis on teaching and learning. Classroom walls were thoughtfully adorned with posters and other materials that could be used for student reference, as well as various samples of graded student work. The arrangement of student furniture, provision of student materials, and evidence of routines provided smooth transitions between learning activities. The aim for lessons was clearly written on the white board, and verbally communicated to students at the beginning of each lesson. Teachers skillfully balanced teacher-centered learning with opportunities for collaborative, independent, learning.

While students were on task and engaged, classroom instruction did not promote critical thinking skills. For instance, in one grade-level, teachers, after a 15-minute guided reading period, asked only one or two questions about the sequence of events in the storyline, rather than fully drawing the students into a more reflective discussion on the themes and hidden meanings of the story. In another grade, there was little evidence other than the 15-minute morning ‘read-aloud’ that reflective thinking and analysis of text was an explicit instructional goal. In failing to elaborate on, or embellish, the scripted material in annotated textbooks, teachers frequently presented one-dimensional lessons.

Although teachers stated that they received regular feedback on their lesson plans from both the principal and literacy coach, their lesson plans were written in general terms, lacking specificity and suggesting that they considered the plans to be a procedural guide rather than a structure for carefully designing student learning opportunities. The school’s instructional leader acknowledged that, in FLACS’s fifth year, teachers were not yet actively promoting critical thinking skills.

At-risk Students

During the first three years of the charter, the school did not have effective programs to meet the needs of special education students and others who are at risk of academic failure, especially English language learners (ELLs). Starting in the fourth year, the school began to implement a number of initiatives to address the needs of these students. By its fifth year, the school became actively engaged in implementing a comprehensive strategy for enabling English language learners to develop competence in English.

With the exception of the first year of operation, there was always a large, identified English language learner population at FLACS. Yet at the beginning of the 2003-04 school year, despite the presence of a large group of ELL students, staff had little awareness of ELL instructional needs and there was little-to-no modified instruction for them. Aside from including bilingual teachers on the staff, there was no clearly defined or implemented ELL program.

Beginning in the fourth year (2004-05), a fully developed ELL program was introduced. A full-time English-as-a-second-language (ESL) teacher was added to the staff, who in addition to “pull-out” and “push-in” services worked with classroom teachers during prep periods to help them to understand and implement instructional strategies specific to ELL students. During the same year, additional strategies were put in place to meet the needs of other students at-risk of academic failure. For example, FLACS implemented a Saturday school program for at-risk students, based on an analysis of standardized test results, in-class assessments and teacher observations.

In the fifth school year (2005-06), 45 percent of all students were designated ELLs. In addition to continuing to utilize a full-time ESL teacher, FLACS began implementing a school-wide strategy to increase their learning and English acquisition. Recognizing that the school needed assistance in addition to the full-time ESL teacher, the school has undertaken four initiatives: 1) getting current teachers better versed in Sheltered English strategies;¹⁵ 2) refocusing the current ESL teacher to provide more direct support to students, rather than providing professional development; 3) hiring an additional ESL teacher; and 4) refining the Sheltered English model. FLACS has begun working with Lehman College to provide professional development on Sheltered English strategies. At the time of the renewal visit, the principal had not yet identified and hired a second ESL teacher.

In all grade levels, English is the primary language of instruction at all times. This approach is a significant departure from the original charter application, which called for a bilingual/immersion program in Kindergarten and first grade in which English and Spanish were to be the dual languages of instruction. In sum, FLACS has made progress in meeting the needs of its ELLs but, in part because it has yet to hire an additional ESL teacher, has not met all the needs of the English language learners.

¹⁵ The 2005-06 FLACS Sheltered English model is in place well defined. One kindergarten and one first grade classroom are comprised exclusively of ELLs; beginning in the second grade, all classrooms are composed of a mix of ELL and English-dominant students. English is the primary language of instruction in all grades; this year’s lesson plan format includes a teacher checklist of Sheltered English strategies.

Currently, in addition to ELL students, a child study team monitors and coordinates interventions to be provided to at-risk students. Based on teacher interviews during the renewal visit and noted in the renewal application, the school's child study team is active, holding monthly meetings where teachers present anecdotal records of students for whom there are concerns. After hearing the concerns, the team makes a recommendation to have either the teacher use other strategies in the class or have a special educator observe the child to determine if a formal evaluation is warranted, based on the Pre-Referral Intervention Manual (PRIM).

It is also noteworthy that, like the previous school year, in 2005-06 FLACS has a well defined process for identifying students in need of Saturday and Summer School, both of which are designed to assist students at-risk of academic failure.

While the school has strategies and a proper framework in place to meet the needs of students at-risk of academic failure, and to meet the needs of its relatively large percentage of English language learners (ELLs) as set forth in Benchmark 2E below, some Special Education (SPED) students are not receiving all services as written on their Individualized Education Programs (IEPs) largely due to factors beyond the school's control.

During 2002-03, the Institute found the program for SPED students to be struggling. The two SPED instructors had admittedly not fully "figured out" their role and the school was trying to provide all services on a push-in basis, which the SPED instructors said was not working. At that time, SPED instructors were also not included in grade-level and other meetings on academic progress. During the 2003-04 school year, the State Education Department detailed many and a broad range of deficiencies in the school's delivery of SPED services, which became the subject a Compliance Assurance Plan of the Department. The provisions of this plan appear to have largely been met, and the program's policies and procedures have clearly improved. One piece of the Compliance Assurance Plan that has not been met was the school's hiring of a bilingual SPED instructor. While such a person would likely be beneficial to the school, the Institute notes that even the NYC District, which must by law provide SPED services the school cannot, is apparently unable to hire and retain enough bilingual SPED teachers.

