



Charter Schools Institute
The State University of New York

Merrick Academy – Queens Public Charter School

School Evaluation Report 2006-2007

October 10, 2007

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INTRODUCTION

Background on Charter Schools and the State University

The New York Charter Schools Act of 1998 (“the Act”) called for the creation of tuition-free public schools that would operate independently and autonomously of local school districts; schools by design committed to improving student achievement for all students, particularly those at-risk of academic failure.

The Act specifies that civic leaders, community groups, educators and/or parents interested in bringing public school choice to their communities may apply to one of three chartering entities in the state to open a new charter school: the Board of Trustees of the State University of New York (the State University Trustees), the New York State Board of Regents (the Regents), or local boards of education (in New York City, authorizing power is vested in the Chancellor). Additionally, existing traditional district-operated schools can seek to convert to charter status through their governing boards of education.

The Charter Schools Institute (the Institute) was established by the State University Trustees to assist them in their responsibilities under the Act, including reviewing applications to establish charter schools as well as the review of renewal applications for those schools (as detailed more fully below, an initial charter is granted for a period of five years only). In each case the Institute makes recommendations to the State University Trustees. In addition the Institute is charged with providing ongoing oversight of SUNY authorized charter schools.

Charter schools are public schools in every respect. They are open to all children, non-sectarian in their programs and funded with public tax dollars. Unlike district operated schools, which are run by a board of education, each public charter school is governed by an independent board of trustees which is directly responsible for school performance. That board, while independent, is subject to public oversight. Just as traditional school boards, charter school boards of trustees must adhere to New York State’s Freedom of Information and Open Meetings laws. Public charter schools and their boards are also subject to oversight and monitoring. In the case of SUNY authorized schools, that monitoring is conducted by the Institute. Additionally, all public charter schools in New York State are jointly subject to inspection and oversight by the State Education Department (SED) on behalf of the Board of Regents. As such, charter schools, though free from many mandates, are more accountable to the public than district-run schools.

Charter schools are also accountable for performance. In exchange for the freedom from many state rules and regulations that the Act provides, a public charter school receives a charter, or contract, of up to five years and must meet stated student performance goals that are set forth in its Accountability Plan, as well as standards regarding its fiscal, legal and organizational effectiveness within the charter period, or risk losing its charter or not having its charter renewed. This tradeoff—freedom from rules and regulations in exchange for unprecedented accountability for student performance, and real consequences for failure—is one of the most significant differences between public charter schools and other public schools administered by traditional school districts.

The State University Trustees’ Oversight Process

The State University Trustees, jointly with the Board of Regents, are required to provide oversight sufficient to ensure that each charter school that the Trustees have authorized is in compliance with applicable law and the terms of its charter. The Institute, together with the State Education

Department, monitors compliance through a monitoring plan (which is contained in the schools' charter itself) and other methods.

In addition to monitoring a school's compliance with the law, the State University Trustees view their oversight responsibility more broadly and positively. Accordingly, they have adopted policies that require the Institute to provide ongoing evaluation of charter schools authorized by them. By providing this oversight and feedback, the State University Trustees and the Institute seek to accomplish three goals.

The first goal is to facilitate improvement. By providing substantive information about the school's strengths and weaknesses to the school's board of trustees, administration, faculty and other staff, the Institute can play a role in helping the school to recognize those strengths and weaknesses. Of course, whether the school actually takes corrective actions, and more importantly, effective corrective action, remains the school's responsibility given that it is an independent and autonomous school.

The second goal is to disseminate information about the school's performance beyond the school's professional staff and governing board to all stakeholders, including parents and the larger community in which the school is located. Ideally this information, including the present report, should help parents make choices about whether a school is serving their children well and/or is likely to continue to do so in the future. For this reason, this report (and others like it) is posted on the Institute's website and the school is asked to inform parents of its posting. By providing parents with more information, the State University hopes to enhance the market accountability to which charters are subject: if they do not attract and retain sufficient numbers of students who want the product they are providing, they cannot survive.

The third goal is to allow the Institute to build a database of the school's progress over time. By evaluating the school periodically, the Institute is better able to evaluate the strengths and weaknesses of a school—and the likelihood for continued success or failure. Having information based on past patterns, the Institute and the State University Trustees are better positioned to make recommendations and a decision on whether a school's charter should be renewed. In turn, a school will also have a far better sense of where they stand in the eyes of its authorizer.

Inspection Visits and Reports¹

A central component of the Institute's evaluative oversight system is a schedule of periodic visits to and inspections of charter schools, resulting in letters and reports to the school's board of trustees. This inspection report is a product of one of those visits.

In evaluating schools at renewal and on a regular and ongoing basis, the Institute uses a series of benchmarks that cover not only the strength of the academic program but the strength and effectiveness of the organizational and fiscal policies, structures and procedures that the school has instituted at the time of the visit ("the Renewal Benchmarks"). How these benchmarks are used (and which are used) varies, depending on the specific year of the visit as well as whether the school is in its initial renewal cycle (the first five years) or, having been renewed one or more times, in subsequent renewal cycles.

¹ More information on the Institute's school oversight and evaluation system may be found online at <http://www.newyorkcharters.org/schoolsPubsReports.htm>.

In particular, the Institute uses a subset of the Renewal Benchmarks to review the effectiveness of a charter school's academic programs, e.g., the strength of a school's internal assessment system, the rigor of its pedagogical approach, and the breadth and focus of the school's curriculum. This subset, Renewal Benchmarks 1.B-1.F, is often referred to as the "Qualitative Education Benchmarks," or "QEBs." In the formative years of a school (generally the first three years of operation), the QEBs are important precisely because the quantitative indicators of academic achievement, i.e., students' performance on standardized tests (especially the state's 3rd - 8th grade testing program and Regents assessments), are generally few in number and difficult to interpret. The qualitative indicators serve as proxy indicators, therefore, for student assessment data sets that are necessarily limited and incipient. Moreover, only by using these qualitative indicators can the Institute provide feedback not only on *how* the school is doing but also *why* it is succeeding or failing.²

Over time, and particularly at the school's initial renewal (and subsequent renewals thereafter), the quantitative indicators (as defined by Renewal Benchmark 1.A, the school's progress in meeting its academic Accountability Plan goals) take on paramount importance and the qualitative indicators concordantly diminish in importance. This is consonant with the fact that charter schools must demonstrate results or face non-renewal. However, while subsequent renewal decisions are based almost solely by the school's progress toward meeting its academic Accountability Plan goals during the charter period, the Institute continues to use the Qualitative Education Benchmarks in its evaluation of charter schools. The reason for this is that it can give the school, parents, and other stakeholders information not only on how the school is doing but perhaps the reasons for its lack of performance (if such is the case).

