



Charter Schools Institute
State University of New York

**RENEWAL REPORT FOR THE
SISULU-WALKER CHARTER SCHOOL OF
HARLEM**

FEBRUARY 13, 2006

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INTRODUCTION

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

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

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

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

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

²The *Practices, Policies and Procedures for the Renewal of Charter Schools Authorized by the State University Board of Trustees* (revised December 13, 2005) are available at www.newyorkcharters.org. A former version of those practices, which set the criteria under which the application for renewal at issue here, is available on request at the offices of the Charter Schools Institute.

Statutory and Regulatory Considerations

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

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

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

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

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

Where the Board of Trustees approves a renewal application, it is required under the Act to submit the application and a proposed charter to the Board of Regents for its review.⁶ The Regents may approve the proposed charter or return the proposed charter to the Board of Trustees with the Regents' comments and recommendation. In the former case, the charter will then issue and become operational on the day the initial charter expires. In the latter case (return to the Board of Trustees), the Board of Trustees must review the returned proposed charter in light of the Regents' comments and respond by resubmitting the charter (with or without modification) to the Regents, or by abandoning the proposed charter. Should the Board of Trustees resubmit the charter, the Regents have thirty days to act to approve it. If they do not

³ § 2851(4) of the Act.

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

⁵ See § 2852(2) of the Act.

⁶ See § 2852(5) of the Act.

approve the proposed charter, it will be deemed approved and will issue by operation of law; as above it will become operational upon expiration of the current charter.⁷

Process for Renewal (subsequent renewals)

While that renewal process formally commences with submission of a renewal application, a school must work to make the case for renewal from the time it was last renewed. From that point, the school, just as it built its case for renewal during its initial charter, must build its case for renewal anew by setting educational goals and thereafter implementing a program that will allow them to meet those goals.

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

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

By the start of the last year of a school's charter (as set forth above), the school must submit an application for charter renewal, setting forth the evidence required by law and the State

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

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

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

University. Applicant charter schools are asked to formulate and report evidence of success in answer to four renewal questions:

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

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

Thereafter, the Institute conducts a site visit to the school. Based on a review of each school's application for charter renewal, a lead member of the Institute's renewal visit team works with the school's leadership to design a visit schedule and request any additional documentation the team may require to ensure that analysis of the school's progress is complete (professional development plans, special education plans, school newsletters, *etc.*). Pursuant to the State University Renewal Practices, that renewal visit is concentrated on determining the school's organizational fiscal stability, viability and soundness. As such, the renewal visit generally is focused on discussions and interviews with senior administrative staff and the school's board of trustees. In contrast with renewal visits during the initial renewal review, the renewal team does not conduct a comprehensive review of the educational program using the Institute's educational renewal benchmarks. Rather, educational soundness and the likelihood that the school will improve student learning and achievement is determined almost wholly by the track record of student achievement that the school has amassed over the life of the charter (which includes where appropriate prior charter periods). However, though less comprehensive than an initial renewal review, renewal visit team members do visit classes, observe lessons, examine student work and interview staff members to get a sense of the educational program and determine if there are material deficiencies. Where the Institute's review indicates that such deficiencies may exist, the Institute may expand the time and scope of its renewal review, including conducting a follow-up visit.

As with initial renewal reviews, the evidence that the Institute gathers is structured by a set of benchmarks that are grouped under the four renewal application questions listed above. These benchmarks are linked to the Accountability Plan structure and the charter renewal requirements in the Act; many are also based on the correlates of effective schools. However, as suggested above, the Institute does not in subsequent renewal reviews utilize many of the qualitative indicators that relate directly to the quality of the educational program.¹⁰

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

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

The Institute then prepares a draft report and provides a copy to the school for its review and comment. The draft contains the findings, discussion and the evidence base for those findings, as well as a preliminary recommendation. Upon receiving a school's comments, the Institute reviews its draft, makes any changes it determines are necessary and appropriate and determines its findings and recommendations in their final form. The report is then transmitted to the Committee on Charter Schools of the Board of Trustees, the other members of the Board of Trustees and the school itself. This report is the product of that process.

READER'S GUIDE

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

Recommendations and Executive Summary

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

In subsequent renewal reviews, and in contrast with initial renewal reviews, the State University evaluates the strength and effectiveness of a school's academic program almost exclusively by the degree to which the school has succeeded in meeting its academic program Accountability Plan goals. This approach is consistent with the greater time that a school has been in operation and a concomitant increase in the quantity and quality of the data set of student assessment outcomes that the school has generated, as well as the fact that the school has successfully navigated the start-up phase of its operational life. It is also consistent with the Act's purpose of moving from a rules-based to an outcome-based system of accountability in which schools are held accountable for meeting measurable student achievement results.

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

The following outcomes are available to schools that are not in their first charter period. Each outcome contains specific criteria that a school must meet in order to be eligible for that outcome. These criteria are keyed to one or more of the Required Findings. In addition to any specific criteria set forth in a particular outcome, a school, to be eligible for any type of renewal, must be able to provide evidence that permits the State University to make *each* of the Required Findings:

- *Early Renewal*: available to any school that, over the life of the school, has consistently met or come close to meeting its academic program Accountability

Plan goals. A school that is able to make that showing is eligible to apply for Early Renewal four years from the time it applied for its prior renewal.

- *Full-Term Renewal*: available to any school that has been previously renewed and that has consistently met or come close to meeting its academic program Accountability Plan goals during the present charter period.
- *Renewal with Conditions*: available to a school (a) that otherwise meets the standards for Full-Term Renewal as regards its educational program, but that has material educational, legal, fiscal or organizational deficiencies that cannot be fully corrected by the time of renewal – so long as such deficiencies are not fatal to the State University making each of the Required Findings, or that (b) meets the standards for Full-Term Renewal as regards some portion of its educational program, but requires conditions to improve the academic program. Such conditions may include, but are not limited to, restrictions on the number of students and grades served. Conditions may also be imposed that are consonant with the requirements of NCLB as to schools requiring corrective action. Where appropriate, conditions may be imposed which, if not met by the school, shall be deemed a substantial and material violation of the school's charter and therefore expose the school to probation or revocation.
- *Restructuring Renewal*: available to a school that does not meet the standards for any type of renewal but which submits plans to the Board of Trustees for a restructuring of the school that legally commits the school to implementing a wholesale restructuring of the education corporation, including, but not necessarily limited to, a new board of trustees, administrative team, academic program, organizational structure, and such plans, if implemented, would lead to the school likely meeting its standardized assessment measures set forth in its Accountability Plan during the next charter period. Whether to permit a school to submit an application for a Restructuring Renewal is at the discretion of the State University.
- *Non-Renewal*: where a school does not present a case for any kind of renewal, the charter will not be renewed and the charter will be terminated upon its expiration.

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

Renewal Benchmarks

The Renewal Benchmark section contains all renewal benchmarks that the Institute uses in subsequent renewals together with a review of the pertinent evidence gathered during the renewal cycle and incorporates the findings (which are in bold). As noted earlier, the benchmarks are grouped under the four renewal questions.