The school currently has a SPED coordinator, a certified SPED teacher (who is not bilingual and has four years of experience), and an ELL instructor, all of whom are members of the school's child study team ("CST") together with the principal. The school provides both push-in and pull-out SPED services. The school states that students scoring a 1 or 2 on state standardized test also receive non-IEP support. The CST meets monthly to identify problems, implement strategies and review students' progress. The CST uses a PRIM (Pre-Referral Intervention Manual) for identification of students at-risk of academic failure, but the SPED coordinator stated this does not prevent referrals to the Committee on Special Education (CSE) from being made sooner in appropriate cases. Intervention strategies usually last 2-3 months before CSE referrals are made. The CST also makes CSE referrals for new IEPs or changes thereto. There is a written referral process for sending students to the CST. In July of 2005 the school provided a two-week training on preventing academic failure to its SPED instructor, a bilingual kindergarten teacher and its Kindergarten through second grade literacy coach.

The SPED coordinator and general education teacher attend CSE meetings regarding students, but not the SPED instructor. The CSE comes to the school to perform annual and triennial reviews of students' IEPs. The school describes its relationship with the CSE as good. Speech therapy, occupational and physical therapy, and counseling are all provided by the NYC School District with some consultants on call for the school. No students are sent out of the school for special settings. The school uses IEP and non-IEP behavioral intervention plans. There was evidence that each teacher receives a copy of an IEP for any SPED student in his or her class. At the time of the renewal visit, 28 students had IEPs with one not properly updated and four to five in need of revision based on teacher assessments.

<p>Benchmark 1E</p> <p>Teaching Staff</p>	<p>1E</p> <p>The school’s instructional staff is qualified to implement the school as envisioned in the charter. Teachers are competent in their assigned content area and generally use instructional practices that lead to student academic success.</p> <p>A school that meets this benchmark will be able to demonstrate that teachers are competent in their assigned content area and generally use instructional practices that lead to student academic success. (While handled under the benchmark for legal and charter compliance, it is important to note that a school must also be able to demonstrate that teachers are certified or otherwise qualified under both federal and state law with few exceptions. In instances where the school has not been in compliance with this requirement of law, the school should be able to show that it has taken swift and appropriate remedial measures.)</p>
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Over the life of the charter, teachers have improved their skill in delivering instruction, but their subject area knowledge has remained inconsistent.

On various classroom observations during the renewal visit, teachers presented incorrect content information to students, displaying the teacher’s own lack of understanding of the material being taught. For example, one teacher incorrectly defined “cause” as “what happened,” and “effect” as “why it happened.” Another teacher said \$0.10 was 100 cents. Additionally, in a lesson about “friendly letters” the teacher could not succinctly explain types of friendly letters, from whom one could potentially get a letter, and reasons for writing a friendly letter. Further, the inadequate content knowledge of some teachers is manifest in the teachers’ high reliance on teacher guides rather than going off-script to tie in content area subjects (*i.e.* social studies or science) with the English language arts curriculum. As a result of the teachers’ inadequate command of the content of their curriculum, their students are at some risk for academic failure.

Parallel to the lack of subject area knowledge is the high rate of uncertified teachers over the life of the charter. The percentages of uncertified teachers in each of the school’s five academic years are: 86 percent uncertified in 2001-02; 67 percent uncertified in 2002-03; 58 percent uncertified in 2003-04; 41 percent uncertified in 2004-05; and 47 percent uncertified in 2005-06.

<p>Benchmark 1F</p> <p>Student Order & Discipline</p>	<p>1F</p> <p>The school has implemented discipline policies and procedures that promote learning for all students.</p> <p>The school that meets this benchmark has documented discipline policies and procedures (for regular and special education students) and has consistently enforced those policies. As implemented and enforced, the discipline policy will have promoted calm, safe classrooms where students are required to (and not distracted from) participating fully in all learning activities. Students at a school meeting this benchmark will also generally report a reasonable sense of security. A school will also be able to provide appropriate records regarding expulsions and suspensions.</p>
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The school has successfully implemented a school wide discipline policy. Generally, the students have internalized these policies, leading to a calm and safe learning environment. Most classroom lessons and transition times between lessons and activities operate efficiently. These conditions are in contrast to the school's early years.

Early in the life of the charter, the school-wide discipline policy was not fully implemented. In the first year, the Institute found that:

classroom time was often inefficiently used. Transition times between activities were often slow... Though all classrooms included a chart indicating that a system for behavioral reinforcement putatively existed, the systems were used in a highly inconsistent manner and in some cases not at all ... Generally students in some classrooms behaved as if they anticipated being able to choose their behavior and tone with impunity.

The Institute's second year report (2002-03) states: "While the school had put in place a discipline program in the fall, little evidence was observed that it was implemented consistently or effectively in classrooms." The school's second principal was "keenly aware" of the teaching staff's need for greater skill in classroom management.

However, now student order and discipline is generally in place throughout the school resulting in a calm and safe learning environment. The school has successfully implemented a school wide discipline policy and each teacher is allowed to customize the policy for her classroom. Students arrive at school ready to learn. Class transitions are smooth. Students in hallways and stairwells displayed appropriate behavior.

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

Professional Development Program

At the time of the renewal visit, professional development was aligned with the school’s educational philosophy and was effective in helping teachers improve instruction. Professional development practices at the school are a priority of the school leadership and buttress the instructional program. The school’s calendar reflects that professional development and instructional planning are a high priority. These efforts are not yet reflected in increased student achievement.

Since opening its doors, FLACS has focused efforts on professional development. However, a significant change between the early years and later years of the charter is mode of delivery. Earlier, professional development was conducted largely by external consultants. Now professional development is provided by in-house staff. Although professional development had been extensive and aligned with the school’s mission, it did not result in high student achievement. In the fourth year of the charter (2004-05), FLACS began the transition with an emphasis on literacy.

As indicated, this school year features two new full-time, in-house staff development positions (literacy coaches) and essentially a third staff developer (data specialist). The instructional team, comprised of the staff developers, along with the special education coordinator/test coordinator and the principal, guide the delivery of the instructional program and provide support for the teachers. Teachers report that both the literacy coaches and school principal regularly visit their classrooms, giving immediate written (and in the case of the staff developer) verbal feedback.

