

Accountability Plan Progress Reports for the 2005-06 School Year

Reader's Guide

SUNY Authorized Charter Schools and Accountability

As set forth in the *Practices, Policies and Procedures for the Renewal of Charter Schools Authorized by the State University Board of Trustees*, the single most important factor that the Charter Schools Institute and the State University Board of Trustees consider in making renewal determinations is the school's record in generating successful student achievement outcomes. In order to determine whether a school has met that high standard, **each charter school that the State University Board of Trustees authorizes is required to enter into an accountability agreement, known as the Accountability Plan**, which ultimately becomes part of its charter.

The Charter Schools Institute closely monitors each school's progress toward achieving the goals outlined in its Accountability Plan.

In addition, as part of their annual reporting requirements **all SUNY authorized charter schools must submit an Accountability Plan Progress Report which, from their vantage point, addresses each of the goals and outcome measures contained in their Accountability Plans.** The information presented in these Progress Reports constitutes important evidence that a school is keeping its promises to its students, parents and community, and is critical to making its case for renewal at the end of its charter period. The most important parts of Progress Reports are student achievement results on state exams and other assessments. However, not all schools will have tested grade levels for a particular exam. Each year the state administers ELA and math tests to grades 3-8, science tests to grades 4 and 8, and social studies tests to grades 5 and 8.

Important Note: **The Accountability Plan Progress Report is authored by the charter school.** In reporting school progress toward meeting the outcome measures set forth in the Accountability Plan, schools are encouraged to build a case for the effectiveness of their program and to lay the groundwork for writing a Renewal Application and ultimately for charter renewal. **The school's evaluation of its own progress does not necessarily reflect the conclusions of the Institute.** Further, the Institute does not affirm the completeness or accuracy of the report's data and may not endorse the school's characterization of the progress it has made toward achieving its Accountability Plan goals. Throughout the life of the school's charter, the Institute will visit each school, generating Institute School Visit Reports, and at the end of each charter period, a Renewal Report (select the <back> button in your browser to return to the school profile to see any/all available reports). These reports include detailed summaries of the Institute's observations of the school, as well as its evaluation of student performance and progress toward meeting the academic subject goals in its Accountability Plan.

Accountability Plan Progress Report

2005 - 2006

Merrick Academy – Queens Public Charter School

Updated, Resubmitted: November 10, 2006

Progress Made Toward Goals Set Forth in the Accountability Plan

I. IS THE SCHOOL AN ACADEMIC SUCCESS?

Academic Assessment Goal 1: All students at the school will become proficient in reading and writing of the English language.

GOAL 1, MEASURE 1, A: Absolute Proficiency

Each year, 75% of students in each assessed grade who have been continuously enrolled in the school for two or more years will perform at or above Level 3 on the New York State English Language Arts (ELA) Assessment.

The following table presents the performance of the students in each tested grade:

Grade	Population	2005-2006 ELA Percent of Grade 3-6 Students at Each Performance Level					Number Tested
		Level 1	Level 2	Level 3	Level 4	Levels 3&4	
3	All Students	13.5%	48.6%	35.1%	2.7%	37.8%	74
	Students in at least 2 nd Year	12.7%	49.2%	34.9%	3.2%	38.1%	63
4	All Students	18.7%	34.7%	45.3%	1.3%	46.7%	75
	Students in at least 2 nd Year	16.4%	37.7%	44.3%	1.6%	45.9%	61
5	All Students	6.8%	23.0%	66.2%	4.1%	70.3%	74
	Students in at least 2 nd Year	7.0%	17.5%	71.9%	3.5%	75.4%	57
6	All Students	10.0%	48.6%	40.0%	1.4%	41.4%	70
	Students in at least 2 nd Year	10.2%	45.8%	42.4%	1.7%	44.1%	59

The school exceeded the measure's requirement (that at least 75 percent of students enrolled in at least their 2nd year perform at or above Level 3) only in the 5th grade, where 75.4% of these students scored at level 3 or 4. Each of grades 3, 4, and 6 were below 75 percent.

