

Accountability Plan Progress Reports for the 2008-09 School Year

Reader's Guide

SUNY Authorized Charter Schools

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 an 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 its annual reporting requirements, **each SUNY authorized charter school must submit an Accountability Plan Progress Report which, from its vantage point, addresses each of the goals and outcome measures contained in its Accountability Plan.** 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 state exam. Each year, the state administers English language arts and mathematics tests to 3rd through 8th grade, science tests to the 4th and 8th grades, and, up through 2009-10, social studies tests to the 5th and 8th grades.

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.

**Merrick Academy-Queens
Public Charter School**

2008-09

**ACCOUNTABILITY PLAN
PROGRESS REPORT**

Submitted to the SUNY Charter Schools Institute on:

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Alma Alston, Principal, and Carolyn Thomas, Assistant Principal, prepared this 2008-09 Accountability Progress Report on behalf of the school’s board of trustees:

Trustee’s Name	Board Position
Gerald Karikari	Chair
Alma Alston	Principal/ Ex-Officio
Kimberly Francis	Trustee, Operations Committee Chair
Jacques Leandre	Trustee, Finance Committee Chair
Traci Powell	Trustee, HR Committee Chair
William Strader	Trustee, PTA Fathers’ Committee
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Shante Spivey	Trustee, PTA President 2008-09

INTRODUCTION

The Merrick Academy – Queens Public Charter School was approved by the State University Board of Trustees in June of 2000 and by the Board of Regents in May of that year. The school opened in September 2000 with an enrollment of 121, which has grown to 495 students K-6.

Mission Statement:

The mission of Merrick Academy is to become one of the finest public schools in America. The Academy is built on the philosophy that all children can learn and the Academy ensures that all students meet or exceed New York State performance standards.

The focus of the Academy is on the core skills of reading, language and mathematics. The Academy is organized to provide an extended day, a high degree of individualized instruction and an innovative research-based academic curriculum.

School Enrollment by Grade Level and School Year

School Year	K	1	2	3	4	5	6	Total
2004-05	49	45	75	74	75	70	51	439
2005-06	74	76	49	75	76	75	73	498
2006-07	76	78	75	52	76	83	56	496
2007-08	78	76	74	77	54	80	56	495
2007-08	78	80	81	76	78	50	56	499

ENGLISH LANGUAGE ARTS

Goal 1: English Language Arts

All students at the school will become proficient in reading and writing of the English language.

Background

The school's English Language Arts curriculum is conducted using the Balanced Literacy and Balanced Writing models. The program is supplemented with interesting reading materials, independent reading, author studies, graphic organizers, literacy centers, and writing periods. Reading and writing focus on the skill of the week and are driven by the Core Knowledge thematic units.

Goal 1, Measure 1 A: Absolute Measure

Each year, 75 percent 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.

Method

The school administered the New York State Testing Program English language arts assessment to students in 3rd through 6th grade during each of the last 4 years, while only the 4th grade took the exam in 2004-05. Each student's raw score has been converted to a grade-specific scaled score and a performance level. The criterion for success on this measure requires students who have been enrolled in at least their second year (defined as enrolled by BEDS day of the previous school year) to score at Levels 3 or 4.

The table below, as an example, summarizes participation information for this year's test administration. The table indicates total enrollment and total number of students tested. It also provides a detailed breakdown of those students excluded from the exam. Note that this table includes all students according to grade level, even if they have been enrolled for less than one year.

**2008-09 State English Language Arts Exam
Number of Students Tested and Not Tested**

Grade	Total Tested	Not Tested ¹			Total Enrolled
		IEP	ELL	Absent	
3	76	0	0	0	76
4	78	0	0	0	78
5	50	0	0	0	50
6	57	0	0	0	57
7	N/A	N/A	N/A	N/A	N/A
8	N/A	N/A	N/A	N/A	N/A
All (3-6)	261	0	0	0	261

Results

¹ Students exempted from this exam according to their Individualized Education Program (IEP), because of English Language Learners (ELL) status, or absence for at least some part of the exam.

The results for Merrick Academy on the State ELA assessment for this charter term (2004-09) are summarized in the table below.

English Language Arts Performance by Grade Level and School Year

Grade	Percent of Students Enrolled in At Least Their Second Year at Levels 3 and 4									
	2004-05		2005-06		2006-07		2007-08		2008-09	
	Percent	Number Tested	Percent	Number Tested	Percent	Number Tested	Percent	Number Tested	Percent	Number Tested
3			38.1%	63	56.1%	41	75.0%	64	91.2%	68
4	71.2%	59	45.9%	61	43.9%	57	61.5%	39	84.3%	70
5			75.4%	57	58.9%	56	77.8%	54	87.5%	48
6			44.1%	59	61.4%	44	60.0%	45	88.7%	53
7	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
8	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
All	71.2%	73	50.4%	240	54.5%	198	69.8%	202	87.9%	239

Evaluation

Did not meet this measure in the first four years of this charter term; met and exceeded measure during 2008-09.

Overall, 87.9% of students in grades 3-6 enrolled in at least their second year scored at or above Level 3 in 2008-09. This is the first year during this charter term in which Merrick Academy has achieved the goal of 75% of students at or above Level 3 in ELA, however the positive upward trend, culminating in this year’s excellent results, demonstrate the steady improvement of Merrick Academy students.

Goal 1, Measure 1 B: Absolute Measure
 Each year, the school’s aggregate Performance Index (PI) on the State ELA exam will meet the Annual Measurable Objective (AMO) set forth in the state’s NCLB accountability system.