The literacy coaches are readily available to provide specific support to teachers at their request. For example, one teacher stated that she had asked the literacy coach to come into her classroom to model a read-aloud for her,

and when discussing classroom management strategies, the same teacher reported that the literacy coach "... is going to come in and help me learn how to use nonverbal signals with the kids."

Teachers stated that the school principal calls classrooms during teachers' common planning time to ensure that teachers are on task. Moreover, professional development at FLACS is often customized for the individual teacher and her needs. One long-term substitute teacher indicated that a staff developer worked extensively with him on setting up the classroom, classroom management, and lesson sequencing. He also reported that the principal provides professional development in his new subject areas, that he meets with the principal weekly, and that "I have a lot of support here. I know exactly what's expected."

The literacy coaches participate in weekly grade level meetings, providing direct support to teachers outside of the classroom. Teachers participate in planning meetings twice a week, in which at least one is typically led by a literacy coach with a focus on a particular topic. Professional development is also included in weekly faculty meetings, usually led by the principal, in which a specific topic is discussed. Through a lead teacher system, initiated and implemented by the principal in the fourth year, the leads meet with the principal once or twice per month in order to provide feedback and direction to their grade-level team. Using this approach, the principal has enabled teachers to play active roles in the school's instructional program.

The school's calendar reflects the high priority placed on professional development and instructional planning. In 2005-06, the school's leadership has made professional development central to the implementation of *Saxon Math, Strategies for Writers* and especially *Trophies* ELA curricula as well as assisting teachers in becoming more proficient in using assessment information to drive instruction. FLACS' 2005-06 professional development plan states: "The major shift [from 2004-05] will be in providing focused staff development in the effective implementation of the *Trophies* program." Although teachers provide social studies and science instruction during two periods each per week, there is no professional development offered for social studies and only limited support for science. The absence of such support appears to reflect the current, deliberate strategy of concentrating resources on building literacy skills and on serving English language learners; however, in the long run a greater emphasis on science and social studies would help students make better connections between subject areas and aid critical thinking and creative writing, especially for the English language learners.

Teacher Evaluation

The system for evaluating teachers and enabling teacher improvement has become increasingly robust over the life of the charter. Teachers now receive relevant and helpful written and verbal feedback; however, a formal evaluation consisting of an annual performance review with goal setting, has not yet been established.

In the early years of the charter, there was no consistent system of teacher evaluation and feedback. The 2002-03 Institute report states: "The Educational Director does not routinely check lesson plans. The school relies on consultants' feedback to the teachers for affirmation that the lessons are appropriate and focused on student needs."

In 2005-06, teachers receive regular written feedback from both the principal and literacy coordinators. Further, the staff developers often meet with teachers to discuss their classroom observations. Using *Rapid Memos*, the principal regularly gives carbon copies of her written notes to teachers immediately after visits to their classrooms. A copy is placed in the teachers' files. Teachers are informally evaluated as much as three times in a given week.

Teachers do not receive more formal reviews from the principal. The principal has developed an evaluation rubric but has yet to implement it. At the time of the renewal visit, teachers had not yet received formal, written evaluations in the current school year.

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

Benchmark 2A
School Specific Non-Academic Goals

2A

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

FLACS included two non-academic goals in its Accountability Plan. It did not meet either of these Unique Measures.

Goal 1: Students will show a strong commitment to school.

Measurement: Attendance for the school at or above 93 percent.

Average daily attendance during the first four years of the charter			
2001-02	2002-03	2003-04	2004-05
92 percent	92 percent	93 percent	91 percent

Average student attendance approached the school's target in the first two years. While it reached the goal in the third year, the average declined to the lowest level in the fourth year. In its renewal application, FLACS notes that attendance rates have been affected by the long-term absentees that the school has not been able to remove from the NYC Department of Education tracking system.

Goal 2: FLACS will develop a school community that embodies its core values of responsibility, integrity, love, celebration of differences, respect, community and unlimited possibilities.

Measurement: FLACS will achieve an 80 percent return on the FLACS Parent Survey Questionnaire. The school will achieve an above average rating for a majority of areas surveyed by 80 percent of respondents.

2004-05 Overall Parent Satisfaction				
Year	Total Parents	Participating Parents	Percentage of Satisfied Parents	
			Satisfied Participating Parents	Satisfied Total Parents
Fall 2004	195	80	84 percent	34 percent
Winter, 2004	195	90	89 percent	41 percent
Spring, 2005	195	80	90 percent	37 percent

As FLACS did not achieve an 80 percent return on the FLACS Parent Survey, it did not meet the measure.

<p>Benchmark 2B</p> <p>Mission & Design Elements</p>	<p>2B</p> <p>The school is faithful to its mission and has implemented the key design elements included in its charter.</p> <p>The school that meets this benchmark has school Board members, parents, teachers, school leader(s) and community partners that consistently present evidence of the school’s success with reference to the school’s mission and the key design elements included in its charter application. Key elements of the school’s design are well implemented and the school’s academic results, governance, and instructional practices reflect the mission of the school.</p>
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As stated in its mission, FLACS has created an orderly and nurturing environment. The school climate is warm, supportive, and familial. FLACS’s nurturing environment is evident in ongoing character development initiatives. For example, in the 2002-03 school year, the school started a children’s Aikido class to fulfill its mission of inculcating responsibility, integrity and respect in the lives of its students. In addition, a joint service-learning project between students and the New York City Parks Department to plant and maintain a nearby park was instituted. Beginning in 2003-04, in order to improve teacher morale and generate greater camaraderie among teachers, the principal began working with teachers to develop attractive and orderly classrooms to demonstrate to students the respect that teachers had for students. The 2003-04 Third Year SchoolWorks report states: “At Family Life Academy Charter School, the stakeholders understand the importance of the promises in the school’s mission statement. In an interview with the Board of Trustees, they expressed a clear understanding of the school’s mission.”