The following table presents the aggregate performance of all of the tested grades.

Population	2005-2006 ELA Aggregate Performance for Grade 3-6 Students					Number Tested
	Level 1	Level 2	Level 3	Level 4	Levels 3&4	
All Students	12.3%	38.6%	46.8%	2.4%	49.1%	293
Students in at least 2 nd Year	11.7%	37.9%	47.9%	2.5%	50.4%	240

In aggregate across grades 3-6 in 2005-2006, 50 percent of students in at least their 2nd year performed at or above Level 3 (proficient) on the New York State English Language Arts Assessment (ELA).

GOAL 1, MEASURE 1, B: Absolute Proficiency

Each year, the school's aggregate Performance Index on the State ELA exam will meet or exceed the Annual Measurable Objective set forth in the state's No Child Left Behind (NCLB) school accountability system.

For the 2005 – 2006 school year, the Annual Measurable Objective on the ELA was 122.

2005-2006 All Students			
Total N Tested	% Lv 2	% Lv 3 or 4	PI
293	39%	49%	137

Merrick students surpassed the AMO, so the school met this measure in 2005 – 2006.

GOAL 1, MEASURE 2, A: Comparative Proficiency

Each year, the percentage of students who have been continuously enrolled in the school for two or more years and who perform at or above Level 3 on the State ELA Assessment will be greater than that of the local school district.

The following table compares the performance of Merrick's students with that of the local school district (CSD 29) on the State ELA exam for 2005-2006:

Grade	Population	% at Level 3 or 4	Number Tested
3-6 Aggregate	Merrick Academy Students in at least 2 nd Year	50.4%	240
	CSD 29 All Students	55.3%	10108
3	Merrick Academy Students in at least 2 nd Year	38.1%	63
	CSD 29 All Students	57.5%	2475
4	Merrick Academy Students in at least 2 nd Year	45.9%	61
	CSD 29 All Students	59.4%	2501
5	Merrick Academy Students in at least 2 nd Year	75.4%	57
	CSD 29 All Students	57.4%	2673
6	Merrick Academy Students in at least 2 nd Year	44.1%	59
	CSD 29 All Students	46.4%	2459

In aggregate across grades 3-6 in 2005-2006, 50% of students in at least their 2nd year performed at or above Level 3 (proficient) on the New York State English Language Arts Assessment (ELA); whereas, 55% of all students in District 29 did. Thus, Merrick did not meet this measure.

In the 5th grade, Merrick did exceed the local school district, with 75% of students (enrolled in at least the 2nd year) versus 57% for the district (all enrolled students).

GOAL 1, MEASURE 2, B: *Comparative Proficiency*

Each year, the percentage of students performing at or above Level 3 on the State ELA exam in each tested grade will place the school in the top quartile of all similar schools as determined by the Charter Schools Institute (CSI) and based on the similar school categories generated by the State Education Department and the New York City Department of Education.

This data is pending because the Charter Schools Institute has not yet provided a determination of similar schools for Merrick Academy.

GOAL 1, MEASURE 2, C: *Comparative Proficiency*

Each year, the school will exceed to a specified degree (as set by the Charter Schools Institute) its expected level of performance on the State ELA exam, as determined by the performance of other schools that have a similar proportion of students eligible for free lunch among all charter and public schools in districts with charter schools.

Given the timing of the release of state exam results, the analysis from the Charter Schools Institute for 2005-2006 is not yet available.

For 2004-2005, CSI's model predicts that Merrick would have had 67.8% of students at levels 3 and 4. Merrick exceeded this with 69.9% of students scoring at levels 3 and 4. CSE describes this difference between actual and predicted using a statistical measure called "effect size." Merrick's effect size for 2004 – 2005 was 0.16, which is "about the same as expected." For more details see the attached *CSI Comparative Performance Analysis*.