Method

The federal No Child Left Behind law holds schools accountable for making annual yearly progress towards all students being proficient by the year 2013-14. As a result, the state sets an Annual Measurable Objective (AMO) each year to determine if schools are making satisfactory progress toward the goal that 100 percent of students will ultimately be proficient in the state’s learning standards in English Language Arts. To achieve this measure, all tested students must have a Performance Index (PI) value that equals or exceeds this year’s English language arts AMO, which for 2008-09 is 144. The PI is calculated by adding the sum of the percent of all tested students at Levels 2 through 4 with the sum of the percent of all tested students at Levels 3 and 4. Thus, the highest possible PI is 200. The table below including data from 2008-09 demonstrates the calculation method for the ELA PI.

Calculation of 2008-09 English Language Arts Performance Index (PI)

Grades	Percent of Students at Each Performance Level				Number Tested
	Level 1	Level 2	Level 3	Level 4	
3-6	0.4%	11.4%	81.2%	7.1%	255

$$\begin{array}{rclclclclcl}
 \mathbf{PI} & = & 11.4\% & + & 81.2\% & + & 7.1\% & = & 100 \\
 & & & + & 81.2\% & + & 7.1\% & = & 88 \\
 & & & & & & \mathbf{PI} & = & \mathbf{188}
 \end{array}$$

Results

The results for each year of this charter term are summarized in the table below.

English Language Arts Performance Index (PI) and Annual Measurable Objective (AMO) by School Year*

Year	Grades ²	Number Tested	Percent of Students at Each Performance Level				PI	AMO
			Level 1	Level 2	Level 3	Level 4		
2004-05	4	73	8.2%	23.3%	49.3%	19.2%	160	131
2005-06	3-6	293	12.3%	38.6%	46.8%	2.4%	137	122
2006-07	3-6	263	7.2%	38.4%	51.0%	3.4%	147	122
2007-08	3-6	266	3.0%	26.3%	65.0%	5.6%	168	133
2008-09	3-6	255	0.4%	11.4%	81.2%	7.1%	188	144

Evaluation

Measure was met in each year of the charter term. The school consistently exceeded the AMO set by the state by a significant margin, culminating in the exceptional score of 188 in 2008-09.

Goal 1, Measure 2 A: Comparative Measure
 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.

Method

Tested students who were enrolled in at least their second year are compared to all tested students in the surrounding public school district. Comparisons are between the results for each grade in which the school had tested students and the results for the respective grades in the local school district, as well as between the total result of students in at least their second year at the school and the total result for all students at the corresponding grades in the school district. Note: only grade 4 students were tested in 2004-05.

Results

The results for each year of this charter term are summarized in the chart below.

⁴ Some tested students may not be included in the calculation of the Performance Index: NYSED's guidance is that only scores for continuously enrolled tested students are included. Students are "continuously enrolled" if they are enrolled in the school on BEDS day (usually the first Wednesday in October) of the school year until the test administration period.

**English Language Performance of Charter School and Local District
by Grade Level and School Year**

Grade	Percent of Charter School Students Enrolled in At Least Second Year and All District Students at Levels 3 and 4									
	2004-05		2005-06		2006-07		2007-08		2008-09	
	Charter School	Local District	Charter School	Local District	Charter School	Local District	Charter School	Local District	Charter School	Local District
3			38.1%	57.5%	56.1%	57.3%	75.0%	61.8%	91.2%	69.2%
4	71.2%	59.4%	45.9%	59.4%	43.9%	57.8%	61.5%	61.3%	84.3%	68.8%
5			75.4%	57.4%	58.9%	57.9%	77.8%	71.6%	87.5%	75.5%
6			44.1%	46.4%	61.4%	61.2%	60.0%	53.7%	88.7%	73.3%
7	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
8	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
All	71.2%	59.4%	50.4%	55.3%	54.5%	52.0%	69.8%	62.2%	87.9%	71.7%

Evaluation

Measure was met in each year of the charter except 2005-06. While the school did not exceed the district performance in 2005-06, it has shown steady growth since then, outperforming the district in 2006-07 by 2.5 percentage points, 2007-08 by 7.6 percentage points, and 2008-09 by 16.2 percentage points.

In 2005-06, Merrick Academy was in the process of developing its academic culture by ensuring that all stakeholders – teachers, administrators, board of trustees and parents – understood clearly the mission statement of the school. At this time the stakeholders began to evaluate students' resources, staff hiring practices and professional development services for teachers. Therefore, as a result of researching best practices and incorporating rigor into instruction, Merrick students' data indicate continuous growth in ELA. This growth is evidenced by the instructional leadership team planning strategically in the use of student data analysis and differentiated professional development services for all teachers. To this end as an evolving learning institution, differentiated professional development for our teachers and the use of data analysis both have indicated improved ELA performance results.

Goal 1, Measure 2 B: Comparative Measure

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.

The Charter Schools Institute has not provided a determination of similar schools for Merrick Academy, so this measure is not valid for this charter term. This goal will be removed from the Accountability Plan going forward.

Goal 1, Measure 2 C: Comparative Measure

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.

Method

The Charter Schools Institute conducts a Comparative Performance Analysis, which compares the school’s performance to demographically similar public schools state-wide. Regression analysis is used to control for the percentage of students eligible for free lunch among all public schools in New York State. The school’s actual performance is then compared to the predicted performance of public schools with a similar free lunch percentage. The difference between the school’s actual and predicted performance, relative to other schools with similar free lunch statistics, produces an Effect Size. An Effect Size of 0.3 is considered performing higher than expected to a small degree, which is the requirement for achieving this measure. The Charter Schools Institute has not yet released these data, so the 2008-09 analysis is not yet complete.

Results

The results for each year in this charter term are summarized in the table below.