SCHOOL DESCRIPTION

The Sisulu-Walker Charter School of Harlem (“Sisulu”), located at 125 West 115th Street, was approved by the State University of New York Board of Trustees in July of 1999 and by the State Education Department Board of Regents in August of the same year. It opened in September 1999 with an enrollment of 247 students in Kindergarten through second grades. The school’s original enrollment plans included adding one grade level per year growing to a total enrollment of some 647 students in Kindergarten through sixth grades. Facility considerations made this growth plan impossible. During most of the term of the original charter, the school operated out of two facilities. At the time of the school’s first renewal in 2004 for two years, the school served 300 children in Kindergarten, third, fourth, and fifth grades. Kindergarten, third, and fourth grades were located at 115th Street with fifth grade classes convening in the Police Athletic League located a few blocks away on Manhattan Avenue. Last year the school served Kindergarten, first, fourth, and fifth grades. At the time of its second renewal visit in November of 2005, the school served Kindergarten, first, second, and fifth grades.

The school’s mission according to its first renewal charter is as follows:

The mission of the Sisulu Children’s Academy [now Sisulu-Walker Charter School of Harlem] is to become one of the finest public schools in America. The Academy will be built on the philosophy that all children can learn and the Academy will ensure that students meet or exceed New York State performance standards.

The school contracts with Victory Schools, Inc. for its management. Victory Schools seeks to improve public education by assisting in the start-up and management of public charter schools of outstanding quality, particularly those created to serve at-risk students. Built on the premise that all children can learn, Victory Schools develops an education program for each charter school based upon its board of trustees’ requests, needs of the school’s staff, and local community needs. The education program design combines the strength of several widely-endorsed and federally-funded models, such as Direct Instruction, Scott Foresman, and Core Knowledge. Sisulu’s program includes an extended school day schedule featuring a strong enrichment component based on thematic curricula.

The key design elements were established as part of the school’s two-year renewal. The focus of the Sisulu-Walker Charter School would be on the core skills of reading, language arts and mathematics. The school would utilize standards-based balanced literacy/balanced math curricula that emphasize the mastery of essential reading and math skills, as well as the development of higher order thinking and processing ability. The school’s academic and instructional programs are designed to meet the needs of all the school’s children, a significant population of whom, at enrollment, are performing at or below grade level.

Specifically, the Sisulu-Walker’s balanced literacy English language arts (ELA) and reading curriculum would be comprised of the following primary elements:

- an extended block of instruction in ELA for all students each school day;

- the use of a research proven, standards-based core reading program such as the Open Court and Scott Foresman Reading Program that includes teacher resource materials;
- a readers' and writers' workshop, as modeled by the National Writing Project and the Great Source Writing Program, to support teachers in the implementation of explicit writing skills and strategies;
- the use of trade books and classroom libraries;
- new student pre-assessment using a widely-used standardized assessment, such as the Iowa Test of Basic Skills (ITBS);
- unit and end-of-year tests, providing both on-going assessment and data regarding end-of-year student performance;
- a phonics and phonemic awareness component to develop and support basic reading skills; and
- comprehensive and on-going staff development and training in specific ELA curricula implementation and strategies, as well as in general classroom techniques and management.

The school's balanced math curriculum would be comprised of the following primary elements:

- an extended block of instruction in math for all students each school day;
- the use of a research proven, standards-based core math program such as Everyday Mathematics developed by the University of Chicago School Mathematics Project and that includes teacher resource materials;
- an introduction for children to all the major mathematical content domains, including number sense, algebra, measurement, geometry, data analysis and probability beginning in Kindergarten;
- an emphasis on developing within children higher-order and critical thinking skills;
- a blend of student exposition and discussion, individual and group work projects, explorations, investigations and math games to promote and ensure fact power;
- an assessment at the conclusion of each unit, mid-year and end-of-year that provides an assessment of student learning and performance;
- new student pre-assessment using a widely-used standardized assessment such as the ITBS; and
- comprehensive and on-going staff development and training in specific math curricula implementation and strategies, as well as in general classroom techniques and management.

Prior Observations and History

The Sisulu-Walker Charter School of Harlem originally faced the renewal process in 2004 during its fifth year of operation. As a result of that process, the Charter Schools Institute recommended that the school be awarded a short-term renewal of two years, based on evidence gathered over the life of the original charter.

According to the subsequent renewal report, the school's record of educational achievement during the term of its first charter was mixed. For example, in spite of some small gains,

standardized test scores on the ITBS showed students who attended Sisulu-Walker for three years posted a decline of four percentiles.

The level and rigor of classroom instruction and student work observed by the Charter Schools Institute and the State Education Department varied over the term of the school's charter as well. While some end of year reports by both the Institute and the State Education Department cite promising student work, other reports note low levels of rigor in classroom instruction and student academic work.

The renewal visit confirmed that the school implemented, in both its leadership structure and its classroom, concrete steps, which the Institute found likely to continue the nascent educational successes posted at the end of the school's original charter. The Institute further stated in its renewal recommendation that a renewal of two years would allow the school to stabilize its teaching staff, instructional delivery, and allow it to gather and report additional evidence that the school would continue to build a record of improving student learning and achievement.

At the time of the initial renewal period, the school had in place an effective governance structure, evidence of parent satisfaction with the school's program, and had operated in a fiscally viable manner during the term of its first charter.

The Institute conducted its renewal visit to the Sisulu-Walker Charter School of Harlem in connection with its present application for renewal on November 30, 2005. The renewal team consisted of seven team members.

DEMOGRAPHICS

Sisulu

Enrollment (2003-04): 300
African-American: 91.7%
Hispanic: 8.3%
Asian/Other: 0.0%
White: 0.0%

CSD 5

Enrollment (2003-04): 12,549
African-American: 65.9%
Hispanic: 32.3%
Asian/Other: 1.0%
White: 0.8%

Free/Reduced Price Lunches (2003-04)

Sisulu: 65.3%
CSD 5: 85.5%

Students with Disabilities (2003-04)

Sisulu: 6.8%
CSD 5: 11.8%

ENROLLMENT

YEAR	ORIGINAL CHARTERED ENROLLMENT	APPROVED CHARTERED ENROLLMENT	ACTUAL ENROLLMENT	ORIGINAL CHARTERED GRADES SERVED	APPROVED GRADES SERVED	ACTUAL GRADES SERVED
1999-2000	247	247	245	K-2	K-2	K-2
2000-2001	347	347	340	K-3	K-3	K-3
2001-2002	447	322	299	K-4	1-4	1-4
2002-2003	547	327	290	K-5	K, 2-5	K,2-5
2003-2004	647	300	300	K-6	K, 3-5	K, 3-5
2004-2005	225	225	225	K-1, 4-5	K-1, 4-5	K-1, 4-5
2005-2006	225	225	230	K-2,5	K-2,5	K-2,5

RECOMMENDATION AND EXECUTIVE SUMMARY

Recommendation: Full-Term Five-Year Renewal

The Charter Schools Institute recommends that the State University Board of Trustees approve the application for renewal of the Sisulu-Walker Charter School of Harlem and renew the charter of Sisulu-Walker Charter School of Harlem for a period of five years with authority to provide instruction to students in Kindergarten through fifth grades in such configuration as set forth in its application, with a maximum enrollment of 262 students.

Summary Discussion

In order for a charter school that has been previously renewed to be eligible for a full-term, five year renewal, that school must provide evidence that it has consistently met or come close to meeting its academic program Accountability Plan goals during the present charter period. It must also demonstrate that it is, at the time of renewal, a fiscally and organizationally sound entity and meets the requirements of the Charter Schools Act and applicable law. Further it must demonstrate that its plans for the next charter period are reasonable and feasible and that approving the renewal application will materially further the purposes of the Charter Schools Act.