GOAL 1, MEASURE 3, A: *Value Added to Student Learning*

For the 2004-2005 and 2005-2006 school years, grade-level cohorts of students will reduce by one half the gap between their average NCE in the previous spring on the Iowa Test of Basic Skills (ITBS), a nationally-normed test and an NCE of 50 (i.e., grade-level) in the current spring.

ITBS Reading Results

2004 - 2005		2005 - 2006	
May - May		May - May	
N	Avg NCE Gain Avg NCE by Test	N	Avg NCE Gain Avg NCE by Test
284	-4.0 53.6 → 49.6	316	-5.3 55.3 → 50.0

Merrick students achieved an average NCE of 50 in May 2005, scoring an average NCE of 49.6. In comparison to May 2004, student scores decreased by 4.0 NCE.

During school year 2005-2006 the 4th and 5th graders' scores on the Iowa Test of Basic Skills indicated that these students did keep academic pace with national peer norms. The 1st and 6th grades' results indicated that the students did not fare as strong as the above mentioned grades. These results may be indicators that these students need to be challenged with more rigorous instruction. On the other hand, the 2nd graders' results did not reach our goal, which may indicate a need for additional comprehensive faculty professional development, the use of data to inform instruction and the incorporation of differentiated instruction for the cohort of teachers assigned to the 2nd grade. Further, parent reading workshops to assist with homework will be incorporated into the school's parent calendar. In all grades discussed above, the school administrators, principal and assistant principal, will continue to ensure that the above plan is continued in all grades.

GOAL 1, MEASURE 3, B: *Value Added to Student Learning*

Each year beginning in 2006-07, grade-level cohorts of students will reduce by one-half the gap between the percent at or above Level 3 on the previous year's State ELA exam and 75 percent at or above Level 3 on the current year's State ELA exam.

This measure is not applicable until next year.

Academic Assessment Goal 2: All students at the school will demonstrate competency in the understanding and application of mathematics computation and problem solving.

GOAL 2, MEASURE 1, A: Absolute Proficiency

Each year, 75% of students in each assessed grade who have been continuously enrolled in the school for two or more years will perform at or above Level 3 on the New York State Mathematics Assessment.

The following table presents the performance of the students in each tested grade:

Grade	Population	2005-2006 Mathematics Percent of Grade 3-6 Students at Each Performance Level					Number Tested
		Level 1	Level 2	Level 3	Level 4	Levels 3&4	
3	All Students	6.8%	18.9%	64.9%	9.5%	74.4%	74
	Students in at least 2 nd Year	6.5%	16.1%	67.7%	9.7%	77.4%	62
4	All Students	13.5%	33.8%	47.3%	5.4%	52.7%	74
	Students in at least 2 nd Year	15.0%	33.3%	45.0%	6.7%	51.7%	60
5	All Students	4.0%	40.0%	45.3%	10.7%	56.0%	75
	Students in at least 2 nd Year	3.5%	36.8%	45.6%	14.0%	59.6%	57
6	All Students	20.0%	50.0%	28.6%	1.4%	30.0%	70
	Students in at least 2 nd Year	24.1%	48.3%	25.9%	1.7%	27.6%	58

The school exceeded the measure's requirement (that at least 75 percent of students enrolled in at least their 2nd year perform at or above Level 3) only in the 3rd grade, where 77.4% of these students scored at level 3 or 4. Each of grades 4, 5, and 6 were below 75 percent.

The following table presents the aggregate performance of all of the tested grades.

Population	2005-2006 Mathematics Aggregate Performance for Grade 3-6 Students					Number Tested
	Level 1	Level 2	Level 3	Level 4	Levels 3&4	
All Students	10.9%	35.5%	46.8%	6.8%	53.6%	293
Students in at least 2 nd Year	12.2%	33.3%	46.4%	8.0%	54.4%	237

In aggregate across grades 3-6 in 2005-2006, 54 percent of students in at least their 2nd year performed at or above Level 3 (proficient) on the New York State Mathematics Assessment.

GOAL 2, MEASURE 1, B: Absolute Proficiency

Each year, the school's aggregate Performance Index on the State Math exam will meet or exceed the Annual Measurable Objective set forth in the state's No Child Left Behind (NCLB) school accountability system.

