



Charter Schools Institute
The State University of New York

Renewal Report:

Leadership Village Academy Charter School

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EXECUTIVE SUMMARY

The Leadership Village Academy Charter School (Leadership Village) was originally approved by the Board of Trustees of the State University of New York on June 25, 2002 as the East New York Village Academy Charter School,¹ and a charter was issued by the Board of Regents, in September of 2002. The school originally intended to take one planning year, but instead took three planning years (2002-2005) because it could not locate a facility in East New York. Leadership Village opened in the Fall of 2005 in Harlem. The school's charter will expire on September 13, 2007 unless it is extended by the Board of Trustees. Leadership Village has applied for a three year short-term planning year renewal pursuant to the *State University Renewal Practices*,² which, if approved without any conditions, would result in the renewal of the school's charter through and including July 31, 2010.³ The three year renewal would also allow the school to operate pursuant to the terms of its original charter with the following exception: the school would add a ninth grade as contemplated by its initial charter application.

The Charter Schools Institute reviewed the short-term planning year renewal application for Leadership Village and found that the school, as described in the renewal application, will meet all the requirements of the New York Charter Schools Act of 1998 as amended⁴ and other applicable laws, with one exception, has the ability to operate the school in an educationally and fiscally sound manner, and that granting the renewal application is likely to improve student learning and achievement and materially further the purposes of the Charter Schools Act as set forth in subdivision 2850(2) of the New York Education Law. The exception is that at the present time it does not appear that the school will have adequate facilities to house the projected enrollment set forth in the short-term planning year renewal application. As a result, the Charter Schools Institute recommends that the Board of Trustees grant a short-term planning year renewal with conditions for the Leadership Village Academy Charter School through and including July 31, 2010, with instruction in grades five through nine and an enrollment of 120 students. If the school identifies an adequate facility that is approved by the Charter Schools Institute, the school may instruct up to 242 students in accordance with the projected enrollment set forth in the short-term planning year renewal charter application and subject to certain parent, district and Institute notification requirements. In the absence of additional space, enrollment for the 2007-08 school year would be 120 students in the fifth through eighth grades.

INTRODUCTION

The Charter Schools Act authorizes the Board of Trustees to grant charters to applicants for the purpose of organizing and operating independent and autonomous public charter schools. The purpose of the Charter Schools Act is to authorize a system of charter schools in order to 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:

¹ East New York Village Academy Charter School was granted a name change in May 2005 to Leadership Village Academy Charter School.

² The latest version of the *Practices, Policies and Procedures for the Renewal of Charter Schools Authorized by the State University Board of Trustees (State University Renewal Practices)* was revised on December 13, 2005 and is available at <http://www.newyorkcharters.org/forms/schools/renewPoliciesProcedures.doc>.

³ The Institute recommends extending the time through July 31 so that the charter will expire after the end of the school year as opposed to during the school year.

⁴ Education Law § 2850 *et seq.*

- 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.⁵

When initially granted, a charter is valid for up to five years. For a school chartered under the Charter Schools Act to operate beyond the initial charter term, the school must seek and obtain renewal of its charter.⁶

In order to assist the Board of Trustees in carrying out its responsibilities under the Charter Schools 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 applications for renewal, including applications for short-term planning year renewal, and providing its 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 recommendation regarding an application for renewal. The report’s purpose is to assist the Board of Trustees in evaluating the merits of a school’s renewal application and more broadly the merits of a school’s case for renewal. The report has been created and is issued pursuant to the *State University Renewal Practices*, and the guidance provided in the *Application for Short-Term Planning Year Renewal* (available at: <http://www.newyorkcharters.org/schoolsRenewApp.htm> or from the offices of the Institute) promulgated pursuant to the *State University Renewal Practices* in June 2006.

Statutory and Regulatory Considerations

The Charter Schools Act requires that a school’s application for a charter renewal of up to five years include:

- 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;

⁵ See Education Law § 2850(2).

⁶ See Education Law § 2851(4).

- 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.⁷

The Institute's processes and procedures for short-term planning year renewal mirror these requirements and meet the objectives of the Charter Schools Act.