English Language Arts Comparative Performance by School Year

School Year	Grades	Percent Eligible for Free Lunch	Number Tested	Actual	Predicted	Effect Size
2004-05	4	45.6	73	69.9	67.8	0.16
2005-06	3-6	34.3	293	49.1	66.3	-1.11
2006-07	3-6	40	262	54.2%	66.5%	-1.07
2007-08	3-6	39.39	266	70.7%	72.05	-0.13
2008-09	3-6	*	261	88.1%	*	*
School’s Overall Comparative Performance:						
<i>Lower than expected to a medium degree</i>						

2008-09 English Language Arts Comparative Performance by Grade Level

Grade	Percent Eligible for Free Lunch	Number Tested	Percent of Students at Levels 3&4		Difference between Actual and Predicted	Effect Size
			Actual	Predicted		
3		76	89.5%	*	*	*
4		78	85.9%	*	*	*
5		50	88.0%	*	*	*
6		57	89.5%	*	*	*
All	*	261	88.1%	*	*	*

Evaluation

Measure was not met. The school did not meet the predicted performance level in any of the years 2004-08, however we anticipate that Merrick’s results will exceed the predicted level in 2008-09 given the high performance this year. In addition, the gap between actual and predicted became smaller each year.

Goal 1 Measure 3 B: Growth Measure

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 % at or above Level 3 on the current year’s State ELA exam.

Method

This measure examines the change in performance of the same group of students from one year to the next and the progress they are making towards the absolute measure of 75 percent proficient. Each grade level cohort consists of those students who took the state exam in two consecutive years (for example, the middle row below in the table below represents students who took the exam in January '07 and January '08). The criterion for achieving this measure is for each grade-level cohort to halve the difference between the percentage of students proficient, for example, in 2007-08 and 75 percent proficient in 2008-09. If a cohort had already achieved 75 percent proficient in 2007-08, it is expected to show some positive growth in the subsequent year. Such progress is expected for each year of the charter term.

Results

The table below shows the number of grade cohorts meeting this measure (halving the difference between the percentage of students proficient and 75%) in each of the last three years.

**Cohort Performance on State English Language Arts Exam
Since the Advent of the Grades 3-8 Testing Program by School Year**

School Year	Cohort Grades	Number of Cohorts Meeting Target	Number of Cohorts
2006-07	4-6	0	3
2007-08	4-6	1	3
2008-09	4-6	3	3

Evaluation

Measure was not met in 2 of 3 years. The table above, however, offers evidence that Merrick has made steady progress towards meeting the stated measure, with all three cohorts meeting their target this year.

Furthermore, as seen in the table below, the most recent cohort made significant growth at every grade level. The following table shows the breakdown by grade of the growth demonstrated between 2007-08 and 2008-09. Each cohort met and exceeded its target by a considerable margin, with the grade 4 cohort scoring 85.5%, grade 5 scoring 87.8%, and grade 6 scoring 88.9%.

Cohort Growth on State English Language Arts Exam from 2007-08 to 2008-09

Grade	Cohort Size	Percent at Levels 3 and 4			Target Achieved
		2007-08	Target ³	2008-09	
4	69	84.1%	>84.1%	85.5%	Yes
5	49	69.4%	72.2%	87.8%	Yes
6	54	70.4%	72.7%	88.9%	Yes
All	172	75.6%	>75.6%	87.2%	Yes

Summary of the English Language Arts Goal

Please see below for a summary of Merrick Academy’s performance towards its goals in English Language Arts.

Type	Measure	Outcome
Absolute	Each year, 75 percent 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.	Achieved only in the most recent year
Absolute	Each year, the school’s aggregate Performance Index (PI) on the State ELA exam will meet the Annual Measurable Objective (AMO) set forth in the state’s NCLB accountability system.	Achieved in every year
Comparative	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.	Achieved in 4 of 5 Years
Comparative	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.	Not Applicable
Comparative	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.	Achieved in only one year

³“Target” is defined as 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. If a grade-level cohort exceeds 75 percent at or above Level 3 in the previous year, the cohort is expected to show at least an increase in the current year.

* 2008-09 analysis excludes 1 student retained in grade 3 and 1 student retained in grade 4 in 2008-2009.

Growth	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 % at or above Level 3 on the current year's State ELA exam	Partially Achieved
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Action Plan

During school year 2007-08 this goal was addressed in four areas: data analysis, differentiated rigorous instruction, professional development, and parent workshops. The school will continue to employ intense data analysis to identify and support areas that are in need of improvement. The outcome being targeted is academic intervention with students grouped according to skill ability, ongoing differentiated professional development and coaching of teachers in ELA. To help ensure student proficiency the school will continue to implement the Title 1 After-school and Saturday Academy Programs. To further improve and maintain academic performance the school has implemented a full-day summer school for 4 weeks. Additionally, there will be rigorous instruction in ELA in the areas of reading comprehension, vocabulary, and writing. There will be student writing and teacher-student conferencing at each grade level, K-6. This will continue to be implemented across the curriculum using accountable talk, oral presentations, technology, and fine arts. The goal will be set using a rubric which incorporates the state level standard for 3s and 4s. Further, teachers and administration will continue to plan strategically through the engagement of the Tuning Protocol: peer review (Critical Friends' Group), monthly Instructional Leadership Team meetings, weekly grade team meetings, monthly grade cluster meetings, and weekly Pupil Personnel Committee meetings. As a final point, parent reading workshops to assist with homework, as well as parents' reading club, will be incorporated into the school's parent calendar.

MATHEMATICS

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

Background

The school's mathematics curriculum is conducted using a balanced math approach which includes student-centered concept development through the use of manipulative and math games; number sense activities; problem solving experiences; standardized as well as performance-based assessments; and opportunities for students to communicate their thinking and justify their answers. The program is supplemented with interesting reading materials pertaining to mathematics.

Goal 2, Measure 1 A: Absolute Measure
 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.

Method

The school administered the New York State Testing Program mathematics assessment to students in 3rd through 6th grade from 2005-06 through 2008-09, and to only grade 4 in 2004-

05. Each student’s raw score has been converted to a performance level and a grade-specific scaled score. The criterion for success on this measure requires students who have been enrolled in at least their second year (defined as enrolled by BEDS day of the previous school year) to score at Levels 3 or 4.