For the 2005 – 2006 school year, the Annual Measurable Objective on the Mathematics Assessment was 86.

2005-2006 All Students			
Total N Tested	% Lv 2	% Lv 3 or 4	PI
293	35.5%	53.6%	143

Merrick students surpassed the AMO, so the school met this measure in 2005 – 2006.

GOAL 2, MEASURE 2, A: Comparative Proficiency

Each year, the percentage of students who have been continuously enrolled in the school for two or more years and who perform at or above Level 3 on the State Mathematics Assessment will be greater than that of the local school district.

The following table compares the performance of Merrick's students with that of the local school district (CSD 29) on the State Mathematics exam for 2005-2006:

Grade	Population	% at Level 3 or 4	Number Tested
3-6 Aggregate	Merrick Academy Students in at least 2 nd Year	54.5%	237
	CSD 29 All Students	64.0%	10669
3	Merrick Academy Students in at least 2 nd Year	77.4%	62
	CSD 29 All Students	73.8%	2673
4	Merrick Academy Students in at least 2 nd Year	51.7%	60
	CSD 29 All Students	70.0%	2673
5	Merrick Academy Students in at least 2 nd Year	59.6%	57
	CSD 29 All Students	59.4%	2779
6	Merrick Academy Students in at least 2 nd Year	27.6%	58
	CSD 29 All Students	52.5%	2544

In aggregate across grades 3-6 in 2005-2006, 55% of students in at least their 2nd year performed at or above Level 3 (proficient) on the New York State Mathematics Assessment; whereas, 64% of all students in District 29 did. Thus, Merrick did not meet this measure.

In the 3rd and 5th grades, Merrick did exceed the local school district, with 77.4% and 59.6% of students (enrolled in at least the 2nd year), respectively, versus 73.8% and 59.4% for the district (all enrolled students).

GOAL 2, MEASURE 2, B: *Comparative Proficiency*

Each year, the percent of students performing at or above Level 3 on the State Mathematics exam in each tested grade will place the school in the top quartile of all similar schools as determined by the Charter Schools Institute and based on the similar school categories generated by the State Education Department and the New York City Department of Education.

This data is pending because the Charter Schools Institute has not yet provided a determination of similar schools for Merrick Academy.

GOAL 2, MEASURE 2, C: *Comparative Proficiency*

Each year, the school will exceed to a specified degree (as set by CSI) its expected level of performance on the State Math exam, as determined by the performance of other schools that have a similar proportion of school eligible for free lunch among all charter and public schools in districts with charter schools.

Given the timing of the release of state exam results, the analysis from the Charter Schools Institute for 2005-2006 is not yet available.

For 2004-2005, CSI's model predicts that Merrick would have had 84.3% of students at levels 3 and 4. Merrick fell short with 74.7% of students scoring at levels 3 and 4. CSE describes this difference between actual and predicted using a statistical measure called "effect size." Merrick's effect size for 2004 – 2005 was -0.92, which is "lower than expected to a large degree." For more details see the attached *CSI Comparative Performance Analysis*.

GOAL 2, MEASURE 3, A: *Value Added to Student Learning*

For the 2004-05 and 2005-06 school years, grade-level cohorts of students will reduce by one-half the gap between their average NCE in the previous spring on the Iowa Test of Basic Skills (ITBS) a nationally-normed math test, and an NCE of 50 (i.e., grade-level) in the current spring.

ITBS Math Results

2004 - 2005		2005 - 2005	
May - May		May - May	
N	Avg NCE Gain Avg NCE by Test	N	Avg NCE Gain Avg NCE by Test
318	-5.6 51.6 → 46.0	302	-2.0 49.1 → 47.0

In May 2004, Merrick students surpassed the goal of an average NCE of 50, scoring an average NCE of 51.6. Student scores declined in May 2005 to 46.0.