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 Charter Schools 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 Charter Schools Act.⁸

When the Board of Trustees approves an application for renewal, they are required under the Charter Schools Act to submit the application and a proposed charter to the Board of Regents for its review.⁹ The Board of Regents may approve or comment on and return the proposed charter, ultimately leading to final approval of the renewal charter either by vote of the Regents or by operation of law.¹⁰

Short-Term Planning Year Renewal Process

This report contains the findings and recommendations of the Institute regarding a school's application for charter renewal, specifically, a short-term planning year renewal.

Because the charter period begins upon final approval of the proposed charter (as opposed to upon the commencement of the school's operation), charter schools that have taken one or more planning years come to renewal with, at most, three years of data regarding school and student performance. The limited time of operation (and the concomitant reduced amount of student assessment outcomes) makes it extremely difficult for the Institute to determine any trends in student performance as well as make a well-reasoned determination as to whether the school should be renewed for a full-term of five years. To address this issue, the Board of Trustees approved the use of the "short-term planning year" renewal option. This option is available to schools that have taken one or more planning years. These schools are able, with limited though legally and programmatically sufficient review, to obtain renewal for a period equal to the number of planning years taken. In turn, therefore, a school will not be required to seek renewal for a full-term of five years until it has been in operation for at least four full years.

The Institute's protocol for short-term planning year renewal is based on the same fundamental questions all schools must address in applying for renewal of their charters:

⁷ Education Law § 2851(4).

⁸ See Education Law § 2852(2).

⁹ See Education Law § 2852(5).

¹⁰ See Education Law §§ 2852(5-a) and (5-b).

- Is the school an academic success?
- Is the school a viable and effective organization?
- Is the school fiscally sound?
- What are the school's plans for the next charter period and are they reasonable, feasible and achievable?¹¹

The Institute also makes the same legal findings as it does for any renewal application submitted to it. However, in the case of a short-term planning year renewal, where the renewal period is for a limited period, the Institute employs a somewhat abbreviated process to determine its recommendation and make the necessary findings. Moreover, because schools should not be penalized for taking a planning year (or two if necessary), the Institute encourages schools to apply for short-term planning year renewal in the first year of the school's operation.

In addition to the application itself, the Institute reviews the following sources of evidence in making a determination on an application for short-term planning year renewal.

1. **Academic Success:** the Institute will review the school's most recent Accountability Plan Progress Report (due each year that the school has been in operation on August 1st), and, as needed and available, any prior Accountability Plan Progress Reports that the school has filed. Where schools file for short-term planning year renewal early in the initial renewal period, the information that is available is likely to be limited.
2. **Effective, Viable Organization:** the Institute will conduct a desk audit of the school's visit and inspection reports, if any have been promulgated. This will include visits conducted by the Institute or other entities, such as the State Education Department (SED) or other external reviewers. In addition, the Institute will review records regarding the school's compliance with existing laws, regulations and policies to determine whether the school has been in substantial compliance. The Institute will review other information as it deems necessary, including copies of board minutes.
3. **Fiscal Soundness:** the Institute will refer to the most current desk audit of the school by the Institute's Vice President for School Fiscal Accountability. The Institute will review other related materials and documents as it deems necessary.
4. **Future Plans:** the Institute will look primarily at the school's plans as set forth in the renewal application. The Institute will take cognizance of other data in its possession to determine the proposed plans' reasonableness, especially where the school proposes a new program, a different management structure, additional grades or other significant changes.

Finally, the Institute reserves the right to make an on-site renewal visit where necessary, although doing so would be the exception and not the rule with regard to short-term planning year renewal applications.

¹¹ Application for Short-Term Planning Year Renewal (For Schools Currently in Operation) at 9.

The Institute then prepares a draft report, which is reviewed by key staff members. The report is then finalized, and copies are provided to the members of the Committee on Charter Schools, and the other members of the Board of Trustees. This report is the product of that process and meets the requirements of the pertinent provisions of the Charter Schools Act in all respects.

SCHOOL DESCRIPTION

The Leadership Village Academy Charter School opened in the Fall of 2005 serving 65 students in fifth grade. As of October 2006, the school enrolled 114 students in fifth and sixth grades.

Leadership Village provides a core curriculum which focuses its instruction in the areas of English language arts (ELA), mathematics, science and Spanish using curriculum developed by the Village Academies Network, Inc. a not-for-profit partner organization, of which the school is a member.

The school's mission, according to its initial charter application is "to prepare our students to graduate from college and to contribute meaningfully to their families, communities, and nation."