The table below, as an example, summarizes participation information for this year’s test administration. The table indicates total enrollment and total number of students tested. It also provides a detailed breakdown of those students excluded from the exam. Note that this table includes all students according to grade level, even if they have been enrolled for less than one year.

**2008-09 State Mathematics Exam
Number of Students Tested and Not Tested**

Grade	Total Tested	Not Tested ⁴			Total Enrolled
		IEP	ELL	Absent	
3	76	0	0	0	76
4	78	0	0	0	78
5	50	0	0	0	50
6	57	0	0	0	57
All	261	0	0	0	261

Results

The results for Merrick Academy on the State Math assessment for this charter term (2004-09) are summarized in the table below.

Mathematics Performance by Grade Level and School Year

Grade	Percent of Students Enrolled in At Least Second Year at Levels 3 and 4									
	2004-05		2005-06		2006-07		2007-08		2008-09	
	Percent	Number Tested	Percent	Number Tested	Percent	Number Tested	Percent	Number Tested	Percent	Number Tested
3			77.4%	62	90.0%	40	98.4%	62	98.5%	68
4	69.5%	59	51.7%	60	61.4%	57	76.9%	39	95.7%	70
5			59.6%	57	53.6%	56*	74.1%	54	97.9%	48
6			27.6%	58	62.8%	43	93.3%	45	100.0%	53
All	69.5%	59	54.4%	237	65.3%	196	86.5%	200	97.9%	239

Evaluation

Measure was not met during the first three years of this charter term, but was met and exceeded in the last two years. Merrick is especially proud to note the achievement of 100% of 6th graders scoring at or above Level 3, and all grades achieving in the mid- to upper 90 percent range in 2008-09. Merrick Academy has made great progress towards achieving a high level of performance. The table above is evidence of growth over the last four years from 54.4% in 2005-06 to 97.9% in 2008-09, an increase of 43.5 percentage points.

⁴ Students exempted from this exam according to their Individualized Education Program (IEP), because of English Language Learners (ELL) status, or absence for at least some part of the exam.

* Number tested shown is 56 for Grade 5 Math Exam in 2006-2007, however 57 students were tested. School was not able to obtain a score from NYC DOE for one tested student.

Goal 2, Measure 1 B: Absolute Measure

Each year, the school’s aggregate Performance Index (PI) on the State mathematics exam will meet or exceed the Annual Measurable Objective (AMO) set forth in the state’s NCLB accountability system.

Method

The federal No Child Left Behind law holds schools accountable for making annual yearly progress towards all students being proficient by the year 2013-14. As a result, the state sets an Annual Measurable Objective (AMO) each year to determine if schools are making satisfactory progress toward the goal that 100 percent of students will ultimately be proficient in the state’s learning standards in English Language Arts. To achieve this measure, all tested students must have a Performance Index (PI) value that equals or exceeds this year’s English language arts AMO, which for 2008-09 is 119. The PI is calculated by adding the sum of the percent of all tested students at Levels 2 through 4 with the sum of the percent of all tested students at Levels 3 and 4. Thus, the highest possible PI is 200. An example of the calculation method for the Math PI is given below for 2008-09.

Calculation of 2008-09 Mathematics Performance Index (PI)

Grades	Percent of Students at Each Performance Level				Number Tested
	Level 1	Level 2	Level 3	Level 4	
3-6	0.0%	2.0%	52.5%	45.5%	255

$$\begin{aligned}
 \text{PI} &= 2.0\% + 52.5\% + 45.5\% = 100.0\% \\
 &+ 52.5\% + 45.5\% = 98.0\% \\
 \text{PI} &= \mathbf{198}
 \end{aligned}$$

Results

Merrick Academy’s Math Performance Index (PI) results for this charter term (2004-09) are summarized in the table below.

Mathematics Performance Index (PI) and Annual Measurable Objective (AMO) by School Year

Year	Grades	Number Tested	Percent of Students at Each Performance Level				PI	AMO
			Level 1	Level 2	Level 3	Level 4		
2004-05	3-6	73	11.0%	16.4%	47.9%	24.7%	162	142
2005-06	3-6	293	10.9%	35.5%	46.8%	6.8%	143	86
2006-07	3-6	261	5.7%	29.5%	52.1%	12.6%	159	86
2007-08	3-6	266	1.1%	13.5%	58.6%	26.7%	184	102
2008-09	3-6	255	0.0%	2.0%	52.5%	45.5%	198	119

Note: Some tested students may not be included in the calculation of the Performance Index: NYSED’s guidance is that only scores for continuously enrolled tested students are included.

Evaluation

Measure was met. The school exceeded the AMO set by the state by a wide margin in each year of this charter term, and nearly achieved the maximum PI of 200 in 2008-09 with a PI of 198.

Goal 2, Measure 2 A: Comparative Measure

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.

Method

Tested students who were enrolled in at least their second year are compared to all tested students in the surrounding public school district. Comparisons are between the results for each grade in which the school had tested students and the results for the respective grades in the local school district, as well as between the total result of students in at least their second year at the school and the total result for the corresponding grades in the school district.

Results

The data comparing Merrick Academy students enrolled in at least their 2nd year with that of all district students is summarized in the table below.