Based on all the evidence gathered during the charter period, and as supported by the evidence and findings contained in this report, the Institute finds that the Sisulu-Walker Charter School of Harlem meets the requirements for a full term five-year renewal. During the last two-year charter period, the school consolidated the progress the Institute saw in the final year and a half of its initial five-year charter period (1999-2004).

Academic Gains/Student Achievement Record

- Sisulu has currently met eight of the nine academic goals in its Accountability Plan.¹¹
- On the non-achieved academic goal, Sisulu is reasonably close to meeting it with 62 percent of students achieving proficiency on English language arts compared to its goal of 75 percent. Further, recently Sisulu has gained approximately 9-10 percentage points per year towards achieving its English language arts goal.
- Currently, Sisulu is a school where most of its fourth grade students are demonstrating proficiency in both mathematics and English language arts. In fact, 89 percent of its fourth graders are now proficient on the state mathematics assessment and 60 percent are proficient on the English language arts state assessment.

¹¹ This does not include the social studies goal (the tenth goal), as data was not yet available at the time of the renewal inspection visit.

- Sisulu is on par or exceeding its local school district as well (achieving similar scores with English language arts and achieving six percentage points higher in mathematics).
- To support its work with students in the area of English language arts, Sisulu was granted a Reading First grant in 2005. It is now the only New York City charter with the grant. These resources greatly assist the school in supporting students below grade level while supporting other students to move to higher levels of achievement.

Investments in the English Language Arts

- Curriculum Choices and Support

Over time, Sisulu has better defined its curricular choices. This is especially true of its rigorous and comprehensive reading program. The school is using the Open Court reading program, as well as various reading strategies found in the Reading First grant. The school also looks forward to the installation of the Waterford Early Childhood Literary System as an additional support and resource for young students.

The Reading First grant has given Sisulu a true resource and expertise infusion to support its English language arts programming. The federal Reading First grant program forms the foundation of the reading program by providing funding for materials, staff and additional programs. As structured, the Reading First grant funds the Reading First Coordinator/Coach and data manager positions, as well as the school's after school program, called the Academic Academy.

- Remediation

The additional source of support for "at-risk" students is the school's after school program, entitled "Academic Academy." The Academy runs each school day until 6:30 p.m. The program is funded through both Title I and Reading First funds. It is a voluntary program that approximately 85 percent of the students attend. The program is free to all participants and open only to students of Sisulu. The school has also supported students who are behind grade level by offering summer school. Students who scored at Level 1 on the state English language arts (ELA/fourth grade) assessment were required to attend summer school. Those who did not score at Level 3 at the end of summer school were retained in the fourth grade.

- Assessments

The school administers a variety of assessments as both diagnostic tools and indicators of student academic progress. Sisulu is also utilizing the Victory Schools' interim assessment program. The staff at Sisulu is using the data from the various assessments to review individual student progress in English language arts.

Professional Development

The Sisulu-Walker Charter School of Harlem has instituted a vigorous program of professional development for its instructional staff. The school has established a clear schedule of professional development activities for the 2005-06 school year. The schedule focuses primarily on supporting the implementation of the school's reading program and on classroom management. Professional development is provided primarily by the school's Reading First Coordinator/Coach and Victory Schools. Sisulu has created a professional development system which seeks to support struggling teachers through regular in-classroom engagement and in monthly staff-wide training sessions.

Environment

The Sisulu-Walker Charter School of Harlem has an established orderly and safe environment for students and staff. At the time of the renewal inspection visit, the building overall was a calm safe environment. Students were lined up for transitions and teachers used a common language to support the behavior management system throughout the building. The discipline policy had been distributed to students, their families and staff through the student/parent handbook. In particular, classroom teachers and students were quite facile in using and understanding the school's color-code discipline system. Parents, who were interviewed, spoke with passion and almost awe in sharing how motivated their child(ren) was/were to abide by the "green" in order to receive the reward of "Sisulu Bucks" and/or to be named "Student of the Day." The "bucks" can be spent at the school's store. The school's dedication to maintaining an orderly environment for students to learn is apparent and administrators/teachers/parents/students are all very involved.

Organizational Improvements

- Board Strength

Beyond the actual academic gains that the Sisulu team has made, it has also improved its organizational strength and focus. Sisulu has remained focused on academic results while changing principals, focusing its relationship with Victory Schools, and consolidating the school back into one facility. Sisulu's board of trustees maintains founding members and has become quite active in monitoring academic inputs and outputs through its active Academic Committee. The board of trustees has also collected all of its board policies into one board policy book, and has now published and distributed a parent handbook.

The Sisulu-Walker Charter School of Harlem's board of trustees is currently comprised of eight members, although its bylaws allow them to have up to 15. The board schedules monthly meetings, and typically a quorum is present. The board has a committee structure consisting of the following committees: Finance, Academic, Nominating, Facility, Legal, Parents and Fundraising. The Academic Committee meets monthly. All members have at least two years experience serving on this board, and three members have three or more years of experience. Board members indicated that in preparation for meetings they often conduct conference calls to share and discuss information.

During the school's renewal visit, board of trustees' members confidently demonstrated their knowledge of the school's curricular program, as well as their awareness that the receipt of a Reading First grant had been beneficial to student learning. Trustees were also aware that the school needed to institute ongoing assessment to drive classroom instruction, and focused professional development to improve pedagogy. The board's Academic Committee assumes primary responsibility for knowing, understanding and keeping the full board apprised of the school's performance regarding the attainment of the school's Accountability Plan goals.

In general, and with certain exceptions, the school's board of trustees has implemented effective and appropriate policies, systems and processes to fulfill the requirements of the Charter Schools Act and other applicable law, and appears to have abided by them. The school also appears to have operated without conflicts of interest. With certain exceptions, review of school, Institute and State Education Department documentation during and prior to the renewal visit, as well as interviews with staff and the school's board, demonstrate the school's general and substantial compliance with the Charter Schools Act, applicable provisions of New York and federal law and regulations, and the provisions of the school's charter and bylaws.

- Fiscal Soundness

The school completed 2004-05, and is projected to complete the current school year, in stable financial condition. The combination of debt forgiveness and donated services from its management partner has allowed the school to right itself financially and establish a solid foundation for the future. The school has no long-term debt and throughout its renewal charter period has generated adequate cash flow to support operations. The school has never been cited for any material financial or internal control weaknesses. Auditor recommendations have been implemented when they were economically and operationally feasible. The school has been timely in meeting its financial reporting requirements and such reporting has been complete and appropriate.

The school has presented reasonable and appropriate fiscal plans that contemplate three likely facility options and corresponding enrollment plans. The facility plans project operating and cash flow surpluses in each year. Enrollment plan one that projects student enrollment remaining constant at 262 students throughout the next charter period, if awarded, would support the school adding a classroom to its current facility and remaining there for the duration of the renewed charter period, as reflected in the first budget model, or adding a classroom for the 2006-07 school and then moving to New York City Department of Education space for the duration of the new charter period, as reflected in the second budget model. The school's currently stable financial condition improves its chances for successful implementation of these plans.