During school year 2005-2006 the 3rd, 4th, 5th and 6th graders scores on the Iowa Test of Basic Skills indicated that the students did keep academic pace with national peer norms in Math. The 2nd graders' results indicated that the students did not fare as strong as the above mentioned grades. These results may be indicators that these students need to be challenged with more rigorous instruction. On the other hand, the 1st graders' results did not reach our target goal, of which may indicate a need for additional comprehensive faculty professional development, the use of data to inform instruction and the incorporation of differentiated instruction for the cohort of teachers assigned to the 1st grades. Further, parent math workshops to assist with homework will be incorporated into the school's parent calendar. In all grades discussed above, the school administrators, principal and assistant principal, will continue to ensure that the above plan is continued in all grades.

GOAL 2, MEASURE 3, B: *Value-Added to Student Learning*

Each year beginning in 2006-07, grade level cohorts of students will reduce by one-half gap between the percent at or above Level 3 on the previous year's State Math exam and 75 percent at or above Level 3 on the current year's State Math exam.

Measure not applicable until next year.

Academic Assessment Goal 3: All students at the school will demonstrate competency in the understanding and application of scientific reasoning.

GOAL 3, MEASURE 1: *Absolute Proficiency*

Each year, 75% of students in each assessed grade who have been continuously enrolled in the school for two or more years will perform at or above Level 3 on the New York State Science Assessment.

The Commissioner has not yet released science scores for 2005 – 2006.

GOAL 3, MEASURE 2: *Comparative Proficiency*

Each year, the percentage of students who have been continuously enrolled in the school for two or more years and who perform at or above Level 3 on the State Science Assessment will be greater than that of the local school district.

Science scores for 2005 – 2006 have not yet been released.

Academic Assessment Goal 4: All students at the school will demonstrate competency in the understanding and application of social, geographical, civic and world studies.

GOAL 4, MEASURE 1: *Absolute Proficiency*

Each year, 75% of students in each assessed grade who have been continuously enrolled in the school for two or more years will perform at or above Level 3 on the New York State Social Studies Assessment.

Merrick's progress toward meeting Absolute Proficiency in the New York State Social Studies Assessment is positive. The School's principal and assistant principal will continue to provide the necessary support for continued success and further improvement.

		2003 - 2004	2004 - 2005	2005 - 2006
		Lv 3 or 4	Lv 3 or 4	Lv 3 or 4
2 or more years in school	% of group	73%	67%	83%
	N	8/11	40/60	62/75
All Students	% of group	74%	63%	88%
	N	34/46	44/70	49/56

GOAL 4, MEASURE 2: *Comparative Proficiency*

Each year, the percentage of students who have been continuously enrolled in the school for two or more years and who perform at or above Level 3 on the Social Studies Assessment will be greater than that of the local school district.

Merrick's progress toward meeting Comparative Proficiency in the New York State Social Studies Assessment is positive. The School's principal and assistant principal will continue to provide the necessary support for continued success and further improvement.

Schools	% at Level 3 or 4		
	2003 - 2004	2004-2005	2005-2006
Merrick Academy (Enrolled ≥ 2 yrs)	73%	67%	83%
Merrick Academy (All Students)	74%	63%	88%
CSD 29	N/A	N/A	N/A

Scores on the New York State Social Studies Assessment are not available for comparison from CSD 29 at the time of this report.

Academic Assessment Goal 5: The school will demonstrate academic success by making adequate yearly progress as required by NCLB.

GOAL 5, MEASURE 1:

Each year, the school will be designated in “Good Standing” under the Federal Title I component of the state’s “school accountability system.”

The Accountability Status Report issued by the New York State Education Department stated Merrick Academy’s 2004 – 2005 Accountability Status as “Charter School In Good Standing.”

II. IS THE ORGANIZATION VIABLE AND EFFECTIVE?

Organizational Viability Goal 1: The school will demonstrate strong organizational viability by maintaining strong parental and student support and commitment to the school.

GOAL 1, MEASURE 1:

Each year, parents will express satisfaction with the school’s program, based on the school’s Parent Survey, in which at least two-thirds of all parents provide a positive response to each of the survey items.