**Mathematics Performance of Charter School and Local District
by Grade Level and School Year**

Grade	Percent of Merrick Academy Students Enrolled in At Least Second Year and All District Students At Levels 3 and 4									
	2004-05		2005-06		2006-07		2007-08		2008-09	
	Charter School	Local District	Charter School	Local District	Charter School	Local District	Charter School	Local District	Charter School	Local District
3			77.4%	73.8%	90.0%	80.8%	98.4%	86.6%	98.5%	90.6%
4	69.5%	74.6%	51.7%	70.0%	61.4%	71.5%	76.9%	77.1%	95.7%	82.5%
5			59.6%	59.4%	53.6%	70.0%	74.1%	76.9%	97.9%	82.4%
6			27.6%	52.5%	62.8%	65.1%	93.3%	72.8%	100.0%	75.5%
All	69.5%	74.6%	54.5%	64.0%	65.3%	71.9%	86.5%	78.3%	97.9%	82.8%

Evaluation

Measure was not met during the first three years of this charter term, but was met and exceeded in the last two years. Merrick is especially proud to note the achievement of 97.9% of students in grades 3-6 scoring at or above Level 3 in 2008-09. Merrick Academy has made great progress towards achieving a high level of performance. The table above is evidence of growth over the last four years from 54.4% in 2005-06 to 97.9% in 2008-09, an increase of 43.5 percentage points. This vastly outpaces the improvement shown by the district, which only increased by 18.8 percentage points between 2005-06 and 2008-09.

During the first three years of this charter term, Merrick Academy was in the process of building organizational capacity to improve student outcomes. We began the process of re-developing our academic culture with all stakeholders, i.e. evaluating student resources and professional development for teachers, parents, administration and board of trustees. As a result of researching and evaluating best practices, our students evidenced growth in math performance.

Goal 2, Measure 2 B: Comparative Measure

Each year, the percent of students performing at or above Level 3 on the State Math 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.

The Charter Schools Institute has not provided a determination of similar schools for Merrick Academy, so this measure is not valid for this charter term. This goal will be removed from the Accountability Plan going forward.

Goal 2, Measure 2 C: Comparative Measure

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 students eligible for free lunch among all charter and public schools in districts with charter schools.

Method

The Charter Schools Institute conducts a Comparative Performance Analysis, which compares the school’s performance to demographically similar public schools state-wide. Regression analysis is used to control for the percentage of students eligible for free lunch among all public schools in New York State. The school’s actual performance is then compared to the predicted performance of public schools with a similar free lunch percentage. The difference between the school’s actual and predicted performance, relative to other schools with similar free lunch statistics, produces an Effect Size. An Effect Size of 0.3 is considered performing higher than expected to a small degree, which is the requirement for achieving this measure. The Charter Schools Institute has not yet released these data, so the 2008-09 analysis is not yet complete.

Results

The results for each year in this charter term are summarized in the table below.

Mathematics Comparative Performance by School Year

School Year	Grades	Percent Eligible for Free Lunch	Number Tested	Actual	Predicted	Effect Size
2004-05	4	45.6	71	74.7	84.3	-0.92
2005-06	3-6	34.3	293	53.6	72.2	-1.09
2006-07	3-6	40.1	262	64.9%	77.6%	-1.05
2007-08	3-6	39.39	266	85.3%	84.41	0.16
2008-09	3-6	*	261	98.1%	*	*
School’s Overall Comparative Performance:						
<i>Lower than expected to a medium degree</i>						

Evaluation

Measure was not met in the first 3 years of this charter term. With the exception of 2007-08, Merrick Academy did not meet or exceed the predicted level of performance on the State Math assessment. While the analysis of 2008-09 is not yet complete, it is very likely, given the

outstanding performance, that Merrick will exceed the predicted level of performance for last year.

As referenced previously in this section, the first 3 years of this charter term marked a period of building capacity and strengthening the academic culture so as to impact student outcomes. As a result, Merrick Academy staff has become more knowledgeable about strategic planning as it relates to student data and differentiated instruction. Furthermore, differentiated professional development for our teachers and the use of data analysis have both led to continuous improvement in math performance.

Goal 2 Measure 3 B: Growth Measure

Each year beginning in 2006-2007, 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 Math exam and 75 percent at or above Level 3 on the current year’s State Math exam.

Method

This measure examines the change in performance of the same group of students from one year to the next and the progress they are making towards the absolute measure of 75 percent proficient. Each grade level cohort consists of those students who took the state exam in 2008-09 and also have a state exam score in 2006-07 and 2007-08. It includes students who repeated the grade. The criterion for achieving this measure is for each grade-level cohort to halve the difference between the percentage of students proficient in 2007-08 and 75 percent proficient in 2008-09. If a cohort had already achieved 75 percent proficient in 2007-08, it is expected to show some positive growth in the subsequent year. In addition, the aggregate of all cohorts is examined to determine the growth of all students who took a state exam in both years.

Results

The table below shows the number of grade cohorts meeting this measure (halving the difference between the percentage of students proficient and 75%) in each of the last three years.

**Cohort Performance on Mathematics Exam
Since the Advent of the Grades 3-8 Testing Program by School Year**

School Year	Cohort Grades	Number of Cohorts Meeting Target	Number of Cohorts
2006-07	4-6	0	3
2007-08	4-6	2	3
2008-09	4-6	2	3

Evaluation

Measure was not met, as only 2 of 3 grade cohorts succeeded in this measure over the last two years, while none succeeded in 2006-07. Looking at the most recent results, however, reveals a very positive trend toward high performance. The following table shows the breakdown by grade of the growth demonstrated between 2007-08 and 2008-09. The grade 5 & 6 cohorts both exceeded the targeted growth, while the grade 4 cohort fell shy of its prior perfect score of 100%. While grade 4 did not sustain its perfect 100% of students at Level 3 or 4, its slightly

reduced score was nonetheless exceptional at 97.1%. In addition, grades 5 and 6 met their goals of either halving the gap between the previous year’s score and 75% (grade 5) or showing positive growth over the previous year (grade 6). Grade 6’s perfect 100% score deserves special mention.

Cohort Growth on State Mathematics Exam from 2007-08 to 2008-09

Grade	Cohort Size	Percent at Levels 3 and 4			Target Achieved
		2007-08	Target	2008-09	
4	68	100.0%	100.0%	97.1%	No
5	49	81.6%	>81.6%	98.0%	Yes
6	56	73.2%	74.1%	100.0%	Yes
All	173	86.1%	>86.1%	98.3%	Yes

Summary of the Mathematics Goal

Please see below for a summary of Merrick Academy’s performance towards its goals in Mathematics.