- Partnership with Victory Schools

The board of trustees' firm grasp of academic needs and of the school's Accountability Plan goals inspired an impressive relationship with Victory Schools in the past three years. In particular, Victory Schools has demonstrated a firm commitment to the school by modifying the curriculum design for Sisulu (*i.e.*, dropping Direct Instruction, *etc.*) and by supplying the school with *pro bono* services (since 2004 and until the end of this term in 2006). The board of trustees of Sisulu and Victory Schools have worked together to find solutions to very real academic and

organizational problems. While the future business relationship for the new charter term was not clear at the time of the renewal visit, both parties have agreed that Victory will continue to provide at least discreet services at Sisulu.

- Solid Demand

The community had demonstrated great interest in enrollment at Sisulu. There are currently 159 students on the waitlist. The school has a waitlist for each grade level that reflects upward of 40 children.

In sum, Sisulu is an educationally sound entity that the Institute finds will increase student learning and achievement during the next charter period. It is organizationally effective and viable, as well as fiscally sound. Based on all the evidence submitted, its past record, and as described in the renewal application, the school will be operated in a manner consistent with the Charter Schools Act and other applicable laws, rules, regulations and its proposed charter. Finally, given the programs it will offer, its structure and its purpose, approving the school to operate for another five years will materially further each and every purpose of the Charter Schools Act. Accordingly, the Institute recommends the charter be renewed for a full term of five years.

RENEWAL BENCHMARKS

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

Academic Attainment & Improvement

In the last year of its first charter and the first year of its renewal charter (2003-04 and 2004-05), Sisulu Walker met, or made consistent and meaningful progress toward meeting all of the key outcome measures in English language arts and math it had set for itself in its Accountability Plan. Over these two years, it has exceeded its measure of absolute level of performance on the state's fourth grade mathematics examination. Since the school first administered the state's fourth grade ELA exam, it has shown almost double digit increases each year and came close to meeting the measure in the most recent year. In the last two years, Sisulu Walker has outperformed on these state examinations all of its comparison schools as well as the Community School District in which most of its

students reside. Sisulu Walker's fourth and fifth grade cohorts met their targets for year-to-year gains on the Iowa Test of Basic Skills (ITBS) in both reading and math in the most recent year.

Aside from ELA and math, Sisulu Walker also exceeded its absolute measures on the state's fourth grade science exam over the last two years and on the state's fifth grade social studies exam during the last year. While 2004-05 comparative results are not yet available for the science and social studies exams, the school did outperform the district and all of its comparison schools on the science exam in 2003-04, and outperformed the district and three of five comparison schools on the social studies exam in 2003-04.

In the last two years, value-added data on the ITBS is only based on the fourth and fifth grades. During this time, fourth graders have consistently ended their school years with sufficient year-to-year gains in both reading and math to score above grade level and also to enable them to meet their value-added outcome measures. In contrast to this consistency, the fifth grade in 2003-04 did not meet the outcome measure in reading and math and remained far below grade level. The succeeding fifth graders began 2004-05 above grade level and with much higher ITBS scores than their predecessors. Despite having higher scores to begin with, they still registered impressive gains in 2004-05, suggesting that these students graduating from Sisulu Walker may generally have taken off to a sustained high-level of achievement.

Under No Child Left Behind (NCLB), Sisulu Walker is expected to make adequate yearly progress toward enabling all students to score at the proficient level on the state ELA and math examinations. In holding charter schools to the same standards as other public schools, the State Education Department issues a school accountability report. The most recent one lists Sisulu Walker's 2004-05 School Accountability Status as a: *Charter School in Good Standing*.

Absolute Level of Performance on State Examinations

Accountability Plan		Results (in percents)						
Subject	Outcome Measures in Renewed Charter	Grade	Original Charter					Renewal Charter
			1999-00	2000-01	2001-02	2002-03	2003-04	2004-05
ELA	75% of the fourth graders who have been enrolled at Sisulu Walker for two or more years will perform at or above level 3 on the New York State English language arts (ELA) Assessment.	4	No students in grade	No students in grade	24.0 *	36.1	52.8	62.3
Math	75% of the fourth graders who have been enrolled at Sisulu Walker for two or more years will perform at or above level 3 on the New York State Mathematics Assessment.	4	No students in grade	No students in grade	4.5 *	39.3	88.3	90.3
Science	75% of the fourth graders who have been enrolled at Sisulu Walker for two or more years will perform at or above level 3 level on the New York State Science Assessment. (At or above the state designated level for 2001-02 and 2002-03.)	4	No students in grade	No students in grade	30.8 **	37.7 **	85.5 **	86.4
Social Studies	75% of the fifth graders who have been enrolled at Sisulu Walker for two or more years will perform at or above level 3 on the New York State Social Studies Assessment.	5	No students in grade	No students in grade	No students in grade	N/A	N/A	81.0

* Results are for students in the school fewer than two years.

** Results are for all students in the school irrespective of time enrolled

Comparative Level of Performance on State Examinations

Accountability Plan		Results							
Subject	Outcome Measures in Renewed Charter	Grade	Comparison	Original Charter					Renewal Charter
				1999-00	2000-01	2001-02	2002-03	2003-04	2004-05
ELA	Each year, the percentage of all Sisulu Children’s Academy’s students at levels 3 and 4 on the New York State ELA test will exceed the percentage of students at levels 3 and 4 on the New York State ELA test at five comparison public schools, as well as School District 5 as a whole.	4	Sisulu Walker	N/A	N/A	21.7	31.9	54.7	60.0
			CSD 5			30.6	38.7	31.2	40.4
			PS 76			50.9	24.5	39.0	57.5
			PS 125			24.3	35.8	20.6	30.9
			PS 133			32.9	50.7	32.6	45.7
			PS 154			25.9	33.0	32.1	33.3
Math	Each year, the percentage of all Sisulu Walker’s students at levels 3 and 4 on the New York State Math Test will exceed the percentage of students at levels 3 and 4 on the New York State Math Test at five comparison public schools, as well as School District 5 as a whole.	4	Sisulu Walker	N/A	N/A	4.5	40.6	89.2	89.6
			CSD 5			37.1	59.6	54.6	70.3
			PS 76			24.6	33.3	53.5	74.4
			PS 125			29.6	50.6	34.8	59.1
			PS 133			50.0	67.9	44.4	68.6
			PS 154			29.2	54.7	59.5	78.9
Science	For the 2004 – 2005 school year, the percentage of all Sisulu Walker’s students at or above the state designated level on the New York State Science Assessment will exceed the percentage of students at five comparison public schools, as well as School District 5 as a whole. *	4	Sisulu Walker	N/A	N/A	--	--	85.5	82.4
			CSD 5					39.0	
			PS 76					57.1	
			PS 125					17.6	
			PS 133					32.5	
			PS 154					50.7	
Social Studies	Each year, the percentage of all Sisulu Walker’s students at levels 3 and 4 on the New York State Science Assessment will exceed the percentage of students at levels 3 and 4 on the New York State Social Studies Assessment at five comparison public schools, as well as School District 5 as a whole..	5	Sisulu Walker	N/A	N/A	N/A	--	46.0	81.0
			CSD 5					37.8	
			PS 76					46.0	
			PS 125					44.1	
			PS 133					31.0	
			PS 154					48.3	
			PS 175					34.5	

* In 200-04, the state Designated Level is

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

Accountability Plan		Results								
Subject	Outcome Measure in Renewal Charter	Grades In Target Year	Original Charter 2003-04			Renewal Charter 2004-05				
			Baseline NCE	Target NCE	Actual NCE	Met Target?	Baseline NCE	Target NCE	Actual NCE	Met Target?
ELA	For the 2004 – 2005 school years, cohorts of Sisulu Children’s Academy students will reduce by one-half the gap between their baseline performance and grade level on the reading battery of the Iowa Test of Basic Skills (ITBS). *	4	45.0	47.5	52.4	Yes	42.6	46.3	50.1	Yes
		5	31.9	40.9	33.8	No	52.2	52.3	70.9	Yes
Math	For the 2004 – 2005 school years, cohorts of Sisulu Children’s Academy students will reduce by one-half the gap between their baseline performance and grade level on the math battery of the Iowa Test of Basic Skills (ITBS). *	4	41.9	45.9	63.0	Yes	49.6	49.8	59.7	Yes
		5	33.7	41.8	37.2	No	62.2	62.3	75.8	Yes

Source: ITBS results from school-submitted Excel Workbook

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

Renewal Question 2

Is the School an Effective, Viable Organization?