This inspection report includes a review of academic attainment and improvement based on the school's performance on state and other assessments. The School Performance Review provides an evaluation of the school's academic achievement in the context of Renewal Benchmark 1A. Because of the timing of the release of state assessment data, the review is based on test results from the school year preceding the date of the school visit upon which the evidence for the Qualitative Education Benchmarks is based.³ The narrative refers to School Performance Summaries which follow the School Performance Review section. These one page summaries present a synopsis of the Accountability Plan outcome measures in English language arts and mathematics and the school's performance against these measures over a three year time period:⁴

- Measure 1 (absolute) shows the grade level and aggregate performance on the state test of both all students and students enrolled in at least their second year.
- Measure 2 (absolute) presents the school's Performance Index (PI) measured against the Annual Measurable Objective (AMO) set by the state's NCLB accountability system. The PI is derived by adding together the percentage of students at Levels 2 and above and the percentage at Levels 3 and above.

² More often, of course, schools do not succeed or fail so much as parts of the highly complex organization are working well and parts are not.

³ Not all schools will have state test results because the state only administers tests in certain grades: state English language arts and mathematics tests are administered to grades 3-8, science tests in grades 4 and 8, and social studies tests in grades 5 and 8.

⁴ In indicating whether a performance measure has been met, the summaries only present a strict, narrow accounting; they do not show whether the school came close to meeting a measure or the relative weight of each measure for gauging student progress.

- Measure 3 (comparative) compares the performance of charter school students enrolled in at least their second year to all students in the same tested grades in the local school district. For instance, a grades 5-8 charter school would compare only its grades 6-8 results to the same tested grades in the district because students in its 5th grade were only in their first year at the charter school.
- Measure 4 (comparative) compares the actual overall performance of the school to the predicted level of performance of similar schools statewide using a regression analysis based on free lunch statistics. The Effect Size is a statistical measure calculated by dividing the difference between the actual and predicted outcomes by the standard deviation difference.
- Measure 5 (value added) shows both the number of grade level cohorts that achieved their target as well as the overall performance of all cohort students combined. If the baseline is above 50 NCE, then the target is an increase of any amount.

The Renewal Cycle and the Timing of School Inspection Visits

Because some schools take planning years before opening (during which time their five-year charter continues to run as if they had opened) and/or receive renewal charter terms of less than five years, the number of years that a school has been in operation is not always co-terminus with the number of years that a school has provided instruction. Thus for example, a school that is in its seventh year of operation may be facing initial renewal, having previously received a short-term planning year renewal for a period of time equivalent to the number of planning years the school took. It will therefore receive a renewal visit, whereas another school that did not take any planning years and was renewed for five years would be in the second year of its second five-year charter. This school would therefore not receive a renewal visit but rather an evaluation visit and inspection report, which all schools in that position receive.

As such, each of the Institute's inspection reports contains a chart indicating the years the school has been in operation, the year of its present charter period, when it has been renewed and for how long, and the feedback that has been previously issued to the school. This chart is set forth in the following section.

The Present Report

The information contained within this report is the result of evidence obtained during the Institute's visit to the school conducted in the spring of the school's second year of instruction of its first or second charter term. In addition to this introduction, the report includes a brief description of the school, conclusions and analysis from the present visit, the Renewal Benchmarks, and, finally, data on the visit, including identities of the school inspectors and the date of the visit.

The report reflects the observations and findings from the one-day inspection visit conducted typically by a two- to four-member team comprised of Institute staff, and, in some cases, outside experts. Consistent with the Institute's evaluation process throughout the life of the charter, Institute visitors seek evidence of effectiveness in key areas: the academic success of the school including teaching and learning (curriculum, instruction and assessment) and the effectiveness and viability of the school as an organization, including such items as board operations and student order and discipline. Issues regarding compliance with state and federal laws and regulations may be noted (and subsequently addressed), and where the Institute finds serious deficiencies in particular relating to student health and safety it may take additional and immediate action; however, monitoring

compliance is not the principal purpose of the visit. The same is true with issues pertaining to the fiscal soundness of the school. Evaluation visits typically include an interview with the school board, the school leader, classroom visitations, in addition to the review of other school-based documents.

Keeping this Report in Context

In reviewing this report, readers should keep in mind that charter schools face a variety of challenges as they mature, and not all charter schools address each challenge at the same pace. The State University and the Institute recognize the difference between the challenges of starting-up a school and those involved in sustaining its viability and effectiveness over the long-term, as well as the differences in the richness of student assessment data available for a school which has recently opened compared to a school which has been in operation for an extended time. In reviewing this report, readers should keep in mind that charter schools face major challenges in the first few years of their charter. These challenges include:

- establishing a positive, academically focused school culture that provides high expectations, support and encouragement for students and teaching staff, and any necessary remediation for students;
- establishing operational and communication patterns with the governing school board of trustees, as well as communication patterns with staff, parents and the community;
- setting up sound fiscal processes and procedures;
- establishing the school in often less-than-ideal facilities, without ready access to facilities funding mechanisms available to district administered public schools;
- creating an environment with strong instructional leadership where teachers receive timely professional development to address changing student needs;
- ensuring that all staff are familiar with and consistently use an effective system for behavior management; and
- retaining qualified staff and minimizing the frequency and rate of any staff turnover by understanding the reason for it, and providing replacement staff with an orientation to the school and its program, as well as the necessary professional development.

Readers should also keep in mind the inherent limitations of a one-day visit, which provides only a snap-shot of the school on visit day. While the Institute is confident that the majority of its observations are valid, in that they reflect an underlying reality about the school's academic and organizational structures, they are not perfect or error-free.