Leadership Village Academy Charter School is currently located on the fourth floor of PS 102 at 315 East 113th Street in Manhattan, in space provided by the New York City Department of Education (NYCDOE).

SUMMARY DISCUSSION

Academic Success

2005-06 was the first year state testing data were available for Leadership Village. Based on the results of measures that were available this year, the school came close to meeting its ELA goal and met its mathematics goal. The school did not have science testing grades this year and the social studies measures were not applicable this year. Leadership Village was deemed in good standing under the No Child Left Behind Act (NCLB) accountability system.

English Language Arts

The school only had fifth grade during the 2005-06 school year, so results for students enrolled two or more years are unavailable. However, 66% of all students tested scored at or above the proficient level in ELA. The school outperformed its local community school district and met the aggregate criterion for performance under the state's NCLB accountability system. The school also exceeded expectations in comparison to similar public schools statewide. While the school does not yet have spring to spring results with which to assess its value-added measure, the average NCE for the fifth grade cohort increased from 46 in the fall to 60 in the spring.

Mathematics

In absolute terms, 80% of all students in the fifth grade performed at or above the proficient level. This far exceeded the performance of the local community school district. The school met the aggregate criterion for performance under the state's NCLB accountability system and also exceeded expectations in comparison to similar public schools statewide. Although spring to spring results were unavailable for the value-added measure, the average NCE for the fifth grade rose from 41 in the fall to 85 in the spring.

As part of its analysis, the Institute reviewed its letter sent to the school's board of trustees subsequent to the school's first end-of-year inspection visit conducted by Institute staff. The letter focuses on the progress the school has made toward instituting its instructional and assessment programs. Both the school visit and the letter are part of the Institute's regular and ongoing school oversight and evaluation protocol.

At the end of the school's first year of instruction, inspectors reported that Leadership Village had benefited greatly from the experiences of another school within the Village Academies Network (Harlem Village Academy Charter School), replicating its best practices, including procedures for setting and maintaining student behavioral expectations, guiding curriculum development, and implementing an internal assessment system. Inspectors stated that "given the evidence gathered at this first-year visit and its affiliation with Harlem Village Academy Charter School, Leadership Village is likely to grow into a middle school that effectively prepares students for high school." However, the inspectors also noted a few areas for improvement, including the need for the school to develop curricula that embeds science and social studies instruction into Leadership Village's intense instruction in ELA and mathematics, as well as the need for the school to conduct formal evaluations of the school's instructional staff and Executive Director.

Organizational Effectiveness and Viability

Leadership Village has been effectively governed since its inception, and has demonstrated through its structure and actions the seriousness with which it accepts the responsibilities inherent in governing a school. According to its application for short-term planning year renewal, five of the school's trustees have served the school since the first year of its current charter; the school has maintained the same school leader since the school's inception.

Leadership Village submitted survey data collected from families at the conclusion of the 2005-06 academic year. Of the 79% of the school's families that responded, the vast majority strongly agreed or agreed with positive statements about the quality of the school's academic program and the school community. 35% of respondents said that they would give the school a grade of "A+," and 46 % of respondents gave the school an "A or A-;" 18% rated the school a "B or B-," and no respondents rated the school as a "C,D,[or] F."

The school also cites a retention rate of 80% from the end of the 2005-06 to the beginning of the 2006-07 school year as an indicator of organizational effectiveness and viability.

Currently the school's board is working to identify and provide a long-term facility for the school's use, as the current space occupied by Leadership Village is insufficient to accommodate the school's planned growth and grade expansion. This is described in further detail below.

Compliance with Applicable Law

Based on a limited compliance review consisting of a review of the Institute's files, including State Education Department (SED) correspondence regarding Leadership Village, the school appeared to be in general and substantial compliance with applicable laws, rules and regulations at the time of renewal and during the term of its charter with the minor exceptions noted below.

In November of 2006, the firing of a school employee resulted in a threatened lawsuit against the school and the State University, but to date, no legal action has resulted. Also, in November of 2006,

a parent expressed concern about lack of adequate notice for a suspension and other minor issues. The parent was referred to the school's complaint process and no official grievance was ever lodged. Also, in the Fall of 2006, SED found the school was not in compliance with the teacher certification requirements of the Charter Schools Act and asked the school to submit certain information in order to avoid being placed on probation. To date, SED has not placed the school on probation or notified the Institute of further related problems.

