



Charter Schools Institute
The State University of New York

Short-Term Planning Year Renewal Report

KIPP Tech Valley Charter School

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The final version of Institute renewal reports should be broadly shared by the school with the entire school community. This report will be posted on the Institute's website at: www.newyorkcharters.org/pubsReportsRenewals.htm.

REPORT INTRODUCTION

This report is the primary vehicle by which the Charter Schools Institute (the “Institute”) transmits to the Board of Trustees of the State University of New York (the “State University Trustees”) its findings and recommendations regarding a school’s Application for Short-Term Planning Year Renewal. This report has been created and issued pursuant to the *Practices, Policies and Procedures for the Renewal of Charter Schools Authorized by the State University Board of Trustees* (the “State University Renewal Practices”).¹

Information about the State University’s renewal process, as well as an overview of the requirements for renewal under the New York Charter Schools Act of 1998 (as amended, the “Act”), are available in the [Appendix](#) of this report. Note too that the Institute’s website provides additional details and resources regarding renewal, including: the Institute’s comprehensive *Charter Renewal Handbook*, at: www.newyorkcharters.org/schoolsRenewOverview.htm.

RECOMMENDATION AND EXECUTIVE SUMMARY

Recommendation

Short-Term Planning Year Renewal of One Year

The Charter Schools Institute recommends that the State University Trustees approve the Application for Renewal of KIPP Tech Valley Charter School (“KIPP Tech Valley”) and renew the charter through and including July 31, 2010 with authority to provide instruction to students in 5th through 8th grades with a projected enrollment of 300 students, and consistent with the other terms set forth in its Application for Renewal.

Required Findings

Based on all the evidence submitted in the school’s Application for Renewal, the Institute makes the following findings required by the Act. KIPP Tech Valley, as described in its renewal application, meets the requirements of the Act and all other applicable laws, rules and regulations. The school has demonstrated the ability to operate in an educationally and fiscally sound manner in the next charter period. In addition, given the programs it will offer, its structure and its purpose, approving the school to operate through and including July 31, 2010 is likely to improve student learning and achievement and materially further the purposes set out in Education Law subdivision 2850(2). Finally, consistent with the State University Renewal Practices, as the school took one planning year prior to opening, granting a one-year short-term planning year renewal will assist in building the school’s academic record which will result in sufficient data to be analyzed as part of the Institute’s full renewal review.

¹ The *Practices, Policies and Procedures for the Renewal of Charter Schools Authorized by the State University Board of Trustees* (last revised June 9, 2008) are available at <http://www.newyorkcharters.org/schoolsRenewOverview.htm>.

Consideration of School District Comments

In accordance with the Act, the Institute notified the school district in which the charter school is located regarding the school's Application for Renewal, and public and non-public schools in the same geographic area. Through the date of this report, no comments were received in response.

Summary Discussion

Academic Success

Currently, KIPP Tech Valley Charter School is on track to meet its 2008-09 mathematics goal and is close to meeting its English language arts goal. Over the past two years, KIPP Tech Valley's performance has improved in English language arts and has continued to be strong in mathematics. Because the school does not yet have an eighth grade, its science and social studies goals cannot yet be evaluated. As 5th grade social studies test results are only available for students enrolled in their first year at the school, they do not apply to the social studies goal. KIPP Tech Valley is meeting its NCLB goal.

Thus far in its charter period, KIPP Tech Valley is close to meeting its English language arts goal. In the most recent year, while 60 percent of students enrolled in their second year at the school achieved proficiency on the state English language arts exam, 80 percent of students enrolled in their third year performed at the proficient level and KIPP Tech Valley achieved its 75 percent target for students enrolled in their third year (the school's accountability plan measure). The school has consistently exceeded the Annual Measurable Objective (AMO) set by the state as part of its NCLB accountability system and outperformed its local school district. In comparison to demographically similar schools state-wide, KIPP Tech Valley has not yet achieved its target. In terms of growth, in 2006-07, when state test cohort growth data first became available, the 6th grade cohort did not achieve its target and overall performance declined. In the most recent year, however, two of the school's three cohorts reached their growth targets and overall performance improved.

Based on an evaluation of the five measures in its Accountability Plan, KIPP Tech Valley is on track to meet its 2008-09 mathematics goal. In 2006-07, when the school's Accountability Plan came more fully into effect, 85 percent of students in their second year at the school achieved proficiency. In 2007-08, 100 percent of students enrolled in their third achieved proficiency and the school exceeded its 75 percent target for students in their third year (the school's accountability plan measure). The school has consistently surpassed the AMO set by the state and outperformed its local school district. In comparison to demographically similar schools state-wide, the school has improved its performance over the past three years. In 2005-06, the school performed about the same as expected; in 2006-07, the school performed better than expected to a small degree; and in the most recent year, the school performed better than expected to a large degree by far-outperforming demographically similar schools state-wide. In terms of growth, in 2006-07, on the state mathematics test, the 6th grade cohort achieved its growth target and overall performance improved substantially. In 2007-08, all three cohorts met their growth targets and overall performance again improved.