Type	Measure	Outcome
Absolute	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.	Achieved in 2 of 5 Years
Absolute	Each year, the school’s aggregate Performance Index (PI) on the State mathematics exam will meet or exceed the Annual Measurable Objective (AMO) set forth in the state’s NCLB accountability system.	Achieved
Comparative	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.	Achieved in 2 of 5 Years
Comparative	Each year, the percent of students performing at or above Level 3 on the State Math 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.	Not Applicable
Comparative	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 students eligible for free lunch among all charter and public schools in districts with charter schools.	Achieved in 2 of 5 Years (assuming 2008-09 achievement)
Growth	Each year beginning in 2006-2007, grade level cohorts of students will reduce by one-half the gap between the percent at or above Level 3 on	Partially Achieved

	the previous year’s State Math exam and 75 percent at or above Level 3 on the current year’s State Math exam.	
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Action Plan

During school year 2008-09 this goal was addressed in four areas: data analysis, differentiated rigorous instruction, professional development and parent workshops. The school will continue to employ intense data analysis to identify and support areas that are in need of improvement. The outcome being targeted is academic intervention with students grouped according to skill level, ongoing differentiated professional development, and coaching of teachers in mathematics. To help ensure student proficiency the school continues to implement the Title 1 After-school and Saturday Academy Programs. To further improve and maintain academic performance the school has implemented a full-day summer school for 4 weeks. Additionally, there will be rigorous instruction in mathematics, including manipulatives for hands-on experiences for students and math games at each grade level, K-6. Outcomes will be assessed using a rubric which incorporates the state level standard for performance levels 3 and 4. Further, teachers and administration will continue to plan strategically through the engagement of the Tuning Protocol: peer review (Critical Friends Group), monthly Instructional Leadership Team meetings, weekly grade team meetings, monthly grade cluster meetings, and weekly Pupil Personnel Committee meetings. As a final point, parent mathematic workshops to assist with homework will be incorporated in the school’s parent calendar.

SCIENCE

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

Background

Merrick Academy utilizes a proprietary, standard-based curriculum based on the Core Knowledge Sequence to teach science. It was developed and is continually updated and refined by the Core Knowledge Foundation, an independent organization that leverages the research of teachers, administrators and academic scholars around the country. Science instruction is conducted at least twice a week in ninety-minute blocks. Inquiry-based instruction is done using the scientific method. Students in grades 4 – 6 utilized the science lab once a week and teachers receive differentiated professional development according to need. Students in grades K – 6 are administered a unit test upon completion of the Earth, Physical, and Life Science units. Students in grade 4 complete the New York State Science Assessment.

Goal 3, Measure 1: Absolute Measure
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.

Method

The school administered the New York State Testing Program science assessment to students in 4th grade beginning in 2006-07. Each student’s raw score has been converted to a performance level and a grade-specific scaled score. The criterion for success on this measure

requires students who have been enrolled in at least their second year (defined as enrolled by BEDS day of the previous school year) to score at Levels 3 or 4.

Results

The results for the State Science assessment for this charter term are summarized in the table below.

Science Performance by Grade Level and School Year

Grade	Percent of Students Enrolled in At Least Second Year at Levels 3 and 4									
	2004-05		2005-06		2006-07		2007-08		2008-09	
	Percent	Number Tested	Percent	Number Tested	Percent	Number Tested	Percent	Number Tested	Percent	Number Tested
4					71.4%	56	82.1%	39	91.4%	70
8	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Evaluation

Measure was met in 2 of 3 years. The school exceeded the 75% target by 7.1 percentage points in 2007-08 and 16.4 percentage points in 2008-09. Despite missing the mark in 2006-07 by a slim margin, Merrick Academy has demonstrated steady and significant progress over the last three years, culminating in the outstanding performance in 2008-09.

Goal 3, Measure 2: Comparative Measure

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.

Method

Tested students who were enrolled in at least their second year are compared to all tested students in the surrounding public school district. Comparisons are between the results for each grade in which the school had tested students and the results for the respective grades in the local school district.

Results

While the Commissioner has not yet publicly released school districts’ science scores for 2008-09, Merrick Academy’s scores are indicated below.

Science Performance of Charter School and Local District by Grade Level and School Year

Grade	Percent of Merrick Academy Students Enrolled in At Least Second Year and All District Students at Levels 3 and 4									
	2004-05		2005-06		2006-07		2007-08		2008-09	
	Charter School	Local District	Charter School	Local District	Charter School	Local District	Charter School	Local District	Charter School	Local District
4		64.1%		77%	71.4%	74%	82.1%	71.0%	91.4%	*

* District Comparison data for 2008-09 Science is not yet available at the time of this report

Evaluation

While the district data has not been released yet, it is very likely that Merrick students outperformed the district in 2008-09 given their high score. Assuming this result, Merrick Academy met this goal in two of three years, and demonstrated steady progress from 2006-2009.

Summary of the Science Goal

Type	Measure	Outcome
Absolute	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.	Achieved in 2 of 3 Years
Comparative	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.	Achieved in 2 of 3 Years (assuming 2008-09 results)

Action Plan

Science will continue to be instructed using the scientific method. This will include science instruction being inquiry based and experimental, allowing students to research topics using the New York State standards as goals. Furthermore, teachers and administration will continue to plan strategically through the engagement of the Tuning Protocol: peer review (Critical Friends Group), monthly Instructional Leadership Team meetings, weekly grade team meetings, monthly grade cluster meetings, and weekly Pupil Personnel Committee meetings. As a final point, parent mathematic workshops to assist with homework will be incorporated in the school’s parent calendar.