Benchmark 2A
School Specific Non-Academic Goals

2A

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

Sisulu does not have non-academic goals included in its Accountability Plan. However, the school does expect students to participate in civic service projects. In the 2004-5 school year, seven civic service projects were completed by the school according to the renewal application.

<p>Benchmark 2B</p> <p>Mission & Design Elements</p>	<p>2B</p> <p>The school is faithful to its mission and has implemented the key design elements included in its charter.</p> <p>The school that meets this benchmark has school Board members, parents, teachers, school leader(s) and community partners that consistently present evidence of the school’s success with reference to the school’s mission and the key design elements included in its charter application. Key elements of the school’s design are well implemented and the school’s academic results, governance, and instructional practices reflect the mission of the school.</p>
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The Sisulu-Walker Charter School’s team is well on its way to fulfilling its current ambitious mission. Since 2004, the Board of Trustees has actually modified its original mission, (although a record of the change was not filed with the Institute). The school’s mission according to its first renewal charter was as follows:

The mission of the Sisulu Children’s Academy [now Sisulu-Walker Charter School of Harlem] is to become one of the finest public schools in America. The Academy will be built on the philosophy that all children can learn and the Academy will ensure that students meet or exceed New York State performance standards.

The changes have made the mission more specific, measurable, and it now takes into account grade and programmatic changes the school has made over its first term. The current mission is:

The mission of the Sisulu-Walker Charter School of Harlem is to prepare K-5 students living in and around Central Harlem for matriculation to outstanding public, private and parochial middle and high schools by nurturing their intellectual, emotional, artistic and social development. The school will accomplish this by offering a rigorous and challenging academic curricula taught by a highly prepared and committed cadre of professional educators. Beginning in kindergarten, we will aim towards preparing our students for college and a lifetime of achievement, honor and service. Sisulu-Walker will achieve this in a small and supportive learning environment that sets high expectations for all of our students and encourages strong parental and community involvement.

Programmatic design elements include:

- Qualified teachers – Most Sisulu teachers met the “highly qualified” definition of the No Child Left Behind regulations.
- Focused on early learning - Sisulu has deliberately chosen to grow the school slowly by adding one grade at a time, from Kindergarten.
- Small school - Sisulu remains a small school, though class size is not small.
- Community and parents are involved - Community and parents are involved and excited about the school, as evidenced by participation rates at events, interviews, and survey results.
- Art program is strong and integrated into the curriculum - The art program is operational at Sisulu, as evidenced by the renewal inspection visit.
- Instruction is focused on the New York State standards and geared to strong performance on state tests - Sisulu has chosen pre-packaged curriculum whose publishers promise alignment to the New York State standards. Teachers are using standards in their lessons.

In short, the majority of the school's key design elements appear to be implemented. The school has focused on providing a strong academic foundation for its students by choosing strong curricula and providing teachers with professional development. It has also provided students with numerous civic projects to inspire on-going community service. Finally, Sisulu has created a strong small community where parents are very involved and students are interested in achievement and good behavior.

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

While the school's board of trustees has generally implemented and maintained appropriate policies, systems and processes, and appears to have abided by them (with exceptions noted below and under Benchmark 2E), certain policies are lacking, have not been updated or have technical deficiencies. Certain of these deficiencies require attention and will be addressed by the Institute through a separate corrective action, in particular alternative instruction, Freedom of Information Law (FOIL) and labor notices.

While the School has an Employee Manual dated July 2005, the school presented and apparently uses an Employee Manual dated 2002. At the time of the renewal visit there was little evidence of the 2002 manual being updated and no evidence of the implementation of any revised policies from the 2005 manual. While the 2002 manual covers a wide variety of topics adequately, some of the policies are deficient. For example, the confidentiality policy protects Victory Schools, Inc. information, but does not cover student information, which is protected by the federal Family Educational Rights and Privacy Act (FERPA). The school does maintain a separate policy and procedure on FERPA as it relates to parents, including notice to parents, and a sub-policy on Individualized Education Programs (IEPs) and FERPA, but these were not included in the Student / Parent Handbook, and they did not encompass the physical handling of student general files in the school. The 2002 Employee Manual also lacked information on required fingerprint supported criminal background checks for all employees, although information on this topic is included on the school's employment application. Further, the school's code of ethics, which is supposed to be distributed to each employee per Paragraph 2.9 of its charter agreement, was not included in the 2002 Employee Manual, nor was

there any evidence of its separate dissemination. Separately, the school did not have posted any of the required state and federal employment notices (minimum wage, unemployment insurance, *etc.*).

The school's discipline policy had two deficiencies. First, there was a reference to an appeal to the State University Board of Trustees of school board decisions regarding suspension and expulsion that does not exist. Per subdivision 2855(4) of the Education Law, only violations of charter provision and law are subject to appeal to the State University Board of Trustees and then the State Education Department. Second, the policy's provisions regarding alternative instruction for suspended or expelled students are insufficient. Even though school personnel stated that the school no longer suspends students on an out-of-school basis, the policy did not make clear 1) that students would receive actual instruction (not just assignments) for in-school suspensions, 2) that the instruction would commence within 24 hours of any suspension or expulsion (as opposed to after five days), and 3) that expulsions were covered by the policy. The references to alternative instruction in the Student / Parent Handbook were also incomplete.

The school also has other written policies and procedures, including a specific policy on the mandatory distribution of IEPs to appropriate instructors as mandated by Education Law subdivision 4402(7). While the school board does not annually update policies, they are sometimes discussed at the board's annual retreat and there was some evidence that policies were being reviewed and updated. The school did update its bylaws. The school's board also maintains a Board Manual, with minutes and other board documents. However, at the time of the renewal visit it had not been updated with the last minutes dated January 2005.

A noticeable gap in the school's policies was the lack of any working or updated FOIL policy, including the absence of the required posted FOIL notice.

The school board appears to have abided by its bylaws and policies, except in one case where it lacked a quorum for a required bi-monthly meeting. The school also appears to be abiding by its code of ethics and a separate conflicts of interest policy, and avoiding conflicts of interest.