For the reasons above, and because of the inherent complexity of an organization such as a school, this report does not contain a rating or a single comprehensive indicator that would indicate at a glance the school's prospects for renewal. It does, however, summarize the various strengths of the school and the areas that the inspection team found in need of improvement. To the extent appropriate and useful, we encourage school boards to use the inspection team's conclusions in planning school improvement efforts.

While there is no one rating that the Institute gives as a result of a single-day visit, it is important to note that where the inspection team identifies area after area with not just room for improvement but significant and severe deficiencies, and few, if any, countervailing strengths, the difficulty that the

school may have in presenting a compelling case for renewal is likely to be substantially increased and this fact may well be noted. Conversely, where the inspection team finds that strengths outnumber weaknesses in both quantity and quality, the school is likely to be better positioned to build a strong case for renewal. So, too, this fact may be noted.

In sum, then, we urge all readers to review the entire report and not to take a particular comment in the report about the school out of context.

Finally, we note that this report cannot serve its three functions (providing data to the school to use for its potential improvement; disseminating information to stakeholders; and gathering data so that the Institute may come to renewal with a richer set of evidence) unless the report is not only unsparingly candid regarding the observations that the Institute has made, but also focused on those areas that are potentially in need of improvement rather than those accomplishments that the school has accumulated to date.

While this level of what can reasonably be termed *brutal honesty* is necessary, as is the focus on areas for improvement, readers should remember that almost no other entity in education is held to such a high standard of review. This is especially true of public schools that traditional districts and Boards of Education oversee. In so saying, the Institute does not ask the reader to make excuses for schools that are not succeeding—and the Institute’s accountability system does not and will not—but we do note that providing this level of accountability, which almost every charter school welcomes and even advocates for, represents in and of itself a revolution in how public education is governed.

SCHOOL DESCRIPTION

The Board of Trustees of the State University of New York approved the application of The Merrick Academy – Queens Public Charter School (“Merrick Academy”) on January 21, 2000, and the charter was issued by the Board of Regents on May 4, 2000. Originally housed in temporary space in Springfield Gardens, the school opened in September of 2000 with an enrollment of 121 students in Kindergarten through second grade. The school added one grade each year through the original charter term, reporting an enrollment of 448 students in grades kindergarten through six for the 2004-05 school year. The school is currently located at 207-01 Jamaica Avenue in Queens Village.

Merrick Academy submitted an Application for Charter Renewal in the fall of 2004 and was granted a full-term, five-year charter renewal by the State University Trustees on March 1, 2005. The school’s original Application for Charter Renewal included a request to provide instruction in grades kindergarten through eight. In their renewal decision, the State University Trustees limited the school’s authority to provide instruction within the renewal term to grades kindergarten through five only, due to a weak academic program in grades five and six as well as a nominally complete instructional and staffing plan for the upper grades. On May 24, 2005, however, the State University Trustees authorized the school to once again add grade six for the remainder of the Renewal Charter term following a more detailed request for a change in program from the school.

The mission of The Merrick Academy – Queens Public Charter School as stated in the school’s Renewal Charter is as follows:

To create one of the finest public schools in America through use of the charter school process; to serve the “at risk” children of Springfield Gardens and Jamaica, Queens; and to create a role model for charter public school design that can be replicated in disadvantaged neighborhoods everywhere.

The Board of Trustees of Merrick Academy contracts with Victory Schools, Inc. (“Victory Schools”), a for-profit management partner to provide educational services. For an annual fee, Victory Schools provides the following services to the school: design and implementation of the educational program; selecting and acquiring instructional and curricular materials; designing, implementing, and monitoring professional development activities; business, personnel and payroll services and facility management; budgeting and financial reporting services; and insurance procurement.

Key design elements for Merrick Academy as stated in the school’s Application for Charter Renewal include the following:

- A commitment to the students, parents and the southeast Queens community to provide an academic program that will prepare students to meet and exceed New York State performance standards;
- Curriculum in English language arts and mathematics includes scientifically-based research to support its success;
- The use of data to inform instruction and in providing differentiated instruction to support individual student needs;

- Establishment of a learning community where teachers use student work, research and best practice to improve student performance and teachers' skill;
- A comprehensive professional development program informed by a needs assessment and completed by teachers, the principal and management partner;
- Strong student summer homework program to address the regression in learning that occurs over the summer;
- A two and one-half hour block of instruction based on balanced literacy, including a readers' and writer's workshop, as modeled by the National Writing Project and Great Source Writing Program;
- One hour and thirty minutes of daily mathematics instruction based on Everyday Mathematics, a curriculum resource aligned with the New York Learning Standards and assessments, with significant opportunities for enrichment and experiential learning; and
- Comprehensive and rigorous assessment process, including components for pre-assessment, unit, mid-year and end-of-year tests.

School Year (2006-07)

182 days

School Day (2006-07)

7:30 a.m. to 4:00 p.m.⁵

Enrollment

	Original Chartered Enrollment	Revised Chartered Enrollment	Actual Enrollment⁶	Original Chartered Grades	Revised Grades Served	Actual Grades Served	Complying
2000-01	350	125	121	K-2	K-2	K-2	YES
2001-02	450	175	169	K-4	K-3	K-3	YES
2002-03	550	350	348	K-6	K-4	K-4	YES
2003-04	650	400	400	K-8	K-5	K-5	YES
2004-05	750	450	448	K-10	K-6	K-6	YES
2005-06	475	500	500	K-5	K-6	K-6	YES
2006-07	500	525	461	K-5	K-6	K-6	YES
2007-08	500			K-5			
2008-09	500			K-5			
2009-10	525			K-5			

⁵ 7:30 to 8:00 a.m. is used as a breakfast period.

⁶ Actual enrollment per the Institute's Official Enrollment Table. Note that the NYSED 2004-05 School Report Card, upon which the Free and Reduced lunch and student demographic figures are calculated, cited the following enrollment totals: 2002-03: 349; 2003-04: 397; 2004-05: 439. The NYSED 2005-06 database cited an enrollment of 498 students.