In 2005-06, FLACS continues to be faithful to its mission. Students show enthusiasm toward learning and conduct themselves with respect for themselves, and their peers. Teachers and staff speak to and of each other with respect and friendliness. Further, there are a number of community-building events that are sponsored by the school, such as “Breakfast with Mom,” “Donuts with Dad,” and spaghetti dinners. One of the literacy coaches has begun a voluntary professional development study group for teachers. Moreover, the principal is involved in the daily lives of students and their families as evidenced by her knowing all students by name and standing outside of the school at the beginning and end of every school day to greet, and say good-bye to the students and their families.

FLACS’s original charter includes the following key design elements:

1. an engaging, multicultural curriculum shaped around genre and theme studies that fosters depth of learning and purposeful inquiry;
2. innovative instructional strategies which place the student at the center of the learning experience and honor the individual path and potential of each person within the school community;
3. a focused, inquiry-based learning environment that encourages and inspires students to grow academically and personally;
4. a reflection on outcomes which informs future practice to increase learning opportunities for all students;
5. a 185-day school year (changed in May, 2004) and an extended school day;
6. a team of caring and committed educators supported by a comprehensive professional development program;
7. a new model of collaboration in which all members of the school community work together to model life-long learning, and the character and ethical values inherent in the school’s mission; and
8. a looping instructional practice where teacher teams remain with students for three consecutive years for greater learning and continuity and stronger relationships.

Of the original key design elements, two have clearly been in place over the life of the charter: the extended school day and a comprehensive professional development program. The first three elements refer primarily to tenets of the Teachers College *Reading and Writing Program*, which has been phased out. The “reflections on

outcomes” is just being put in place in the fifth year of the charter through the focus on student assessments informing instruction. The school initially had a 200 day school year, which was shortened because a low rate of student attendance and teacher participation in August. “A new model of collaboration” is manifest in the school’s community activities, the camaraderie and efforts to build a learning community among staff. The final element, “looping teacher teams,” is not a school practice.

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

Board Policies Including Conflicts of Interest

While the school’s board of trustees has generally implemented appropriate policies, systems and processes, and appears to have abided by them (with exceptions noted below and under Benchmark 2E), certain policies have not been updated and others have technical deficiencies.

The school maintains an annual Policies and Procedures publication that covers a wide variety of topics adequately. Some of the policies overlap with the school’s Parent / Student Handbook, which is also published annually. The school also has other written policies and procedures. As a whole these policies provide a solid framework for the school’s operation. There was also ample evidence that policies were being reviewed and updated. However, as set forth below, there are some noticeable gaps.

The school’s policies only make unnamed references to the federal Family Educational Rights and Privacy Act (FERPA), which offers protection for the confidentiality of student records. While the school had a sign-in / sign-out sheet for access to student records, there was little evidence of compliance with the other provisions of FERPA.

Although the school's policies and procedures address fingerprinting, and contain an obligation of employees to update background information with any convictions, based on the lack of compliance with the school's obligation to conduct fingerprint supported criminal background checks for all employees (see Benchmark 2E), the school needed a more comprehensive policy and to assign a responsible employee for ensuring proper clearances had been obtained. As the law mandates new hires cannot enter the school building when children are present without at least having prints submitted to the Department and an emergency conditional clearance from the school board, the school's policy, which contains a reference to employees having to be fingerprinted within two weeks of hire, is also misleading at best.

While the school recently updated its Freedom of Information Law (FOIL) policy in accordance with advice offered by the Institute, the school's FOIL policy was deficient in terms of stating the proper entity or person handling appeal of denial of access to records. Further, the school did not have the required FOIL notice posted within the school. Separately, the version of the complaint policy for teachers does not reference appeals to the Institute (on behalf of the State University Board of Trustees) for violations of the charter or law. Separately, the school's policy related to public meetings makes reference to "closed" meetings, when all such discussions should be in the context of an executive session within an open meeting pursuant to the Open Meetings Law.

More significantly, the school has not been abiding by its bylaws in at least one material respect. There was no evidence that the board is holding proper elections for trustees or staggering terms as set forth in the schools bylaws. Even the school's renewal application states that trustees hold office "until resignation." As a result, the school will have to amend its renewal application to reflect staggered board terms in alignment with its bylaws, and, as part of a corrective action, demonstrate proper re-election of school trustees. Based on the lack of board minutes received by the Institute (discussed in Benchmark 2E), it was not clear in the past if the board had been meeting every month as set forth in the bylaws. More recently, it appears the school is largely following this provision.

Except as set forth in Benchmark 2E, which relates to a 2002 incident, the school appears to have generally abided by its code of ethics and a separate conflicts-of-interest provision in the school's bylaws. We note that a discussion in the June 2003 board minutes related to renovation and consultant contracts raise issues related to conflicts with persons formerly involved with the school. The board chair, however, properly noted that projects involving federal grant funds must be competitively bid and the board resolved to allow the person at issue to be the project manager rather than be awarded the contract. While it appears this issue was resolved without violating the terms of the grant, the board would have been better served by consulting outside counsel on such issues.

Based on all of the foregoing, the school generally has met the requirements of this benchmark related to conflicts of interest.

Governance

FLACS is partnered with and housed in the Latino Pastoral Action Center (LPAC), "a multipurpose community-based organization that has organized itself to rebuild the Highbridge community in order to create social capital for children and their families." Throughout the term of the charter, the school's board has been concerned with maintaining sufficient separation from the management of LPAC. The executive director of LPAC also chaired the FLACS board of trustees until September 2003. With the departure over time of board members, the FLACS board has had difficulty recruiting sufficient non-LPAC affiliated board members. In July 2002, the Institute warned that FLACS risked being placed on probation if it did not produce documentation demonstrating all board vacancies had been filled or what efforts were being taken to fill them.