Each year the school issued a parent survey asking for input on each of the ten areas listed in the table below.

Categories	Very Satisfied or Satisfied	
	2004 – 2005	2005 - 2006
Class Size	97%	84%
Overall school climate/environment	98%	85%
Standards and expectations	93%	84%
My child's academic achievement/progress	96%	83%
Civic projects	97%	84%
Potential for parent involvement	99%	90%
Communication between school and home	98%	85%
My child demonstrates knowledge of art and music	94%	86%
My child demonstrates self-control, responsibility and concern for others.	88%	91%
Overall Academic Program	98%	93%

GOAL 1, MEASURE 2: Each year, 90 percent of all students (enrolled at any time during the course of the year) will return the following September.

The percentage of students that were enrolled at Merrick in 2003-2004 that returned in September 2004 was 86.2% (375/435). The percentage of students that were enrolled at Merrick in 2004-2005 that returned in September 2005 was 85.2% (381/447).

GOAL 1, MEASURE 3:

Each year, the school will have a daily student attendance rate of at least 95 percent.

Average Monthly Student Attendance

Month	Attendance	
	2004 - 2005	2005 - 2006
September	90.2%	N/A
October	92.3%	95.0%
November	93%	90.4%
December	92%	87.0%
January	91%	87.0%
February	92.2%	92.0%
March	91%	94.7%
April	91%	93.4%
May	93.3%	91.0%
June	91%	91.0%

As noted in the table above, average monthly student attendance was close to, but not quite, at the goal. The Academy will continue to work toward meeting its goal in the 2006 - 2007 school year.

GOAL 1 – ADDITIONAL MEASURES AND EVIDENCE

In addition, the school conducted a parent task force during the 2005 – 2006 school year to evaluate and make recommendations in the categories of Student Behavior and School Tone. The Parent Task Force consisted of four (4) parents who met in five sessions. Listed below is the calendar of dates and task covered.

Calendar 2006 - 2006

October 19,2005	Identify parents to serve on the Parent Task Force
October 27, 2005 10AM	Hold a parent workshop to review the process and use of rubric for assessment. Walk through classrooms and school wide activities with the Parent Task Force. Complete the school tone monitoring forms with the use of rubric. Analyze data.
November 17, 2005	Formalize recommendations from the Parent Task Force. Principal develops a plan of action in collaboration with parents and staff to address areas identified for improvement or enhancement.
November 31, 2005	Share a report of the action plan and Parent Task Force findings with staff, parents and Board of Trustees. Implement the Action Plan.
January 18, 2005	Identify new parents for the Parent Task Force.
April 11, 2006 10 AM	Hold a parent workshop to review the process and use of rubric for assessment. (If necessary) Walk through classrooms and school wide activities with the Parent Task Force. Complete the school tone monitoring forms with the use of the rubric. Analyze data.
April 11, 2006	Formalize recommendations from the Parent Task Force. Principal develops a plan of action in collaboration with parents and staff to address areas identified for improvement or enhancement.
May 25, 2006	Share a report of the Action Plan and Parent Task Force findings with staff, parents and Board of Trustees. Implement the Action Plan.
June 14, 2006	Meet with the Parent Task Force. Review progress on action plans. Create an End-of-Year report to be submitted to the Regional Director and the Board of Trustees.

**Parent Task Force
Detailed Assessment Results
Spring 2006**

The Parent Task Force measured overall student behavior at Merrick Academy Queens Public Charter School. The Task Force used an evaluation rubric to assess eight factors representing student behavior. (Those eight factors were given equal weight.) The Task Force received training in using the rubric to perform the assessment. Detailed results of the Task Force's assessments are below:

	Excellent	Good	Satisfactory	Poor
School Community	80% 3	20% 1	0% 0	0% 0
Expectations	80% 2	10% 1	10% 1	0% 0
Follow Directions	80% 2	10% 1	10% 1	0% 0
Routines	20% 1	80% 3	0% 0	0% 0
Behavior Management	80% 3	20% 1	0% 0	0% 0
Time on Task	80% 3	20% 1	0	0% 0
Transitions	100% 4	0% 0	0% 0	0% 0
Quiet Signal	90% 3	10% 1	0	0% 0

Furthermore, Merrick Academy continued to conduct Civic Projects during 2005 – 2006, which generated extremely high student participation and demonstrated a strong commitment to the school and our community.