In January 2005, SED noted that the school had not submitted its Safe Schools Against Violence in Education (SAVE) school safety plan to SED in a timely manner, but no action was taken against the school. Finally, in 2002, Leadership Village generated an unofficial complaint from a member of the State Assembly regarding the school's proposal to move its location from East New York to Harlem because, *inter alia*, it was having difficulty locating space in East New York. In March of 2004, after having difficulty locating a suitable space, the school board formed a "task force" to locate space in East New York. Before the task force found a space in East New York, however, it concluded that it would be better for educational quality and consistency if the school was located in close proximity to the other Village Academy school, the Harlem Village Academy Charter School, in Harlem. Closer proximity would allow the school's executive director and other staff to more easily travel between schools.

Fiscal Soundness

The Leadership Village board has provided basic oversight, and the school, as it pertains to renewal, is fiscally sound. A financial report is prepared and presented at each board meeting and the report provides meaningful information and analysis of the status of the school's financial condition. The school has taken advantage of its affiliation with Village Academies and by extension, Harlem Village Academy Charter School, in setting up and conducting its operations. This experience has allowed the school to get off to a smooth start. The school has established appropriate accounting policies and procedures. Procedures require monitoring and updating as necessary. Audit recommendations have been implemented in a timely manner.

The school has been marginally late in filing some of its quarterly financial reports, but has filed its budgets and financial statements on time. Since its inception, the school has operated pursuant to its long range fiscal plan included in its application. Modifications were made to reflect facility constraints and resulting reduced enrollment that was not initially anticipated. The school completed its first operating year in a stable financial position, and the school's net assets increased by a few thousand dollars and totaled just over \$160,000. Beginning in the 2006-2007 school year, the school has been provided space at no cost by the NYCDOE. While this has allowed the school to strengthen its financial condition, the school would be fiscally challenged without this arrangement.

Facility Plans

Leadership Village is currently located in free space on the fourth floor of PS 102 at 315 East 113th Street in Manhattan. As previously indicated this space is provided by the NYCDOE. Although the school has expressed its intention to remain in PS 102 through the three year term of the short-term planning year renewal charter and its planned expansion through grade nine, it is unlikely that NYCDOE will be able to accommodate the school's request.

Since it appears to be the case that Leadership Village will be unable to expand to the full enrollment and grade structure described in its application for short-term planning year renewal at PS 102, the

Institute recommends that the school's enrollment be limited to 120 students until the school finds additional space that can minimally house the academic program described within the school's charter application. Any proposed space will require the approval of the Institute pursuant to its charter agreement as described more fully below.

Future Plans

Should the school be awarded a short-term planning year renewal, it seeks to expand instruction through the ninth grade. This request is consistent with the school's initial charter application and charter, as it was originally granted authority to provide instruction in grades six through nine. As a result of the school's decision to take three planning years, its original charter was amended first in February 2003 and then in May of 2005, limiting the school's grades in the last year of its charter to fifth and sixth, and decreasing projected enrollment from 208 students to 107.

Should a short-term planning year renewal be granted, the school intends to focus efforts and resources on enhancing its systems and academic program through continual improvements. These include: identifying and hiring additional key employees, including a high school principal when the school expands to the ninth grade; further refinement and development of its curriculum and assessment system; improving the school's human resources systems and policies; improving fiscal and operational policies and procedures; and developing a long-term solution to manage the school's data.

The school would implement the ninth grade curriculum submitted as part of its original charter application, and approved by the Board of Trustees in 2002. Additional curriculum refinements and development will be completed and submitted at the time of the school's application for full-term renewal in 2010. Similarly, the school will administer state assessments as prescribed by the Board of Regents, (including the new Regents mathematics examination sequence developed since the submission of the school's original charter application), as well as other assessments described in its original charter application.

According to the short-term planning year renewal application originally submitted to the Institute (i.e., before amendments were required by the Institute), Leadership Village would enroll a new fifth grade class of 60 students for each year of the renewal charter term, and add a grade each year to accommodate its current students through the ninth grade, consistent with the term of its renewal charter. The total projected enrollment would be 165 students in the fifth through seventh grades for the 2007-08 school year, 212 students in the fifth through eighth grades for the 2008-09 school year, and 242 students in grades five through nine in the 2009-2010 school year, representing an overall increase of 135 students when compared with the school's total approved enrollment for the current charter term. The school has provided a best-case fiscal plan that incorporates these enrollment levels and assumes the continued provision of free space from the NYCDOE. Under this scenario, the school projects continually improving finances with a total cash balance of more than \$700,000 as of June 20, 2010.