In the last two years, with the principal providing guidance, the board has developed its understanding of critical policy issues in establishing a quality educational program and effective board oversight. Board members have become well versed in the subjects of delivering instruction and using assessment data. The board has begun to conduct annual evaluations of the director's performance.

During the first two years of the charter, the board made significant managerial and operational changes. The Board dismissed two principals in the first two years. Under the direction of the board, the management structure changed several times in an effort to improve teaching and learning. The board also changed auditors.

It was the third principal that, beginning in the 2003-04 school year, enabled the board to begin to understand the necessary elements of a high quality educational program and effective board oversight. For example, early in the charter the board did not realize that data on the progress of students was critical to making deliberate and timely staffing decisions. Now the board, in understanding the need for using assessments effectively, supported the principal's hiring of the current data specialist. With support from the principal, the board oversaw transforming the English language learner program from a dual language model, as called for in the original charter, to a Sheltered English model.

The board is beginning to assume more active oversight, as evidenced by the formal evaluation of the principal for her 2004-05 school year performance. While the process included sharing the evaluation tool with the principal so that she was aware of how she would eventually be held accountable, the outcome of the review did not include mutually agreed-upon goal setting for her future performance.

In addition to management oversight, the board also administered the physical development of the school. FLACS originally leased first floor and basement space from LPAC. FLACS received an \$835,000 federal construction grant to permit renovation and expansion of the second floor of the LPAC facility. Classrooms were painted and have new drop-ceilings, lighting, doors and tiles. Three new classrooms were built in the basement and bathrooms on the second and basement floors were retiled, painted and new partitions installed.

<p>Benchmark 2D</p> <p>Parents & Students</p>	<p>2D</p> <p>Parents/guardians and students are satisfied with the school as evidenced by survey results as well as the volume of parents who choose the school to provide education for their children and the degree to which parents persist with that choice over the child’s academic career.</p> <p>The school that satisfies this benchmark will be able to show through generally accepted surveying standards and practices that a large majority of all parents with students enrolled at the school are satisfied with the school. As only a well-informed parent can be meaningfully satisfied, the school must be able to show that it has provided to parents detailed and accurate information about their child’s performance as well as the performance of the school as a whole. The school should also be able to provide data on application lottery, enrollment and persistence rates to demonstrate that large numbers of parents seek entrance to the school, and far more importantly, keep their children enrolled year-to-year. Ideal survey data will also provide an explanation for the persistence rate experienced by the school.</p>
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Over the life of the charter, in responding to the school’s Parent Satisfaction Survey, parents have expressed approval of the school’s program; however, the sentiments are based on a low response rate. As such, the results cannot in themselves be generalized to apply to the entire parent population.

While parents who have returned opinion surveys indicate a 90 percent or higher satisfaction rate with the school and its education program, only approximately 40 percent of the parent population responded each year, a rate too low to be considered representative of parental opinion in general.

The 2003-04 SchoolWorks report indicated that participants in a student focus group expressed an enthusiasm for the programs in place at the school. Participants in the parents’ focus group “were enthusiastically satisfied with the opportunity provided for their children” by FLACS. Further, the report stated that the school communicates regularly with parents through written notices and in-person opportunities. It is important to note that communication with parents was always provided in both English and Spanish. Consequently, parents were well informed about what was happening at the school.

In a focus group of parents conducted during the renewal visit, all parents asserted that there are appropriate and significant communications between the school and parents, often consisting of regular teacher phone calls to parents’ homes. Also, all parents indicated that FLACS has the feel of a “family.” Additionally, it is noteworthy that an extraordinary number of parents attended a school-wide parent meeting in which the Institute presented the school’s renewal prospects.

<p>Benchmark 2E</p> <p>Legal Requirements</p>	<p>2E</p> <p>The school has substantially complied with applicable laws, rules and regulations and the provisions of its charter.</p> <p>A school that meets this benchmark will have compiled a record of substantial compliance with the terms of its charter and applicable laws and regulations. In addition, at the time of renewal, the school will be in substantial compliance with the terms of its charter and applicable laws and regulations. Such school will have maintained and have had in place effective systems and controls for ensuring that legal and charter requirements were and are met. A school should also be able to demonstrate that the school has an active and ongoing relationship with independent legal counsel that reviews relevant policies, documents, and incidents and makes recommendations as needed.</p>
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The school appears to have maintained and had in place effective systems and controls for ensuring that legal and charter requirements were and are met with a few notable exceptions, past and present.

As part of a compliance review, the Institute reviewed steps the school took in response to the New York State Education Department’s Third Year Monitoring Report dated April 15, 2004 and other correspondence, including a review of Special Education programs (“SPED”), which outlined certain instances of non-compliance. Areas noted by the State Education Department (the “Department”) included teacher certification, provision of alternative instruction for suspended students, provision of SPED services, an invalid certificate of occupancy and school safety plan. Prior Institute visits also revealed deficiencies in the delivery of SPED services (January and October, 2002) and facilities issues, which were the subject of an informal complaint to the Institute in 2002. An area of concern noted by the Institute during the renewal visit was the completion of fingerprint supported criminal background checks for all school employees.

The Department’s Third Year Monitoring Report noted that 12 of 21 teachers at the school were not certified in violation of Education Law subdivision 2854(3)(a-1), which allows no more than five uncertified teachers. At the time of the renewal visit and based on the school’s renewal application nine out of 20 teachers were not certified. The school stated that many if not all of the four teachers over the limit had submitted paperwork to the Department for certification or had taken tests in October 2005, which would allow them to be certified. In addition, at least one of the teachers who was not certified did not have evidence that she was “highly qualified” under the federal No Child Left Behind Act (NCLB). The school is required to have its teachers highly qualified under the NCLB now rather than at the end of the 2005-06 school year because it is accepting federal Title funding. As a result of the foregoing, the Institute will seek to implement a corrective plan for the school, but will not make compliance a condition of renewal.