Race/Ethnicity	2002-2003		2003-2004		2004-2005		2005-2006	
	No. of Students	% of Enroll.	No. of Students	% of Enroll.	No. of Students	% of Enroll.	No. of Students	% of Enroll.
American Indian, Alaskan, Asian, or Pacific Islander	2	0.6%	3	0.8%	3	0.7%	0	%
Black (Not Hispanic)	336	96.3%	393	99.0%	435	99.1%	496	99.9%
Hispanic	10	2.9%	0	0.0%	0	0.0%	2	0.1%
White	1	0.3%	1	0.3%	1	0.2%	0	0.0%

Source: NYSED 2004-05 Report Card (2002-03, 2003-04, 2004-05), NYSED Database (2005-06)

Free/Reduced Lunch	2002-2003		2003-2004		2004-2005		2005-2006	
	No. of Students	% of Enroll.	No. of Students	% of Enroll.	No. of Students	% of Enroll.	No. of Students	% of Enroll.
Eligible for Free Lunch	175	50.1%	181	45.6%	186	42.4%	171	34.3%
Eligible for Reduced Lunch	71	20.3%	78	19.7%	124	28.3%	131	26.3%

Source: NYSED 2004-05 Report Card (2002-03, 2003-04, 2004-05), NYSED Database (2005-06)

School Charter History

Charter Year	School Year	Year of Operation	Evaluation Visit	Feedback to School	Other Actions Taken
Original Charter 1st Year	2000-01	1 st	YES	Prior Action Letter; End-of-Year Evaluation Report	
Original Charter 2 nd Year	2001-02	2 nd	YES	End-of-Year Evaluation Report	
Original Charter 3 rd Year	2002-03	3 rd	YES	End-of-Year Evaluation Report	
Original Charter 4 th Year	2003-04	4 th	NO		
Original Charter 5 th Year	2004-05	5 th	YES	Initial Renewal Report	Granted full Charter Renewal for period of five years with conditions; University Trustees approve request for change in program to add grade six
Renewal Charter 1 st Year	2005-06	6 th	NO		
Renewal Charter 2 nd Year	2006-07	7 th	YES	End-of-Year Evaluation Report	

SUMMARY OF PREVIOUS EVALUATION VISIT

On February 8, 2005, the Charter Schools Institute recommended that the State University Board of Trustees approve the application for renewal of the Merrick Academy – Queens Public Charter School and renew the school's charter for a period of five years with the following conditions: 1) the school provide instruction in grades Kindergarten through six with an enrollment of 450 for any portion of the 2004-05 school year; and 2) thereafter the school's authority to provide instruction is limited to grades Kindergarten through five with a maximum enrollment in each such year of 570 students.

The rationale for the charter renewal decision was explained in the Renewal Report and is summarized below.

In its first charter, Merrick Academy met many of its outcome measures. The school posted positive results in meeting the absolute and comparative goals of student achievement contained within its Accountability Plan as measured by New York State assessments in English language arts, mathematics and science. As measured by a nationally-normed standardized achievement test, the Iowa Test of Basic Skills (ITBS), Merrick Academy's students generally scored at grade level.

Over the life of the charter, many elements of Merrick Academy's academic program were successful. In the first three years of the school's charter, classroom instruction at Merrick Academy was well suited to the elementary grade levels that the school served. However, observations during the renewal visit (and the one-day follow-up visit in December 2004) revealed a degree of inconsistency in instruction, especially in fifth and sixth grades. Over the term of the charter, the school had an internal assessment program that included teacher-developed rubrics, yet had not developed a system of assessment that ensured consistency of use within and across grades. The student code of conduct, as written, was sufficient but as implemented had not yet fully supported a rigorous learning environment. Merrick Academy's fine arts program provided strong enrichment and augmentation by drawing the community into the school and expanding the knowledge, skill, and depth of understanding for the humanities in its students. By the fifth year of the charter, the instructional demands of upper elementary and lower middle school grades, as well as a new curriculum, necessitated a stronger professional development program. As a result, the school stakeholders determined they needed to create an additional leadership position focused specifically on raising the rigor of instruction at the upper elementary and early middle school grades.

Merrick Academy continued to benefit from the leadership of a majority of members of its founding board and its founding principal. Through the leadership of the board and the principal, the school had successfully worked with their educational management company, Victory Schools, to build not only an instructional program, but to create a facility suitable to the school's needs. This corresponded with strong parent support for the school. Over the life of the Merrick Academy charter, the board had provided adequate financial oversight and had posted evidence of making decisions that furthered the school's mission, program and goals. The school had consistently and in a timely fashion met its financial reporting requirements and maintained appropriate internal controls. However, the board had not fully implemented effective financial oversight and the school's financial condition had been generally weak but stable.

EXECUTIVE SUMMARY AND CONCLUSIONS

At the time of the inspection visit, academic performance data was available through the 2005-06 school year. Based on 2005-06 results, the school was not meeting its goals in either English language arts or mathematics. Limited results suggested it was achieving its goal in social studies, and the school reported science results were unavailable. In addition, the school was deemed to be in good standing under the state's NCLB accountability system.

Since the time of its charter renewal in 2005, the school has made some strides in instructional leadership, however, inspectors found limited instructional coaching in the classroom and limited support for inexperienced teachers. In its second charter period Merrick Academy created an additional instructional leadership position ostensibly to support instruction in the upper grades. Although the school leaders conduct regular formal and informal classroom observations, in interviews teachers indicated they most often look to their peers for support and expressed the need for more substantive supervision, i.e., coaching and instructional guidance. Merrick Academy continues to partner with Victory Schools to provide much of its professional development, but from the teachers' perspective it is not tied to clear goals or priorities and its impact has not been evaluated.

At the time of the visit the quality of instruction varied. Some teachers used instructional time efficiently and, in comparison to the end of the first charter period, classroom management at the upper grade levels had improved. Behavior management in other classrooms was less adequate, correlating with few observed lessons promoting higher order thinking skills. In addition, the high turnover of teaching staff has made it difficult for school leaders to develop a coherent approach to teaching and learning and for teachers to develop professional ties.

Merrick Academy administered external tests to determine the academic level of students new to the school, and teachers utilized an array of assessments throughout the year to inform instruction. Yet inspectors found a lack of school-wide procedures regarding use of assessment, mirroring a concern from the first charter term. While school leaders and the school management company used assessment data to identify individual teachers' strengths and weaknesses, it did not appear to be closely connected with clinical supervision or professional development.