The foregoing enrollment structure will be incorporated into the school's renewal charter, *but will not be effective until the school finds adequate and approvable facilities. If the school remains in its current space, the school's enrollment will be limited to 120 students in grades five through nine.* Thereafter, with respect to the grades to be served by the school, the Institute will allow the school flexibility to structure its projected enrollment within the confines of the total enrollment number for any given year. In other words, the Institute will not limit the grades served other than requiring that

Leadership Village be restricted to offering instruction within the range of grades five through nine. Thus, for example, in any given year the school may not offer any particular grade(s) either to incoming or existing students. However, in that event, the school must notify the Institute, the New York City Schools Chancellor and parents of affected students (both existing students and those admitted or selected by the lottery for entrance to the school) of its grade configuration for the following school year by March 1 of each year of its short-term renewal charter. In addition, the school's application and admission materials must inform interested persons that the school may not offer certain grades as applicable. For the 2007-08 school year the school has decided to offer only grades 5 through 7 if it cannot secure additional space.

The school would remain a member of the Village Academies Network, from which it has received services and some funding. The school does not propose any modifications to the length of its school day. However, the school has eliminated the four week intersession between Trimesters 2 and 3, as described in its original charter application, having found the deviance from the New York City School District calendar disruptive for families with students in other public schools.

The school has not significantly amended its management structure or staffing plan, with the exception of the addition of a principal and instructional staff consistent with the school's proposed expansion through ninth grade. This also includes an increase in the number of arts and special education teachers, as well as teachers in the core academic subjects.

Leadership Village has proposed some slight modifications to its Student Discipline Policy and Procedures, as well as to its Policy for Complaints. With regard to the Student Discipline Policy and Procedures, the school has made some minor changes to the categories of behavioral infractions, has expanded and formalized the external suspension procedures, and has made the demerit system applicable to all students.

The school's Accountability Plan would be amended under the guidance of Institute staff by July 1, 2007, primarily to reflect the school's expansion through the ninth grade, as well as other updates required by the Institute. This requirement will be an additional term of the renewal charter agreement.

FINDINGS AND RECOMMENDATION

As described above, and based on the limited evidence before it, the Charter Schools Institute finds that with conditions the Leadership Village Academy Charter School has submitted an application for a short-term planning year renewal that meets the requirements of Education Law subdivision 2851(4). The Institute further finds that Leadership Village as limited and restricted by this report will meet the requirements of the Charter Schools Act and all applicable laws, rules and regulations, and would be operated in an educationally and fiscally sound manner during the renewal period. The Institute further finds that granting a three year charter renewal for instruction in grades five through nine with the projected enrollment conditions set forth below would likely improve student learning and achievement and materially further the purposes of the Act as set forth at subdivision 2850(2) of the Education Law. In addition, granting a three year renewal will assist in building sufficient data to be analyzed as part of the Institute's full renewal review. Based on these findings, the original charter as modified by the information in the renewal application to be included in the proposed renewal charter, and the evidence before it, the Institute recommends that the Board of Trustees renew the charter through and including July 31, 2010 pursuant to the short-term planning year renewal structure contained in the State University Renewal Practices with the following conditions:

- a) If the school secures adequate additional space and that space is approved by the Institute pursuant to the school's charter agreement at any time during the charter term, enrollment and grades served will be as set forth in the original application for short-term planning year renewal, grades five through nine and a maximum projected enrollment of 242 students.
- b) If the school does not secure adequate additional space which can be approved by the Institute and pursuant to the school's charter agreement, the school will be limited to 120 students in grades five through nine and subject to the additional conditions below:
 - 1. During the 2007-08 school year the school will instruct students in grades five through seven.
 - 2. The school will have authority to not provide instruction one or more grades in any given school year so long as i) it notifies by March 1 the Institute, the New York City Schools Chancellor and parents of affected students (both existing students and those admitted or selected by the lottery for entrance to the school) of its grade configuration for the following school year, AND ii) the school's application for admission and other admission materials clearly inform interested persons that the school may not offer certain grades the following school year, as applicable.