The Department found that the school was not providing alternative instruction to students within 24 hours of suspensions, especially students suspended out-of-school. According to the principal, the school has changed its disciplinary practices since the time of the Department’s visit. The school does not suspend students out-of-school very often, and has not had occasion to do so this school year. When students are suspended in-school, they either go to another class (section) for instruction or to the principal’s office where their work on assignments is supervised. If the school had to provide outside alternative instruction, the principal said the children would have to come in early (which parents dislike) or a substitute would be sent to a child’s home. Alternative instruction is also noted in the school’s discipline policy and procedures in relation to both in- and out-of-school suspensions and expulsions.

In the past the school has struggled with properly providing SPED services to children with disabilities. In particular, some children with prior Individual Education Programs (IEPs) or who should have been referred to the Committee on Special Education for an IEP, did not have IEPs. Other children, who had IEPs, were not receiving all of the services called for by their IEPs. Also, children who were Spanish language dominant were

not receiving SPED services from certified and bilingual SPED instructors. The SPED compliance issues previously raised by the Department and the Institute appear to largely have been resolved. However, one student who should have received speech therapy from the beginning of the school year had just begun receiving it at the time of the renewal visit. Further, students who were supposed to receive bilingual SPED services were still not receiving same even though the school has properly requested that the New York City School District provide same. (The school was instructed to contact the Department regarding same to ensure that the district continues to search for bilingual SPED providers; this may be an issue where the Department, as the State Education Agency (SEA) under federal law, must take steps to provide certified instructors for such special services.) There was no evidence that the school is directing English language learners (ELLs) to the CSE in violation of federal law, and the school has mechanisms in place to prevent same, including having the ELL instructor sit on its child study team.

The Institute requested a copy of the school's latest certificate of occupancy because the Department noted that it had expired at the time of the Department's visit. The temporary certificate is valid through January 29, 2006, at which time the school must renew it and have completed the nine outstanding requirements referenced on the certificate. The facilities issues noted in 2002 by the Institute and about which a complaint was made and investigated by the Institute all appear to have been resolved. The only remaining facility issue is related to completion of work on an elevator that services the school and is related to costs. As the school does not have any children that require an elevator, the issue is not causing any apparent violations of disability law at this time.

In late 2001 and 2002, the school board failed to take and approve minutes for board meetings and did not maintain the number of school trustees required by the school's bylaws. Ultimately, the school's board of trustees did not provide minutes of monthly board meetings in violation of the school's Monitoring Plan in its charter for the period from July 2002 to June 2003, which may also constitute a violation of the Open Meetings Law if the minutes were never taken. Also in 2002, the school board failed to appropriately consider and endorse the renovation of certain portions of its facility and did not properly approve a contract for renovation costs, which were paid for by the Latino Pastoral Action Committee (LPAC), the school's institutional partner. (The school has a bylaw provision requiring a finance committee comprised of a majority of non-LPAC members to approve contracts with LPAC.) The foregoing triggered inquiry and a threat of probation by the Institute in 2002 before the issues were resolved. In July of 2002, the Institute also had to insist that the school fill board vacancies.

A review of employee files during the renewal visit demonstrated a lack of compliance with Education Law subdivision 2854(3)(a-2) related to fingerprint supported criminal background checks for all employees. While fingerprinting is referenced in the employee manual and there is a procedure on the subject, the school did not have persons or systems in place to ensure all background checks were carried out and Department clearances were obtained. Also the timeframe for being fingerprinted in the school policy (within two weeks of hire) does not match up with the statutory mandate of having employees cleared (which takes a minimum of several weeks and up to 16 weeks) before entering the school when children are present. School employees stated that many employees had been fingerprinted but that the Department had not returned clearances resulting in the school re-submitting large numbers of requests just prior to the renewal visit. While this may be the case, the employees' files did not contain such prior documentation and the school has no clear system in place for tracking criminal history clearances. A complicating factor may be that the school directs its employees to be fingerprinted by the New York City Department of Education, which requires an extra form (Office of School Personnel Review and Accountability 104) to be submitted to the Department. As a result of the foregoing deficiency, adherence to the Charter Schools Act's provisions regarding background checks will be a the subject of a corrective action for the school, but will not be made a condition of the school's renewal.

While the school had a fairly poor record of compliance early in its charter, it has improved over time with items being late a relatively shorter period of time. In the first year of the school's charter, five items were submitted as late as 206 days late to the Institute. In the second year of the school's charter, five items were also submitted late but the latest item was 76 days late. In the third year of the school's charter, four items were not on time with one audit being 87 days late. Through March of 2004, the school had five late items but the latest was only 24 days overdue.

In terms of legal support, while the school had a relationship with outside counsel early in its charter, the board stated that it has and would continue to consult with outside counsel on an as needed basis for assistance with legal matters.

Except as set forth above and in Benchmarks 2C.1, the school's policies and procedures, other internal controls, board 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, applicable federal law (e.g., I.D.E.A., F.E.R.P.A.), its bylaws and the provisions of its charter.

Renewal Question 3

Is the School Fiscally Sound?

Benchmark 3A
Board Oversight

3A

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

The board has generally provided adequate financial oversight during the term of its charter. The effectiveness of the board's fiscal oversight is partly demonstrated by the fact that school has been in stable financial condition throughout the life of its charter. However, the existence of recurring management letter comments in prior years indicates that the board did not take an aggressive role in ensuring that corrective actions were implemented timely. In addition, in November 2004, the board changed independent auditors much too late for it to meet the filing requirements for its annual audit. Failure to appropriately plan for such changes is not an example of effective oversight. Further, the board's board failed to ensure that it had appropriate written policies until well into its charter (2004). The board has provided more active and effective oversight since that time.

A review of board minutes indicates numerous discussions of facility issues and less frequent discussions of budget and fiscal issues. While each board meeting typically includes a finance report, board minutes do not note any regular financial reports prepared for presentation to the board. There is an annual presentation of the audited financial statements by the school's independent certified public accountants.