At the time of the visit, the school had a number of interventions for at-risk students, and had focused on differentiating instruction for students. It had also developed "academic intervention plans" for approximately 25 percent of its students. However, it was not clear who was responsible for overseeing these plans, and the use of these plans by teachers was found to be inconsistent.

Merrick Academy has created an inviting learning environment. Classroom displays and hallways were rich with student academic work and student-generated artwork. The facility was well-maintained and included an impressive science lab.

PREVIOUS SCHOOL YEARS' PERFORMANCE REVIEW

The following review of academic attainment and improvement (Benchmark 1A) is based on assessment results and other data from the 2005-06 school year, although data is presented from the two previous years as well.

Summary: The school did not meet its goals in either English language arts or mathematics in 2005-06. Its science results were unavailable and limited results suggested it was achieving its goal in social studies. The school was deemed in good standing under the state's No Child Left Behind accountability system.

English Language Arts: In 2003-04 when 4th grade students took the state exam, just under half of the students scored at the proficient level. The next year this increased to 71 percent. In 2005-06, when students in grades 3-6 were tested, 50 percent were proficient. Over these three years the school achieved the Annual Measurable Objective (AMO) set by the state's NCLB accountability system, but only outperformed the local district in 2004-05. In that same year the school performed slightly better than predicted in comparison to similar schools statewide; in 2005-06, however, it did considerably worse than predicted. In terms of its value added measure in 2005-06, none of the six cohorts achieved their target on the Iowa Test of Basic Skills (ITBS). Overall the school has shown a decline in each year from 2003-04 through 2005-06; however, in 2005-06 it did finish the year just at grade level.

Mathematics: In 2003-04 on the 4th grade state test 59 percent of students were proficient, rising to 73 percent the following year. In 2005-06 only 54 percent of students in grades 3-6 were proficient. The school has achieved the AMO in each year from 2003-04 through 2005-06. While the school performed about the same as the local school district in 2004-05, in 2003-04 and 2005-06 the district outperformed the school. Moreover, in both 2004-05 and 2005-06 the school performed considerably worse than predicted in comparison to similar schools statewide. On its value added measure two out of six cohorts achieved their target on the ITBS and overall the school was slightly below grade level in each year between 2003-04 and 2005-06.

Science: The school reported results were unavailable.

Social Studies: In 2003-04 on the 5th grade state exam, 73 percent of students were proficient, decreasing to 67 percent in 2004-05 and then rising to 83 percent in 2005-06. Comparative data for the local district were unavailable.

No Child Left Behind: The school is deemed to be in Good Standing under the state's NCLB Accountability system.

Optional Goals: Based on parent survey results, the school came close to meeting its parent satisfaction goal regarding attendance and retention. Although the parent survey results suggested a positive attitude towards the school, without knowing the response rate it is impossible to determine whether this is representative of the parent population. The school also reported meeting its goals for organizational viability and fiscal soundness.

Note: The following two pages present School Performance Summaries that provide data addressing the required Accountability Plan outcome measures for English language arts and mathematics and the school's performance against these measures. Please refer to the "Inspection Visits and Reports"

section of the Introduction for full definitions of the measures used and details about the tables themselves.

SCHOOL PERFORMANCE SUMMARY

English Language Arts

Merrick Academy-Queens Public Charter School



Charter Schools Institute
The State University of New York

	2003-04 Grades Served: K-5			2004-05 Grades Served: K-6			2005-06 Grades Served: K-6			MET
	Grades	All Students % (N)	2+ Years Students % (N)	Grades	All Students % (N)	2+ Years Students % (N)	Grades	All Students % (N)	2+ Years Students % (N)	
<u>ABSOLUTE MEASURES</u>										
1. Each year 75 percent of students who are enrolled in at least their second year will perform at or above Level 3 on the New York State exam.	4	50.7 (73)	48.5 (66)	4	69.9 (73)	71.2 (66)	3	37.8 (74)	38.1 (63)	NO
	8	(0)	(0)	8	(0)	(0)	4	46.6 (75)	54.9 (61)	
							5	70.3 (74)	75.4 (57)	
							6	41.4 (70)	44.1 (59)	
							7	(0)	(0)	
							8	(0)	(0)	
							All	49.1 (293)	50.4 (240)	NO
2. Each year the school's aggregate Performance Index on the State exam will meet the Annual Measurable Objective set forth in the State's NCLB accountability system.	Grades	PI	AMO	Grades	PI	AMO	Grades	PI	AMO	
	4	142	123	4	159	131	3-6	137	122	YES
	8		107	8		116				YES
<u>COMPARATIVE MEASURES</u>										
3. Each year the percent of students who are enrolled in at least their second year and performing at or above Level 3 on the State exam will be greater than that of students in the same tested grades in the local district.	Comparison: (Queens District 29)			Comparison: (Queens District 29)			Comparison: (Queens District 29)			
	Grades	School	District	Grades	School	District	Grades	School	District	
	4	48.5	49.3	4	71.2	59.4	3-6	50.4	55.3	NO
	8			8						
4. Each year the school will exceed its expected level of performance on the State exam by at least a small Effect Size (at least 0.3).	Effect:			Effect:			Effect:			
	Grades	Actual	Predicted	Grades	Actual	Predicted	N	Actual	Predicted	Effect Size
	4	69.9	67.8	4	69.9	67.8	293	49.1	66.3	-1.11
	8		0.16	8		0.16				NO
<u>VALUE ADDED MEASURE</u>										
5. Each grade level cohort will reduce by one half the difference between the previous year's baseline and 50 NCE on a norm referenced test or 75 percent proficient on the state exam.	Assessment: ITBS			Assessment: ITBS			Assessment: ITBS			
	Grades	Cohorts Making Target		Grades	Cohorts Making Target		Grades	Cohorts Making Target		
	2-5	of		2-6	of		1-6	0 of 6		NO
	N	Base	Target	N	Base	Target	N	Base	Target	Result
	226	49.5	49.8	292	51.4	51.5	316	55.3	55.4	50.0
			46.8			49.2				

BENCHMARK ANALYSIS AND EVIDENCE

Instructional Leadership

Since the time of its charter renewal in 2005, the school had made some strides in instructional leadership. Specifically, per its plans at the time of renewal, Merrick Academy created an additional instructional leadership position, the assistant principal, targeted at the upper school in order to enable the principal to focus on instructional leadership for kindergarten through third grades. Despite the additional position, at the time of the visit, the school had not yet developed a coherent program for clinical supervision and professional development, and related goals and priorities were unclear to staff.