Civic Projects
2005-2006

Date	Project Description	Grade(s)	Evidence/Outcome	# of Students Involved	%of Students Involved
10/05- Dec/05	Hurricane Katrina	School-wide	Photographs of donated clothing and food and receipt of delivery	500	100%
Nov.-Dec 05	City Harvest Food Drive	School Wide	Thank you letter	500	100%
Dec 05	Veteran's Home	5	Students sang songs, wrote poems and cheers. Video tape and photographs	75	100%
May 06	American Lung Association	School Wide	Families donated \$500.00	500	75%

Organizational Viability Goal 2: The school will substantially comply with applicable laws, rules and regulations and the provisions of its charter.

GOAL 1, MEASURE 1:

Each year, the school will generally and substantially comply with all applicable laws, rules and regulations, including, but not limited to, the New York Charter Schools Act, the New York Freedom of Information Law, the New York Open Meetings Law, the federal Individuals with Disabilities Education Act, the federal Family Educational Rights and Privacy Act, and the provisions of its by-laws and charter.

The Academy has generally and substantially complied with all applicable laws, rules and regulations. The Board takes legal compliance matters very seriously and has retained outside counsel to insure that all relevant laws are complied with (See Measure 3 below).

GOAL 1, MEASURE 2:

Each year, the school will have in place and maintain effective systems, policies, procedures and other controls for ensuring that legal and charter requirements are met.

The Academy has in place and maintains effective systems, policies, procedures and other measures for ensuring that legal and charter requirements are met. Victory personnel conduct written and on-site audits of the Academy's operations in order to ensure that the school is fulfilling its compliance requirements. The Academy's staff has been trained with respect to all applicable procedures and systems. The staff is empowered to identify and address any possible legal or compliance issues and to report these matters to Victory, the Board or its counsel.

GOAL 1, MEASURE 3:

Each year, the school will maintain a relationship with independent legal counsel that reviews relevant policies, documents, and incidents and makes recommendations as needed, and in proportion to the legal expertise on the board of trustees, if any.

The Academy receives legal advice from its outside counsel. The Academy's outside counsel works on behalf of the Academy and the Board on all legal-related matters. Specifically, the attorney advises the Board on a variety of matters, including open meeting laws; personnel and employment rules; building code issues; real estate matters; and education law. Victory's in-house attorney also provides legal counsel to the Academy and the Board and works with the Board's outside counsel on legal-related matters that do not present a conflict of interest between the two parties.

III. IS THE SCHOOL FISCALLY SOUND?

Fiscal Goal 1: The school will maintain sound financial practices.

GOAL 1, MEASURE 1: *Budgeting and Long Range Planning*

Each year, the school will operate on a balanced budget: actual revenues will equal or exceed actual expenses.

The school has operated on a balanced budget since its 3rd year of operation and intends to maintain this goal throughout the remainder of the next 5 year charter period.

GOAL 1, MEASURE 2: *Internal Controls and Compliance*

Each year, the school will take corrective action, if needed, in a timely manner to address any internal control or compliance deficiencies identified by its external auditor, the State Educational Department, or the Charter Schools Institute.

The last full-scope financial audit of the school was performed for the fiscal year-end June 30, 2005 by the accounting firm Mitchell & Titus. There were no material internal control or compliance deficiencies noted in the report.

GOAL 1, MEASURE 3: *Financial Condition*

At the end of each fiscal year, the school's unrestricted net assets will be equal to or exceed two percent of the school's operating budget for the upcoming year.

The school's unrestricted net assets exceed two percent of the school's operating budget for the upcoming year.