The board's affiliation with the Latino Pastoral Action Center (LPAC) has been an integral part of the school's mission. LPAC provides the school and its students with a variety of services. In addition, the school's leases its classrooms, office facilities and the use of a gymnasium from LPAC. The president of LPAC is also a board member of the school. The leased facilities are suitable for the school's program and are reasonably priced.

The school's relationship with LPAC has required it to be diligent in avoiding even the appearance of a conflict of interest in transactions between the two organizations. During the early years of its charter, the school struggled to maintain sufficient separation from the management of LPAC. During the later years of its charter, the school has taken appropriate steps to address this issue including, but not limited to, obtaining a market rental analysis by an independent third party of its rented space.

<p>Benchmark 3B</p> <p>Budgeting and Long Range Planning</p>	<p>3B</p> <p>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.</p>
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The school has operated pursuant to long-range plans beginning with the five-year plan included as part of its charter application. Budgets have provided an overall framework for the school’s spending activities. Billings are submitted to the district on a timely basis.

The school has maintained positive fund balances and adequate cash flow and has been able to meet its bills at all times. Actual revenues exceeded expenses in the first and fourth year of the charter and the school has accumulated \$788,624 in unrestricted net assets, which is primarily invested in fixed assets (\$712,308). The remaining unrestricted net assets provide a limited cushion for working capital and as such, cash flow can be tight at certain times throughout the year.

The school has generally used conservative assumptions when budgeting revenue, which has helped ensure that positive fund balances were maintained. However, although the school does a good job of anticipating personal service expenditures, which represents about two-thirds of total expenses, it does less well projecting other expenses. For example, when comparing the fiscal year (FY) 2005 budget to actual results by line-item, there were numerous unfavorable variances at year end. As a result, it does not appear that the budget is being used to its full potential as a tool for planning and controlling operations.

<p>Benchmark 3C</p> <p>Internal Controls</p>	<p>3C</p> <p>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.</p>
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Based on interviews with staff and review of documentation, the school has established processes and controls related to payroll, procurement and safeguarding of assets. In fiscal year (FY) 2004, the school established written fiscal policies and procedures. Overall, implementation of the school’s internal controls and procedures has greatly improved since that time. These policies continue to be reviewed and are subject to modification.

The school’s independent auditor has issued written management letter comments in conjunction with its audits and the school has accepted and tried to implement all recommendations. The school’s (FY) 2005 audit report on internal controls over financial reporting and compliance with laws, regulations and grants did not disclose any reportable conditions, material weaknesses, or instances of non-compliance. The lack of deficiencies in these independent reports provides some, but certainly not absolute, assurance that the school has maintained adequate internal controls and procedures. The purposes of the reports are not to provide assurance on internal control over financial reporting or an opinion on compliance.

<p>Benchmark 3D</p> <p>Financial Reporting</p>	<p>3D</p> <p>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.</p>
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Generally, the school has met its financial reporting requirements. However, the school has had a few significantly late filings: annual financial statements in FY 2002 and 2003 and its quarterly financial reports for the first quarter of FY 2005. Other reports and budgets were filed on time with a few minor exceptions. Audits done in accordance with *Government Auditing Standards* include separate reports on internal control over financial reporting and on compliance. The school's audit did not include these reports for FY 2003 and as a result, noncompliance, reportable conditions or material weaknesses were not reported.

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

<p>Benchmark 3E</p> <p>Financial Condition</p>	<p>3E</p> <p>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).</p>
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The school completed the FY 2005 in stable financial condition. Although total net assets decreased by \$207,920, the school finished the year with total net assets of \$880,320. In addition, the school increased its cash position by \$14,721. The school’s operating activities provided net cash of \$262,628 and the school invested in fixed asset acquisitions totaling \$247,907. Except as noted below, the school has not relied on significant philanthropic support to meet its program needs.

The school has fixed assets (net of accumulated depreciation and amortization) totaling \$712,308 that consist of leasehold improvements, furniture and equipment. The school has no long-term debt and throughout its charter has generated sufficient cash flow from operations to pay ongoing expenses.

Spending per student (total expenses divided by the revised approved enrollment) in each year was as follows:

<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>
\$ 8,998	\$ 9,664	\$ 10,858	\$ 12,464

Renewal Question 4

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

<p>Benchmark 4A</p> <p>Curricular & Assessment Plans</p>	<p>4A</p> <p>The school’s curriculum and assessment plans for the term of a future charter are reasonable, feasible, and achievable and are likely to improve student learning and achievement.</p> <p>Schools that plan to retain or augment curricular and assessment designs presented in the original charter application have provided evidence that the implementation of that design has resulted in academic success during the term of the existing charter.</p> <p>Schools that propose a material redesign to the curriculum and assessment plans for the term of a new charter have clearly articulated the new design, provided research and evidence that the proposed new design will result in the increased academic performance of children, and a plan and timeline outlining the implementation of the new curricular design. These plans are likely to improve student learning and achievement and are reasonable, feasible and achievable.</p> <p>Schools that seek to add grade levels not included in the approval of the original charter have presented an outline of the curriculum and specific assessment plans for the term of a future charter. These plans are likely to improve student learning and achievement and are reasonable, feasible and achievable.</p>
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In its renewal application, the Family Life Academy Charter School indicates that it plans to retain curricular and assessment designs presented in the original charter application. Because many of these elements were only introduced at the end of the current charter period, the school had not yet been able to demonstrate the effectiveness of the curriculum and assessments through high student achievement. Nevertheless, from evidence collected at the time of the renewal visit, it appears likely that current would lead to academic success during the term of a future charter.

In its renewal application FLACS, indicates that it would continue to offer English language learners an enriched instructional program through a Sheltered English Immersion model in which all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the English language. An ESL/bilingual teacher would continue to support classroom teachers by providing technical assistance in examining and modifying materials and the level of language used for instruction to ensure that every ELL is successful in acquiring the language skills necessary to meet grade level standards.