Clinical Supervision: School leaders conducted formal observations once or twice a year. In addition, teachers reported regular informal classroom observations and “walk-throughs,” and indicated receiving verbal feedback that focused primarily on classroom appearance, procedures and behavior management. In interviews teachers expressed the need for more regular coaching to improve pedagogy and indicated they most often look to their peers for support, whether that was the identified team leader, another teacher at the same grade level, or teachers at other grade levels. The reliance on other teachers for instructional guidance was a concern given the general inexperience of the teaching staff. Over half of Merrick Academy’s teachers were in their first or second year of teaching and the average years of teaching at some grade levels was low, especially at first (1.3 years), second (1 year), third (2 years) and sixth (3.3 years) grades. Grade level teams play an important role in teacher support; teachers often mentioned planning together and turning to their team leader for guidance. However, team leaders seemed to have been selected based on their number of years at the school rather than their capacity to mentor or support other teachers, and it was not clear their roles had been adequately defined.

New Teacher Support: Merrick Academy did provide some assistance to new and inexperienced teachers, but ongoing systematic support was not apparent. The school provided a professional development workshop targeted at new teachers, and some of the curricula (English language arts and social studies) were chosen in order to make detailed teaching guides available to inexperienced teachers. However, despite one school leader citing the prevalence of inexperienced teachers as Merrick Academy’s biggest challenge, teachers tended to rely on other teachers, many of whom were themselves relatively inexperienced. Teachers indicated that the teachers at each grade level are expected to “support each other” and pointed to loosely organized weekly team meetings as their source of support. It was not apparent that the grade level team strategy was effectively developing teachers’ pedagogical skills.

Professional Development: Merrick Academy provided a range of professional development opportunities, but they did not appear to be part of a coherent program targeting specific goals. There was a two week summer session in August of 2006 that focused on the Victory Schools program and school procedures, and included the opportunity to receive direct assistance from the curriculum providers (e.g., Scott Foresman, Everyday Math) for one-half to one day. Some of the new teachers reported that staff development during the summer was not generally geared to the needs of new or inexperienced teachers, and some new teachers were hired too late to participate. During the school year Victory Schools continued to provide professional development in the form of monthly workshops and consultants worked with individual teachers during their prep periods. Teachers indicated the latter was more prevalent at the beginning of the school year, but teachers also had access to Victory Schools’ curriculum experts via e-mail and phone.

According to school leaders, the focus of professional development in the 2006-07 year was the use of assessment data and differentiated instruction. However, from the perspective of teachers it was not apparent that professional development was focused around clearly articulated goals or instructional priorities. For example, a teacher who participated in off-site professional development expected to be a “turn-key” resource but was never provided with an opportunity to impart information to fellow staff members. The 2005 Renewal Report stated that Merrick Academy’s professional development program, carried out by the school management company, had “yet to provide Merrick Academy teachers with the support, skills, and instructional prowess necessary for students to consistently achieve at high levels as measured by state standards” (page 32). At the time of the most recent visit, Merrick Academy had not evaluated the impact of the company’s services, and it was not clear how professional development was improving teaching and learning. That said, school leaders indicated they are moving to increase professional development and differentiate it for new and veteran teachers; in addition, the school is considering hiring a staff developer for the 2007-08 school year.

Strategic Planning: The school does not have clearly articulated plans or procedures in a number of critical areas. For example, there was no clear plan for ongoing support of new teachers, job descriptions for Cooperating Teachers (CTs) or grade level team leaders. As one staff member said: “There is no school-wide plan for working with students.” One result of this lack of clarity was confusion about staff members’ roles. For example, some staff members were unclear about who was responsible for coordinating the work of their grade-level team. Additionally, school leaders were not clear about who was managing and overseeing Merrick Academy’s “academic intervention plans” for at-risk students.

Instruction and Classroom Management

A range of instructional quality and classroom management practices were observed during the visit. In comparison to observations conducted at the end of the first charter term, Merrick Academy’s learning environment showed signs of improvement. In discussing grades five and six, the Renewal Report noted that the student code of conduct had “not fully supported a rigorous learning environment” (page 11). As observed during the 2006-07 end of year inspection visit, classroom management remained a struggle in some fifth, but not sixth, grade classrooms.

Several teachers demonstrated skillful classroom management marked by efficient daily routines that afforded smooth transitions and little loss of instructional time. However, student order and discipline was less successful in other classrooms. Inspectors observed that in some classrooms student listlessness and inattention during instructional time resulted in as few as fifteen percent of students engaged in the teacher’s lesson. In other classrooms, students did not consistently follow the teacher’s lead. For instance, when attempting to focus the class on the lesson, one teacher would clap her hands and simultaneously say, “one, two, three, four.” Yet only a small percentage of students shifted their focus despite the teacher using this technique repeatedly.

Difficulties in engaging students correlated with few observed lessons promoting higher order thinking skills. For example, the focus of a lesson in one lower grade classroom was students underlining in their workbooks the same phrases that the teacher underlined on the board. Similarly, in several upper grade classrooms, students copied information from the board daily, entailing in one class as much as fifteen percent of instructional time. Several other lessons, rather than encouraging interaction between students and asking challenging questions of students, featured teachers asking and answering their own questions with students copying those answers at their desks. Inspectors

noticed that lessons which did not provoke student problem solving skills often occurred in classrooms marked by less than adequate classroom management.

Assessment

Merrick Academy administers a range of internal and external assessments and utilizes them for a variety of purposes, yet the inspection team found their use to be inconsistent across classes and grade levels. The school administers the Iowa Test of Basic Skills (ITBS), Peabody Individual Achievement Test (PIAT) and Dynamic Indicators of Basic Early Literacy Skills (DIBELS) to determine the academic level of students new to Merrick Academy. Victory Schools worked with a school leader to analyze test scores and arrived at teacher-specific analyses of areas in need of improvement. Several teachers indicated they use Everyday Math, Scott Foresman and Princeton Review assessments to ascertain students' academic competencies throughout the academic year and provide targeted and differentiated in-class skill remediation. Other teachers indicated they use their own interim assessments based on a combination of Princeton Review materials, textbook assessments and internet resources to create and modify their instruction.