<p>Benchmark 2D</p> <p>Parents & Students</p>	<p>2D</p> <p>Parents/guardians and students are satisfied with the school as evidenced by survey results as well as the volume of parents who choose the school to provide education for their children and the degree to which parents persist with that choice over the child's academic career.</p> <p>The school that satisfies this benchmark will be able to show through generally accepted surveying standards and practices that a large majority of all parents with students enrolled at the school are satisfied with the school. As only a well-informed parent can be meaningfully satisfied, the school must be able to show that it has provided to parents detailed and accurate information about their child's performance as well as the performance of the school as a whole. The school should also be able to provide data on application lottery, enrollment and persistence rates to demonstrate that large numbers of parents seek entrance to the school, and far more importantly, keep their children enrolled year-to-year. Ideal survey data will also provide an explanation for the persistence rate experienced by the school.</p>
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Parents at Sisulu are generally quite pleased with the school's performance. From the 2004-5 parent survey, 93 percent of parents indicated they are satisfied with Sisulu's overall performance. Of the parents who completed the survey, almost all believed that: students demonstrated self-control/responsibility/concern for others (92 percent), the school is teaching the state standards (88 percent), there is potential for parent involvement (87 percent), and students are doing civic projects and making academic progress (both at 85 percent). Parents were a bit less pleased with home/school communications (78 percent) and the class size (75 percent) at the time of the survey. The return rates for the past two surveys were low in both instances, however (42 percent in 2004-05 and 38 percent in 2003-04).

Based on interviews with parents at the time of the inspection visit, parents have been quite pleased by the frequent communications and "open door" policy of the new principal. Parents indicated that the current principal knows all students by name and took the time to personally sign each student's report. Parents thought it very important for students to have the type of personal attention provided by the school's principal. Parents were also extremely pleased with the school's after school program, especially that it extended the school day until 6:30 p.m. and children have their homework completed prior to coming home.

The school has an active parent teacher organization (PTO), and its president holds a seat on the school's board of trustees as a voting member. Parents indicated that they share their questions, suggestions and/or other thoughts with the board of trustees through the organization's president. They also indicated that it is easy to access the president through notes and/or phone calls. Parents are aware of their parent handbook and are pleased that the school is focused on growing the school slowly by adding a grade a year. The Sisulu administration and teachers have clearly made the school a welcoming environment for parents and the waitlist demonstrates real parental interest in enrollment in the school.

Parents indicated several desires of the school, if its charter is renewed: (1) additional places to purchase school uniforms, as it is often difficult to locate the various clothing items; (2) a larger facility so students will not need to leave the school to attend other schools any sooner than they must - specifically, a continuous Kindergarten through fifth grade program; (3) more diversity in the student population; (4) an expanded arts program that included opportunities for students to learn to play a musical instrument and to learn a foreign language; (5) having a nurse on staff since the administration of medications must, at times, be handled during school hours; and (6) expanding the school's program to include more physical recreation, such as partnering with an outside organization or program that has access to a gymnasium where students could participate in organized activities.

<p>Benchmark 2E</p> <p>Legal Requirements</p>	<p>2E The school has substantially complied with applicable laws, rules and regulations and the provisions of its charter.</p> <p>A school that meets this benchmark will have compiled a record of substantial compliance with the terms of its charter and applicable laws and regulations. In addition, at the time of renewal, the school will be in substantial compliance with the terms of its charter and applicable laws and regulations. Such school will have maintained and have had in place effective systems and controls for ensuring that legal and charter requirements were and are met. A school should also be able to demonstrate that the school has an active and ongoing relationship with independent legal counsel that reviews relevant policies, documents, and incidents and makes recommendations as needed.</p>
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As part of a compliance review, the Institute reviewed steps the school took in response to compliance issues raised by the Institute’s prior Renewal Report of January 2004, and by the New York State Education Department (the “Department”) in its School Report Card (March 2005) for the 2003-04 school year, and other communications of the Department, which outlined certain instances of non-compliance in the areas of the billing for special education services, teacher certification and highly qualified teachers under the federal No Child Left Behind Act of 2001 (NCLB).

The Institute placed the school on corrective action in June of 2004 for failing to properly bill the New York City Department of Education for special education services. In addition to adjusting funds so that only the services rendered were paid for, the school agreed to revamp its special education policies as related to billing. With the assistance of Victory Schools, Inc., the school revised the policies and was taken off corrective action in July of 2005.

The Department found that during the 2003-04 school year, only 73 percent of the school’s teachers in core subjects were NCLB highly qualified. All teachers in core subjects are required to be certified under the NCLB. This requirement applies to the school sooner than the NCLB’s end of the 2005-06 school year deadline because the school accepts federal Title I funding. In addition, the Department found that 45 percent of the school’s 11 teachers were not certified (approximately 5) during the 2003-04 school year. As the Charter Schools Act only allows 30 percent or five teachers, whichever is less, to not be certified, the school should have had no more than three non-certified teachers in 2003-04. The school had the equivalent of four uncertified teachers during the renewal visit. Three teachers were not certified and three part-time teachers were not certified. (The Institute attributed one-third time status to each part-time teacher.) Based on the equivalent of 11 teachers, the school was over the statutory limit. Also, at least two full-time teachers were not NCLB highly qualified. There was some evidence that the school was trying to come into compliance with these requirements, and the Institute will follow-up with the school on these issues.

Compliance exceptions were noted in the area of fingerprint supported criminal background checks for all employees of the school as required by Education Law subdivision 2854(3). In general, a number of employees came into compliance with this portion of the amendments to the Charter Schools Act recently, which is indicative of prior violations. Review of documentation at the school showed, however, that every employee mandated to be cleared by the Department had at least been printed by the school or there was evidence of clearance by some other school. In three cases, employees had only been cleared as part of the teacher certification process and had no emergency conditional clearance from the school board. Thus, the school needed to file Office of School Personnel Review and Accountability (OSPRA) 102 forms for the employees and go through the emergency conditional clearance process for each employee. Another five or six employees had submitted fingerprints to the Department and had evidence of emergency conditional clearances although one emergency clearance had no evidence of school board approval and others may have been more than 20 days old (the statutory duration of an emergency conditional clearance). We note that the school does perform independent background checks on prospective employees at its

own expense, which informs decisions regarding emergency conditional clearances and hiring. The Institute will work with the school to bring it into full compliance with the background check provisions of the Charter Schools Act through a corrective action plan.

The school has not had and, at the time of the renewal visit, did not have a school nurse. While the law does not mandate that charter schools employ such persons, regulations of the Commissioner of Education applicable to charter schools mandate each school “provide a program of health service,” as defined in 8 N.Y.C.R.R. Part 136. Some of these functions are unique to a nurse or other health practitioner, and the school does not appear to be performing them. In addition, the school did not have proper procedures in place for the handling and dispensing of prescription and non-prescription drugs in possible violation of law and in derogation of guidance of the Department (*Administration of Medication in the School Setting*, revised April 2002). Pursuant to Title 8 of the Education Law, only licensed health practitioners may dispense medication. (Possession of certain medications by someone other than the person indicated on the prescription or a parent or guardian may also constitute a crime.) While the school directs parents to give children medication before or after school, such is not always practical or medically desirable. Also, a policy in the Parent / Student Handbook does not address prescription drugs but states that teachers may dispense over the counter drugs with written parental permission. While staff in schools may, with the approval of a nurse, assist self-directed students (those of suitable age and discretion) with the taking of oral, topical and inhalant medications, Department guidance prohibits the same for non-self-directed students (which comprise a large portion of the school population) and other types of medication. Also, all over the counter drugs are to be prescribed by a physician or other licensed professional for students and properly labeled. There was no evidence that such precautions were being followed by the school. Also, by having persons who are not familiar with the medical histories and allergies of students dispense medication the school is jeopardizing students’ health and opening itself up to tremendous liability. As a result of the foregoing, the school will be placed on a corrective plan.