For English language arts, FLACS would continue utilizing *Trophies* from Harcourt Brace. *Trophies* is a research-based, developmental reading/language arts program, which embeds the following in instruction: explicit phonics; direct reading; guided reading; and phonemic awareness; as well as systematic intervention strategies. The school would augment the ELA curriculum with *Trophies’* English Language Learner Kits in every early childhood classroom. FLACS would offer *Strategies for Writers*, which focuses on developing writers who can independently and successfully compose writing from pre-writing to revising and publication and includes the use of rubrics as both instructional and evaluative tools. *Saxon Math* was selected for implementation during a second charter period. Saxon Math builds on the foundation of earlier increments, leading students to a deeper understanding of mathematical concepts. In addition assessments are administered frequently, enabling teachers to monitor students’ retention of skills. FLACS has begun implementing, and would continue to use the Harcourt Brace Science curriculum and the Harcourt Brace social studies curriculum, *Horizons*.

<p>Benchmark 4B</p> <p>Accountability Plan</p>	<p>4B</p> <p>The school has provided a draft Accountability Plan that defines the school’s measurable goals for the term of a future charter.</p> <p>The school’s proposed Accountability Plan follows the guidelines set forth by the Institute and presents an accountability system that is reasonable, feasible, and achievable.</p>
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In its renewal application, FLACS submitted an Accountability Plan that follows the guidelines set by the Institute. If the charter is to be renewed, the Institute will work with FLACS staff to finalize the Accountability Plan for inclusion in a new charter. As presented in the renewal application, the Accountability Plan is reasonable and feasible. Because the Institute has raised the bar for the minimally acceptable level of success, a school’s ability to meet its measures in the Accountability Plan of a future charter will constitute a relatively higher level of achievement than meeting its measures in the Plan of a current charter.

<p>Benchmark 4C</p> <p>School Calendar & Enrollment</p>	<p>4C</p> <p>The school has provided a sample school calendar that includes the number of days and proposed daily hours of instruction. Additionally, the school has provided an enrollment plan outlining the grades and growth patterns it anticipates during the term of a future charter.</p> <p>The plans are reasonable, feasible and achievable.</p>
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The school has provided a sample school calendar, containing 184 days of instruction, nine additional days of staff development and two test correction days. It is the same as the current calendar, which is based on the New York City Department of Education school year calendar in coordination with its student transportation and food services. The school offers an extended day (8:20 – 3:30).

In its renewal application, school also provides an enrollment plan outlining the grades and growth patterns it anticipates during the term of a future charter. The presentation is a table, entitled Expected Future Enrollment by Grade and Total Number of Students. It proposes the same number of students in each year of a future charter as it has enrolled in the fifth year of its original charter.

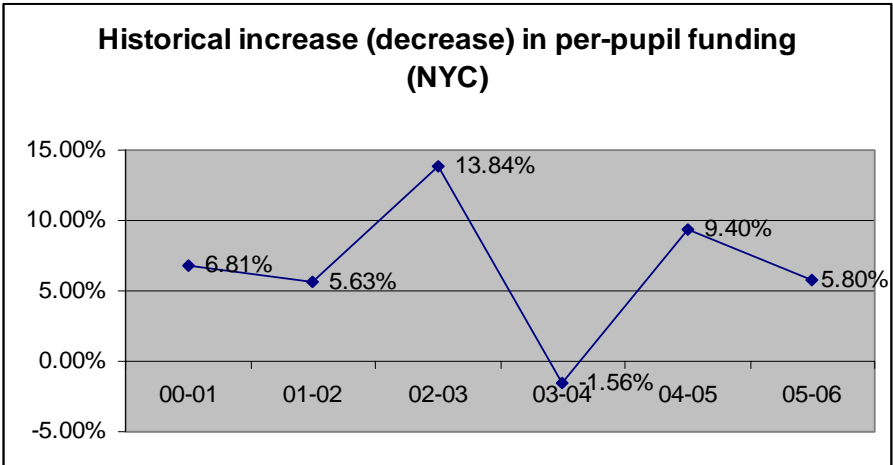
With no material change in a proposed future calendar and enrollment plan from those currently in place, the plans are reasonable, feasible and achievable.

<p>Benchmark 4D</p> <p>Fiscal & Facility Plans</p>	<p>4D</p> <p>The school has provided a reasonable and appropriate five-year fiscal plan for the term of a future charter.</p> <p>The school has provided a fiscal plan that includes a discussion of how future enrollment and facility plans are supported and/or impacted by the school’s fiscal plan for the term of its next charter. In addition, fiscal plans provided for a future charter term reflect sound use of financial resources that support academic program needs.</p>
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The school has presented a fiscal plan that is reasonable and likely to be achievable assuming sufficient enrollment demand. Although the school is currently in stable financial condition and has enjoyed high enrollment demand, its fiscal plan leaves little wiggle room. The school projects an operating deficit in each year of the proposed new charter period, but on a cash flow basis, it projects a modest surplus in all but the fifth year. Analysis of the fiscal plan found that projected depreciation and amortization expenses in total are overstated over the five years, which in turn overstates the total operating deficits as well as overstating the net cash flow changes.

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. Regardless of the assumptions embedded in the fiscal projections, the school will be required to develop and adopt annual budgets based known per pupil amounts.

The school anticipates a four percent increase in per pupil revenue in each year of the proposed new charter period. On the expense side, the assumptions are simplistic but are not considered unreasonable. Expenses are scheduled to rise between three and five percent by category each year (17 percent for health insurance). The per pupil revenue assumptions are less than the historical average increase over the life of the school’s charter (6.7 percent). In addition, the school has established a track record of meeting its financial obligations including a period during which its per pupil revenue had declined from the previous year (2003-2004). However, this decrease in per-pupil funding was accompanied by an increase in student enrollment that helped mitigate its effects. In the proposed new charter term, the school will not have any increase in enrollment to rely on.



Source: State Education Department