Despite the widespread use of assessments, the school lacked clear procedures regarding the use of interim assessment data. Evidence from staff interviews indicated that, though there were professional development workshops offering guidance on assessment and how to analyze results, there was no school-wide policy on which assessments to administer and how to use them to inform instruction throughout the school year. Therefore, the onus fell upon individual teachers and grade-level teacher teams, which led to irregular assessment practices. For instance, in addition to varying interim assessments referenced above, evidence indicated that teacher-created writing rubrics generally did not compliment or consider rubrics in other grades. Some teachers used rubrics that accompanied curriculum packages, others developed their own rubrics and still others had students develop rubrics. And as mentioned earlier, teachers utilized varying combinations of interim assessments. The inconsistent use of assessment is an ongoing challenge for the school, something noted two years earlier in the Institute's renewal report: "The school has yet to develop this [assessment] program into an internal system of assessment that ensures consistency of use within and across grade levels" (page 11).

Staffing

At the time of the visit, Merrick Academy was experiencing high teacher turnover which presented serious challenges in a number of areas. Notably, several teaching positions experienced turnover mid-year. As noted previously, the school had filled many positions with relatively inexperienced teachers. According to the school's fall 2006 roster, 38 percent of teachers were new to teaching and an additional 19 percent of staff were only in their second year of teaching. Consequently, many teachers are unfamiliar with the school's program, procedures and curriculum, and required significant support. Lack of peer consistency was especially poignant in teacher interviews. As one teacher stated, in several years of teaching at Merrick Academy, that teacher had not worked with another teacher within the respective grade level for more than one year, "which makes it very difficult to form lasting professional relationships with colleagues."

At-risk Students

Merrick Academy's at-risk students received a number of specialized services, including Saturday school support, Title I in-classroom services, Title I after-school assistance, after-school aid provided by a community based organization, and academic assistance during recess periods. In response to last year's drop in student achievement as measured by standardized test scores, Merrick Academy teachers reported providing differentiated instruction by dividing students into groups based on

academic ability. Each group reportedly received instruction appropriate to their abilities thus providing specialized support to the lowest-performing groups. At grade-level meetings, teachers developed instructional strategies in attempts to maximize these groupings.

However, support for at-risk students was not informed by a coherent, clearly articulated and managed school-wide plan. School leaders indicated that 25 to 30 percent of their students were deemed at-risk and “academic intervention plans” had been developed for all of these students, including those categorized as needing special education services or programs, Title 1 services, and those not showing improvement. These written plans were intended to be reviewed regularly in grade-level meetings as well as in monthly pupil personnel meetings overseen by school leaders. In practice, it was not apparent who was responsible for overseeing this process, what oversight had occurred during the school year, and whether the implementation and effectiveness of academic intervention plans had been determined. Evidence suggested it was largely the responsibility of teachers meeting in grade level teams to develop strategies to meet the needs of at-risk students. Further, because teachers generally did not utilize the “academic intervention plans” and several teachers were unaware of the existence of such plans, the extent to which all at-risk students received the necessary support services was unclear.

Learning Environment

At the time of the inspection visit, Merrick Academy had created an inviting learning environment. Classroom displays and hallways were rich with student academic work and student-generated artwork. Photography, produced in grant-funded collaborations between parents and students, was visible throughout the school. Merrick Academy’s facility was well maintained with suitable rooms, corridors and furniture. Inspectors also noted that, unlike other schools serving similar grades, the school possessed a well equipped science lab.

APPENDIX: RENEWAL BENCHMARKS USED DURING THE VISIT

Evidence Category	Benchmarks	
	Renewal Question 1 Is the School an Academic Success?	
Benchmark 1A Academic Attainment & Improvement	1A.1	English Language Arts: The school meets or has come close to meeting the English Language Arts goal in its Accountability Plan over the term of its charter.
	1A.2	Mathematics: The school meets or has come close to meeting the mathematics goal contained in its Accountability Plan over the term of its charter.
	1A.3	Science: The school meets or has come close to meeting the science goal contained in its Accountability Plan over the term of its charter.
	1A.4	Social Studies: The school meets or has come close to meeting the social studies goal contained in its Accountability Plan over the term of its charter.
	1A.5	NCLB: The school has made adequate yearly progress as required by NCLB.
Benchmark 1B Use of Assessment Data	1B	The school has a system to gather assessment and evaluation data and to use it to improve instructional effectiveness and student learning.

Benchmark 1D Pedagogy	1D.1	The school has strong instructional leadership.
	1D.2	High quality instruction is evident throughout the school.
	1D.3	The school has programs that are demonstrably effective in helping students who are struggling academically to meet the school's academic Accountability Plan goals, including programs for students who require additional academic supports, programs for English Language Learners and programs for students eligible to receive special education.

<p>Benchmark 1E</p> <p>Student Order & Discipline</p>	<p>1E</p> <p>The school's culture allows and promotes a culture of learning.</p>
<p>Benchmark 1F</p> <p>Professional Development</p>	<p>1F</p> <p>The school's professional development program assists teachers in meeting student academic needs and school goals, by addressing identified shortcomings in student learning and teacher pedagogical skill and content knowledge.</p>

CONDUCT OF THE VISIT

The Charter Schools Institute conducted the Second Year Visit at Merrick Academy – Queens Charter School on Thursday, May 24, 2007. Listed below are the names and backgrounds of the individuals who conducted the visit:

The Charter Schools Institute conducted the Second Year Visit at Roosevelt Children’s Academy Charter School on May 23, 2007. Listed below are the names and backgrounds of the individuals who conducted the visit:

Simeon Stolzberg (Team Leader) is a Senior Analyst at the Charter Schools Institute of the State University of New York. Part of the Institute’s oversight and evaluation team, Mr. Stolzberg participates in informal, annual and renewal school visits. Mr. Stolzberg also assists in the development and execution of the Institute’s research agenda, performing statistical analyses of student academic data, and providing technical guidance to schools as needed. Prior to joining the Institute, Mr. Stolzberg managed his own consulting practice, advising charter schools across the country in their application and planning phases. He also served as Middle School Director for the Beginning with Children Charter School in Brooklyn, New York. In 2002, as a Building Excellent Schools Fellow, Mr. Stolzberg wrote the prospectus and application for the Berkshire Arts & Technology Charter School (BArT) in Massachusetts; the school was one of only five schools approved by the state that year. Mr. Stolzberg served as the school’s founding principal. Mr. Stolzberg received his Master’s Degree in Public Policy from Georgetown University and his Bachelor of Arts degree in Philosophy, with independent studies in education and political economy, from Williams College.