SOCIAL STUDIES

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

Background

Merrick Academy utilizes a proprietary, standard-based curriculum based on the Core Knowledge Sequence to teach social studies. It was developed and is continually updated and refined by the Core Knowledge Foundation, an independent organization that leverages the research of teachers, administrators and academic scholars around the country. Social Studies instruction is conducted at least twice a week in ninety-minute blocks. Students in grades K – 6 complete projects for each unit of study and teachers receive differentiated professional development according to need. Students in grades K – 6 are administered a unit test upon completion of every unit. Students in grade 5 complete the New York State Social Studies Assessment.

Goal 4, Measure 1: Absolute Measure

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.

Method

The school administered the New York State Testing Program social studies assessment to students in 5th grade in each of the years of this charter term beginning in 2004-05. Each student’s raw score has been converted to a performance level and a grade-specific scaled score. The criterion for success on this measure requires students who have been enrolled in at least their second year (defined as enrolled by BEDS day of the previous school year) to score at Levels 3 or 4.

Results

Merrick Academy’s Social Studies performance relative to 75% benchmark is summarized in the table below.

Social Studies Performance by Grade Level and School Year

Grade	Percent of Students Enrolled in At Least Second Year at Levels 3 and 4									
	2004-05		2005-06		2006-07		2007-08		2008-09	
	Percent	Number Tested	Percent	Number Tested	Percent	Number Tested	Percent	Number Tested	Percent	Number Tested
5	67%	40	83%	62	72.4%	58	81.8%	55	95.8%	48

Evaluation

Measure was met in 3 of 5 years; however, Merrick Academy failed to meet the measure in 2004-05 and 2006-07. Most recently, the school significantly exceeded the 75% target by 6.8 percentage points in 2007-08, and 20.8 percentage points in 2008-09.

Merrick’s somewhat inconsistent performance over the 5 years of the charter term can be attributed again to the fact that the Academy was in the process of building capacity and strengthening the academic culture so as to impact student outcomes. Merrick’s strong results in Social Studies over the last two years of the charter term are a result of the staff’s increased understanding of how to use student data and differentiated instruction to drive student performance.

Goal 4, Measure 2: Comparative Measure
 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 Social Studies Assessment will be greater than that of the local school district.

Method

Tested students who were enrolled in at least their second year are compared to all tested students in the surrounding public school district. Comparisons are between the results for each grade in which the school had tested students and the results for the respective grades in the local school district.

Results

Merrick Academy/District comparison data summarized in table below.

**Social Studies Performance of Charter School and Local District
by Grade Level and School Year**

Grade	Percent of Charter School Students Enrolled in At Least Second Year and All District Students at Levels 3 and 4									
	2004-05		2005-06		2006-07		2007-08		2008-09	
	Charter School	Local District	Charter School	Local District	Charter School	Local District	Charter School	Local District	Charter School	Local District
5	67.0%	65.0%	83.0%	71.0%	72.4%	66.0%	81.8%	77.0%	95.8%	*

*District comparison data for 2008-2009 Social Studies is not yet available at the time of this report.

Evaluation

Measure was met (although 2008-09 district data is pending) Merrick has shown a consistent pattern of exceeding the local school district for the last five years from 2004-05 to 2007-08 (and likely 2008-09).

Summary of Social Studies Goal

Merrick students achieved proficiency in the New York State Social Studies Assessment for 2008-09. The goal of 75% of students performing at or above Level 3 was surpassed by 20.8 percentage points.

Type	Measure	Outcome
Absolute	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.	Achieved in 3 of 5 Years
Comparative	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 Social Studies Assessment will be greater than that of the local school district.	Achieved

Action Plan

To improve and maintain academic performance, Merrick Academy will continue to identify students’ interest and use this information as a basis for planning various forms of hands-on instruction for students to learn topics according to the New York State Standards. Social Studies instruction will continue to be literacy based incorporating technology, and fine arts. In addition, as with other subjects, teachers and administration will continue to plan strategically through the engagement of the Tuning Protocol: peer review (Critical Friends Group), monthly Instructional Leadership Team meetings, weekly grade team meetings, monthly grade cluster meetings, and weekly Pupil Personnel Committee meetings.

NCLB

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

Goal 5: Absolute Measure
 Each year, the school will be designated in “Good Standing” under the Federal Title I component of the state’s “school accountability system.”

Method

Since *all* students are expected to meet the state's learning standards, the federal No Child Left Behind legislation stipulates that various sub-populations and demographic categories of students among all tested students must meet the state standard in and of themselves aside from the overall school results. New York, like all states, established a system for making these determinations for its public schools. Each year the state issues School Report Cards which indicate each school’s status under the state’s NCLB accountability system. For a school’s status to be “Good Standing” it must not have failed to make Adequate Yearly Progress (AYP) for two consecutive years.

Results

NCLB Status by Year

Year	Status
2004-05	Good Standing
2005-06	Good Standing
2006-07	Good Standing
2007-08	Good Standing
2008-09	Not Yet Released

Evaluation

Merrick Academy has consistently met NCLB requirement by being a school whose status has been “Good Standing” each year. As of submission, the NCLB results for 2008-09 had not yet been released.

Goal 6: Parent Satisfaction
 The school will demonstrate strong organizational viability by maintaining strong parental and student support and commitment to the school.

Goal 6, Measure 1: Absolute Measure
 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.

Method

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

Results

Parent Survey Results

Percentage of Parents Very Satisfied or Satisfied with Merrick Academy

Category	Year 1 2004-5 (379 responses)	Year 2 2005-6 (264 responses)	Year 3 2006-7 (374 responses)	Year 4 2007-8 (446 responses)	Year 5 2008-9 (442 responses)
Class Size	97%	84%	93%	88%	94%
Overall school climate/environment	98%	85%	97%	91%	98%
Standards and expectations	93%	84%	98%	91%	99%
My child’s academic achievement/progress	96%	83%	97%	91%	98%
Support/concern for my child’s individual growth**					98%
Civic projects	97%	84%	95%	90%	N/A*
Potential for parent involvement	99%	90%	98%	92%	98%
Communication between school and home	98%	85%	96%	89%	97%
My child demonstrates knowledge of art and music	94%	86%	96%	90%	N/A*
My child demonstrates self-control, responsibility and concern for others	88%	91%	92%	91%	N/A*
Academic Program	98%	93%	99%	93%	98%
School Leadership**					97%
Quality of my child’s teacher**					99%

* Merrick’s Parent Survey has been re-designed, leading to the omission of these questions.