While there was evidence that the school board was in compliance with the Open Meetings Law in terms of public notice and access, and the keeping of minutes for board meetings, it appeared that board committees were not keeping minutes in violation of the law.

The school generated nothing negative to report in terms of compliance with the reporting requirements in the school’s charter, or complaints and grievances during the two-year term of the current charter.

The school board has had an ongoing and active relationship with independent, *pro bono* legal counsel and uses Victory Schools Inc.’s legal counsel as needed and appropriate. The school is in the process of using outside counsel to negotiate a new management contract with Victory. At least one member of the school board is also a lawyer and the board has a legal committee.

With the exceptions noted above and in Benchmark 2C.1 (policy deficiencies), the school’s board of trustees generally has in place effective systems and controls for ensuring that legal and charter requirements were and are met. Also with the exceptions noted above, the school has compiled a record of general and substantial compliance with the terms of its charter and applicable laws and regulations. Certain school policies and procedures, other internal controls, board minutes and other documentation, as well as responses to interview questions by board members and school personnel, demonstrate the school’s general and substantial compliance with the Charter Schools Act, applicable provisions of the New York Education Law and other New York law, applicable federal law, its bylaws and the provisions of its charter.

Renewal Question 3

Is the School Fiscally Sound?

Benchmark 3A Board Oversight	3A	The Board has provided effective financial oversight, including having made financial decisions that furthered the school’s mission, program and goals.
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Since the renewal of its charter in 2004, the school’s board has provided adequate financial oversight. The board has a functioning finance committee that has reported to the full board at most board meetings. The board minute packages routinely include year-to-date financial information including budget to actual comparisons. Victory Schools Inc. provides these comprehensive financial reports to the board, the principal and onsite business manager. Board minutes note the presentation of the information and sporadic instances of discussion and questions. Discussion of certain specific subjects such as facilities issues are noted separately.

Benchmark 3B Budgeting and Long Range Planning	3B	The school has operated pursuant to a long-range financial plan. The school has created realistic budgets that are monitored and adjusted when appropriate. Actual expenses have been equal to or less than actual revenue with no material exceptions.
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The school has operated pursuant to long-range plans. Budgets have provided a realistic general framework for the school’s spending activities and monitoring procedures are in place. Victory Schools Inc. prepares monthly financial reports that provide useful analysis of budget variances. During the current and previous fiscal year the school has used the total budget as a tool for controlling operations. Actual revenues exceeded actual expenses and actual expenses (not including donated services) were less than budgeted expenses.

The school is not using the budget to its full potential. For example, the school has not historically adjusted its budget during the year, instead relying on its budget variance analysis to assist in ensuring that the budget remains in balance. The school’s adopted budget for fiscal year (FY) 2005 did not include staff development expenses. Ultimately, the school reported spending \$85,804 for staff development. When such material differences between initially planned and actual activities occur or become known, a budget modification (transfer between line items) would ideally be made. Making budget adjustments would improve the effectiveness of the school’s budget monitoring by making budget to actual comparisons more meaningful and ensuring that funds are available before expenditure.

<p>Benchmark 3C</p> <p>Internal Controls</p>	<p>3C</p> <p>The school has maintained appropriate internal controls and procedures. Transactions have been accurately recorded and appropriately documented in accordance with management's direction and laws, regulations, grants and contracts. Assets have been and are safeguarded. Any deficiencies or audit findings have been corrected in a timely manner.</p>
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The school's FY 2004 and 2005 audit reports on internal controls over financial reporting and compliance with laws, regulations and grants did not disclose any reportable conditions, material weaknesses, or instances of non-compliance. The lack of deficiencies in these independent reports provides some, but certainly not absolute, assurance that the school has maintained adequate internal controls and procedures. The purposes of the reports are not to provide assurance on internal control over financial reporting or an opinion on compliance.

Victory Schools has developed extensive fiscal policies and procedures and has compiled them into a school-level accounting manual that was adopted by the school. Based on interviews with school and Victory Schools staff and review of documentation, the school has established the processes and controls related to payroll, procurement and safeguarding of assets.

The school received a management letter in conjunction with the audit for the year ended June 30, 2005. The letter included recommendations from the auditors concerning certain matters related to the school's internal controls and certain observations and recommendations on other matters. Recommendations were related to the filing system and retention of records, personnel files and system maintenance and disaster recovery. Management's response acknowledges the issues raised and indicated it is taking steps to address the recommendations.

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

Benchmark 3E	3E	The school has maintained adequate financial resources to ensure stable operations and has monitored and successfully managed cash flow. Critical financial needs of the school are not dependent on variable income (grants, donations and fundraising).
Financial Condition		

The school completed FY 2005 in stable financial condition. Total net assets increased by \$138,714, and the school finished the year with total net assets of \$479,605. In addition, the school increased its cash position by \$171,684. The school's operating activities provided net cash of \$212,138, the school invested in fixed asset acquisitions totaling \$58,457 and received a security deposit refund of \$18,000. Except as noted below, the school has not relied on significant philanthropic support to meet its program needs.

The most important factor contributing to the school's current financial stability was the forgiveness of \$3 million in debt in September 2003 by its management partner Victory Schools Inc. for amounts owed by the school for cash advances and management and central services fees. Additionally, Victory Schools has been donating its management services since that time. The value of donated management services totaled \$518,479 in FY 2005. The combination of debt forgiveness and donated services has allowed the school to right itself financially and establish a solid foundation for the future.

The school has fixed assets (net of accumulated depreciation and amortization) totaling \$113,261 that consist of leasehold improvements, furniture and equipment. The school has no long-term debt and throughout its renewal charter, has generated sufficient cash flow from operations to pay ongoing expenses.

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

2004	2005
\$ 10,294	\$ 12,779

Renewal Question 4

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

<p>Benchmark 4A</p> <p>Curricular & Assessment Plans</p>	<p>4A</p> <p>The school's curriculum and assessment plans for the term of a future charter are reasonable, feasible, and achievable and are likely to improve student learning and achievement.</p> <p>Schools that plan to retain or augment curricular and assessment designs presented in the original charter application have provided evidence that the implementation of that design has resulted in academic success during the term of the existing charter.</p> <p>Schools that propose a material redesign to the curriculum and assessment plans for the term of a new charter have clearly articulated the new design, provided research and evidence that the proposed new design will result in the increased academic performance of children, and a plan and timeline outlining the implementation of the new curricular design. These plans are likely to improve student learning and achievement and are reasonable, feasible and achievable.</p> <p>Schools that seek to add grade levels not included in the approval of the original charter have presented an outline of the curriculum and specific assessment plans for the term of a future charter. These plans are likely to improve student learning and achievement and are reasonable, feasible and achievable.</p>
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If the charter of the Sisulu-Walker Charter School of Harlem is renewed, the school plans to generally retain the current curricular and programmatic design. However, the school has instituted some, and plans to institute other, enhancements or augmentations. Some current and upcoming changes that were noted at the time of the renewal visit include:

- using Scott Foresman as a supplement and Open Court as the primary reading program;
- implementing learning centers, including fifth grade;
- utilizing a stronger data-driven approach to drive instruction (especially by using Palm Pilots to assess, record and compare data);
- providing more in depth implementation of language arts and writing through dedicated small group instruction;
- using teaching assistants to provide more opportunities for differentiation in instruction (especially supplementation and remediation); and
- more professional development – focused mostly on language arts.