Ron Miller, Ph.D., is the Vice President for Accountability at the Charter Schools Institute at the State University of New York. Dr. Miller was the Educational Accountability Officer for the New York City Department of Education. After teaching grades three through five in New York City public schools for seven years, he joined the central offices of the New York City schools, where he conducted evaluative research and organizational studies. As Director of the Office of School Planning and Accountability, he worked with school leaders to develop their capacity to use data for school improvement. In this capacity he developed PASS, a school performance review system which was adopted in 600 city schools. Dr. Miller holds an AB degree from the University of California at Berkeley and a Ph.D. in Applied Anthropology from Columbia University.

Jason L. Sarsfield is a Senior Analyst at the Charter Schools Institute at the State University of New York. Mr. Sarsfield fulfills a leadership role in informal and annual visits to SUNY authorized charter schools as well as participates in the charter renewal review process, provides technical assistance to schools as needed, and contributes to the Institute’s research agenda. Prior to joining the Institute in January, 2007 Mr. Sarsfield was a Contract Analyst at The Center for Charter Schools at Central Michigan University – Office of Academic Accountability where he was responsible for evaluating the academic performance of authorized schools, reviewing school curricula and educational programs, and measuring progress toward educational goals. While at Central Michigan University, Mr. Sarsfield worked closely with the Michigan Department of Education on annual legislative reports, grant reviews, and policy recommendations. Previously, Mr. Sarsfield taught social studies in grades 7-12 in Michigan and Alaska while also completing curriculum development

responsibilities and serving as an Advanced Placement Exam Reader for The College Board. Mr. Sarsfield holds a Bachelor of Science degree in Secondary Education from Northern Michigan University and is completing the requirements for the Master of Arts Degree in Educational Leadership from Central Michigan University.

Susan Seymour is a Senior Analyst at the Charter Schools Institute of the State University of New York. In the past Mrs. Seymour taught pre-kindergarten through 10th grade. From 1996 to 1999 she worked in the Governor's Office of Regulatory Reform as an analyst. There she assisted various state agencies, among others the banking department and the Office of Children and Family Services, in cutting "red tape" from their New York State regulations. Interested in education reform, she joined the Charter Schools Institute in 1999. She received her B.S. from The University of Rochester and her M.A. from Manhattanville College concentrating in Special Education and Reading.

In addition, the Institute was pleased to have the following consultants join the school visit team:

Adam Aberman (Consulting Writer) is Youth Venture's Director of Global Online Strategy. Mr. Aberman was the Executive Director and Founder (and currently Board Member) of icouldbe.org, the non-profit Internet-based career mentoring program that has served over 5,000 teens nationwide and in Tanzania. Adam is also the Principal and Founder of The Learning Collective, a consulting organization that strengthens practices of youth-serving organizations. Prior to establishing icouldbe.org, Adam was a Regional Coordinator for the New York City Department of Education. Adam began his career in education as a Spanish bilingual public school teacher in Los Angeles. Adam received a B.A. from Vassar College and a Master's in Public Policy, with an emphasis on Education, from Harvard University's Kennedy School of Government.

William Haft is an independent consultant who specializes in school development and accountability. He works regularly with the National Association of Charter School Authorizers (NACSA) where his recent responsibilities have included leading contract development for post-Katrina charter schools in New Orleans; in-depth training of California Department of Education staff; and charter school oversight and evaluation guidance for the Los Angeles Unified School District. Other clients for whom he does school accountability work include Cambridge Education (NYC Department of Education Quality Reviews), Raza Development Fund (charter school facilities loan underwriting), and the Colorado Department of Education (charter school application evaluation). Mr. Haft previously served three year stints as NACSA's Associate Director and as an attorney in the litigation and education practice groups at Hogan & Hartson, LLP in Washington, D.C. Before joining the legal ranks, he was a school teacher, administrator and soccer coach at an independent K-12 school in Colorado. He graduated from Carleton College, holds a J.D. from Harvard Law School, and recently earned an M.Ed. (Administration) from Arizona State University. William serves on the Board of Directors of Democracy Prep Charter School in New York City.

Joe Nicolella retired after more than thirty years in the field of education. At the time of his retirement, Mr. Nicolella was the Assistant Superintendent for Human Resources, and as such his responsibilities included developing and maintaining all staff rosters and procedures for a district of over 1700 employees; providing leadership and supervision of the district professional development program; recruiting, selecting and hiring staff; coordinating the development of the district teacher assessment and evaluation approach; and conducting disciplinary and other hearings, as well as contract negotiations. Prior to becoming Assistant Superintendent, Mr. Nicolella served as a

principal at the junior high and middle school level for six years, as director of student services for three years, as an assistant principal for ten years, and as a science teacher at the middle and high school levels for over ten years. Since retirement from public education, Mr. Nicolella has served in the capacity of a supervisor of administrative interns and student teachers at the College of St. Rose, as an interim coordinator of special education, and as acting lead principal for three middle schools. For nearly three years, he also has been a consultant for the Charter Schools Institute, with a primary responsibility to review and critique curriculum documents submitted to the Institute as a part of the initial charter school application process, charter renewal, or change in program. Mr. Nicolella has earned a Bachelor and Master of Science degrees in Education. He also holds a Master of Science in Advanced Classroom Teaching and a Specialist in Curriculum and Instruction. Mr. Nicolella has also completed all coursework for the doctorate in Curriculum and Instruction. All of his professional training was completed at the University at Albany.