**As part of the survey re-design, these questions were added this year.

Evaluation

This measure was met with great success. Since 2004, parents have consistently rated Merrick Academy high in all categories surveyed. We are especially pleased that on average across the 5 years of the current charter term, over 96% of parents have felt that Merrick’s academic program, which is at the core of the school’s mission, was satisfactory or very satisfactory, with 98% reporting so in 2008-09.

Goal 6, Measure 2: Absolute Measure

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

Method

Students are tracked by enrollment records. The retention rate is determined by taking the number of students re-enrolling and dividing it by the number that captures the previous year’s enrollment *minus* the number of students in the graduating class. We have calculated

the comparison using the enrollment numbers as of BEDS Day in the previous year *and* as of the last day of school in the previous year. Additionally, we have calculated the retention rates when 5th graders who were discharged during the summer are factored out; we naturally lose some 5th grade students who wish to enroll in a traditional 6-8 middle school rather than transferring in at the 7th grade level, as they would do if they choose to remain enrolled at Merrick for 6th grade.

Results

Student Retention Comparisons

Requested Data	Year 1* 2004-5	Year 2 2005-6	Year 3 2006-7	Year 4 2007-8	Year 5 2008-9
% of Students Returning from Previous Year (from BEDS Day of previous year to BEDS Day of current year)	87%	82%	79%	81%	86%
% of Students Returning from Previous Year (from previous year’s last day of school to BEDS Day of current year)	94%	89%	85%	88%	90%

Retention Rates Calculated Without 5th Graders Who Were Discharged
Between Last Day of School and Following Summer
(Assumed to Have Left for a Gr 6-8 Middle School)

% of Students Returning from Previous Year (from BEDS Day of previous year to BEDS Day of current year)	87%	84%	83%	84%	89%
% of Students Returning from Previous Year (from previous year’s last day of school to BEDS Day of current year)	95%	90%	89%	91%	94%

* - The 2004-2005 school year was the first with grade 6, and retention rates may have dropped since then due to a number of students leaving after grade 5 to attend a middle school with grades 6-8.

Evaluation

This measure has been met with mixed success. When retention rates are measured from the last day of the previous school year to BEDS Day of the current year, each year we met or came close to meeting the goal of 90% retention, regardless of whether the 5th graders who were discharged over the summer (presumably to attend a grade 6-8 middle school) were factored out. We feel this analysis, as opposed to measuring BEDS Day of the previous year to BEDS Day of the current year, is the more accurate way to calculate retention from year to year, given that students are discharged throughout the school year for many reasons outside of the school’s control, such as a move to another district or state.

Goal 6, Measure 3: Absolute Measure
Each year the school will have a daily attendance rate of at least 95 percent.

Method

Attendance rate is calculated from the daily attendance rosters for each class.

Results

	Year 1 2004-5	Year 2 2005-6	Year 3 2006-7	Year 4 2007-8	Year 5 2008-9
Average Attendance	91.7%	91.3%	94.2%	94.2%	94.3%

Evaluation

This measure has not been met, although the average attendance rate has improved by 2.6 percentage points over the past five years, culminating in the term’s highest attendance rate in 2008-09 of 94.3%. Consistent student attendance is crucial for sustained learning to take place. Unfortunately, we have found that absences during the final month of school and around vacation periods increase. Additionally, it takes a few weeks at the beginning of the school year for the school’s roster to become settled due to no-shows and new admits, which generally negatively impacts the school’s average attendance. While we are pleased that our attendance rate is steadily improving each year, we nevertheless believe that the year’s average should reflect a 95% attendance rate.

Goal 7: Legal Compliance Goals
The school will substantially comply with applicable laws, rules and regulations and the provisions of its charter.

Goal 7: 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.

Results

Merrick 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 ensure compliance with all relevant laws.

Evaluation

This measure was met.

Goal 7: 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.

Results

Merrick Academy has in place and maintains effective systems, policies, procedures, and other controls for ensuring that legal and charter requirements are met. Victory Schools conducts written and on-site audits of Merrick’s operations in order to ensure that the school is fulfilling its compliance requirements. Merrick’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 the Board, Victory or its counsel.

Evaluation

This measure was met.

Goal 7: 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.

Results

Merrick Academy has maintained a relationship with an independent legal counsel that receives copies of incident reports and makes recommendations as needed. Victory's in-house attorneys also provide legal counsel to Merrick regarding policies and provide legal counsel to the school.

Evaluation

This measure was met.

Goal 8: Goals Relating to Fiscal Soundness

The school will maintain sound fiscal practices.

Goal 8: Measure 1

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

Results

As evidenced by each year's audit reports, which have been submitted annually to the Institute, the school has operated a balanced budget, with actual revenues equaling or exceeding actual expenses. During the 2004-2005 school year, the school was \$11,000 below breaking even; however, this was insignificant and did not impact operations of the school.

Evaluation

This measure was met.

Goal 8: Measure 2

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 Education Department, or the Charter Schools Institute.

Results

There have been no material internal control or compliance deficiencies noted in any audit reports from this charter term. Any compliance deficiencies noted in Stated Education

Department or Charter Schools Institute reports have been addressed immediately.

Evaluation

This measure was met.

Goal 8: Measure 3

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.

Results

As evidenced by each year's audit reports, which have been submitted annually to the Institute, the school's unrestricted net assets have exceeded two percent of the school's operating budget for each year of this charter term.

Evaluation

This measure was met.