The school currently is in its first year of the federally funded Reading First program, and anticipates that the program will continue at the conclusion of the present cycle in 2008. However, should the program not be refunded, the school has developed contingency plans to ensure that student learning would not be negatively effected. In developing the contingency plans, the school considered the fact that a significant portion of the funds were used on one-time expenditures, such as curricular texts and materials, computers and software and assessment components. In addition, the school expects that its instructional staff will need less intensive professional development in the years after the grant, and those needs would be met through funding from other funding sources, including Title I and Title II. The school will also have the support of its management partner, Victory Schools, Inc. to provide supplementation services in the area of reading and reading instruction.

Space is a critical issue in the current facility, and therefore places certain constraints on student enrollment and program activities. However, as indicated in Benchmark 4D below, Sisulu has identified three facility options (and developed the necessary budgetary plans to accommodate each). In addition to the three facility and budget options, Sisulu also developed two enrollment plans that align with the facility and budget options (one enrollment strategy accommodates two budget/facility options). In enrollment plan one, the school would add another Kindergarten class bringing the school to a total of nine classes, 262 students, from Kindergarten through third grades in the 2006-07 school year. Total enrollment and number of classes under this plan would remain the same throughout the renewed charter period, although the grade configuration would vary but ultimately result in a full Kindergarten through fifth grade program in the final year of the new charter period. In enrollment plan two, the enrollment and number of classes in the school mirror that of the first year of the previous enrollment plan, nine classes and 262 students. However, the remaining four years of the new charter period reflect the addition of four classes and almost 120 students for a total of 13 classes and 378 students. Enrollment plan two would result in a complete Kindergarten through fifth grade program beginning in the second year of the next charter period.

The school's board of trustees has indicated its desire and intention to create a full Kindergarten through fifth grade program within the next charter period, if awarded, and acknowledged that enrollment plan one is the most conservative and likely plan. In its review of the two enrollment plans, the Institute was cognizant of the school's space limitations in its current facility, as well as the fiscal implications related to enrollment. The Institute found that although enrollment plan one is not ideal in terms of its impact on staffing, *i.e.* consistency in teaching staff at the Kindergarten and first grade levels, or for purposes of recruitment, the plan represents the most reasonable and feasible enrollment option. Therefore, the Institute will base its renewal recommendation on enrollment plan one (and refer to the budget and facility information that corresponds to that plan).

Given the academic performance of students at Sisulu during the current charter period, and the comprehensive nature of the school's curricular and assessment plans for the next charter period, the Institute finds the plans to be reasonable, feasible and achievable and likely to improve student learning and achievement.

<p>Benchmark 4B</p> <p>Accountability Plan</p>	<p>4B</p> <p>The school has provided a draft Accountability Plan that defines the school’s measurable goals for the term of a future charter.</p> <p>The school’s proposed Accountability Plan follows the guidelines set forth by the Institute and presents an accountability system that is reasonable, feasible, and achievable.</p>
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Sisulu has submitted a proposed Accountability Plan with its application for charter renewal. The plan largely follows the guidelines set forth by the Institute and is reasonable, feasible, and achievable. Should the school’s charter be renewed by the State University of New York’s Board of Trustees, the Institute will work with the school to finalize this proposed Accountability Plan and incorporate it into a future charter.

The Accountability Plan, as submitted in the renewal application, is generally reasonable and feasible; however certain additional measures may be required in order to take account of changes in the New York State’s testing regimen or revisions to the Institute’s Accountability Plan Guidelines. In such cases, these additional measures will be added either prior to the execution of a new proposed renewal charter or thereafter.

<p>Benchmark 4C</p> <p>School Calendar & Enrollment</p>	<p>4C</p> <p>The school has provided a sample school calendar that includes the number of days and proposed daily hours of instruction. Additionally, the school has provided an enrollment plan outlining the grades and growth patterns it anticipates during the term of a future charter.</p> <p>The plans are reasonable, feasible and achievable.</p>
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The school provided a sample calendar outlining the necessary school days and hours of instruction. The school day will continue to extend from 8:00 a.m. to 4:00 p.m. with after-school programming provided until 6:30 p.m. The school also provided an enrollment plan that envisions maintaining a maximum enrollment of 225 students, but adding grades to create a full Kindergarten through fifth grade academic program.

Benchmark 4D Fiscal & Facility Plans	4D The school has provided a reasonable and appropriate five-year fiscal plan for the term of a future charter. The school has provided a fiscal plan that includes a discussion of how future enrollment and facility plans are supported and/or impacted by the school's fiscal plan for the term of its next charter. In addition, fiscal plans provided for a future charter term reflect sound use of financial resources that support academic program needs.
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The school presented three budget models based on the most likely real estate options it may pursue for the term of a future charter. **Each plan is generally considered reasonable.** Model 1, which requires the least changes, is considered most likely and is feasible and achievable. Model 2, which would be most advantageous fiscally, is considered less likely, due to a limited availability of public school space in Harlem. Model 3 is considered feasible, but would require the school to obtain significant third party financing. The likelihood of obtaining such financing would be improved should the school receive a five-year renewal. Also, model 3 would require that the school achieve enrollment goals that contemplate an additional 120 students.

Each budget model assumes the federal Reading First grant the school receives will end with the 2007-08 school year and that the school will pay a fee to Victory Schools Inc. for management services. The school is continuing to negotiate its agreement with Victory, including the issue of fees. The models assume an annual three percent increase in per student funding which is less than the historical average for NYC of 6.7 percent since FY 2001.

Expenses under the models are projected to range from \$11,956 to \$12,099 per student. This represents a decrease from the estimated expenses per student of \$12,515 in the current school year. The decrease can be partially explained by improved economy of scale due to the addition of more students. However, it may also indicate the expense assumptions are optimistic. In any event, the school will be required to develop and adopt annual budgets based on known per student and other revenue sources. The school is highly likely to enter the proposed new charter period in stable financial condition, which increases the likelihood that its plans are achievable. Each model anticipates the school improving its financial position in each year, which provides an additional cushion against unanticipated revenue shortfalls or increased expenses.

A summary of the models is shown below.

	<i>Model 1</i> (add one additional classroom)	<i>Model 2</i> (add one additional classroom, then move into rent-free NYCDOE space)	<i>Model 3</i> (add one additional classroom, then four additional in 2007-2008)
Paid Enrollment (97% of projected)	262 each year	262 each year	262 year 1, 378 in years 2-5
Revenue Range	\$3,141,405-\$3,183,037	\$3,141,405-\$3,183,037	\$3,141,405-\$4,589,849
Cumulative Net Surplus/Deficit (5yr)	\$ 178,425	\$ 1,292,537	\$ 62,599
Cumulative Net Cash Flow (5yr)	\$ 231,112	\$ 1,345,223	\$ 244,357

Differences between model 1 and 2 include only the elimination of lease (\$1,544,316) and utility expenses (\$243,744) and an unexplained increase in management fees (\$673,947) in years two through five. Model 3 assumes the required build out can be accomplished for \$200 per square foot and that a \$1.4 million loan can be obtained to finance the work over 15 years at 7.5 percent interest. Model 3 also anticipates the additional staff required related to the increase in enrollment.