KIPP Tech Valley Charter School enrolls 284 students (as of January 15, 2009) in the 5th through 8th grades. The school is in its fourth year of operation and has achieved a certain degree of academic success. The school's application for a STPYR states that the school's program provides more time for core academic courses, a longer school day, week and year, and allows students to participate in

extracurricular activities such as art classes. Teachers are available to students via cell phone during after school hours to assist with homework and/or to respond to questions from parents.

Students attend school from 7:30 a.m. until 5:00 p.m. Monday through Friday, participate in extracurricular and academic classes on alternating Saturdays, commit to a three-week summer session, and complete up to two hours of homework each night.

In the school's third-year evaluation report, the external inspectors stated that "KIPP Tech Valley has developed a systematic, data-driven academic program that is supported by all school stakeholders." The report also identified a few areas on which the school could focus in order to continue to refine its program such as: formalizing the system by which teachers receive feedback; an enhancement to the new teacher evaluation system put in place the prior year.

In the application for STPYR, the school states that its management team worked with its board of trustees to design and implement a comprehensive system of internal assessments, a school-wide behavior management system, and objective, data-driven teacher evaluations. The internal assessments are aligned with state standards. In addition, the school has a database system that is used to provide daily results on progress toward achieving the school's Accountability Plan goals.

Organizational Effectiveness and Viability

KIPP Tech Valley has been an effectively governed and operated school. It has benefited from the leadership consistency and stability on its board and school management team over the charter term. The school has a seven member board that meets regularly. As a partner organization, KIPP National provides the school with instructional, organizational, and operations leadership in addition to community development. KIPP National does not operate or manage the school, but rather provides services as needed. The school has received high marks from both parents and students in terms of their satisfaction with the school and its program. Parents interviewed as part of the school's third-year external inspection were extremely satisfied with the school and appreciated that the school had high expectations for every student. The same inspection reported that students who were interviewed responded positively about the school's program and indicated that they considered the program academically challenging.

KIPP Tech Valley's re-enrollment rate is high (above 85% each year) and its attendance rate is good (at or above 94% each year). The school maintains a waiting list. The school has had only a few complaints during the charter term, none of which resulted in formal grievances being filed against the school.

Fiscal Soundness

KIPP Tech Valley Charter School is in stable financial condition and has been stable throughout its existence. The school operates pursuant to a long-range fiscal plan and has produced realistic budgets over the term of the charter. The school's record of financial reporting has been good. Generally, the required financial reports have been submitted on time and have been complete and accurate. The school has not been cited for any material financial or internal control weaknesses as part of its annual audits, but it has had management letters issued with the last three audits.

The school has had diminishing net assets over the years with negative net assets the most recent audit. This is due mainly to an increase in rent of the facility (they have the entire building now) and

the school not yet reaching its maximum enrollment in terms of grades allowed in this charter term. The budget for the current fiscal year projects a positive net income. The school's December 2008 un-audited financial statement demonstrated that the school is on track for a positive year.

KIPP Tech Valley leases its facility from the Brighter Choice Foundation. The lease payments are expected to remain stable for the term of the renewal charter.

Plans for the Next Charter Period

KIPP Tech Valley Charter School is not planning to make any changes to its program during the one-year STPYR period. Its grade levels, program structure, daily and yearly calendar, achievement goals, curriculum, board structure, and school policies would remain unchanged. In addition, the school will remain in its current facility.

However, the school does plan to slightly modify its organizational structure to accommodate the growth of the school and the needs of its student population. The school intends to implement the following organizational changes:

- Creation of an assistant principal position to replace the Leadership Team Chairperson. The assistant principal will address succession, distribute management responsibility and better serve the students.
- Creation of a chief operating officer instead of a business manager. The change in title better reflects the responsibility of the position.
- Creation of a parent/community liaison instead of a parent member of the leadership team. The change reflects the importance of the position and the amount of time required to effectively fulfill the role.
- Creation of a new position: Instructional Data Analyst. The position reflects the school's focus on and time commitment required to meet the student data management needs.

The budget for the one year renewal is based on an enrollment of 300. The school has presented a reasonable and achievable fiscal plan. The budget projects an operating surplus for the renewal year.

SCHOOL DESCRIPTION

The Board of Trustees of the State University of New York approved the application for KIPP Tech Valley Charter School (“KIPP Tech Valley”) on January 27, 2004, which was subsequently approved by the Board of Regents on March 23, 2004. The school opened in August, 2005 following a planning year in 2004-05 with an initial enrollment of 87 students in fifth grade, and added one grade in each of the following three years, enrolling 284 students in fifth through eighth grades in the 2008-09 school year. In November of 2008, the State University Trustees extended the charter of the school through July 31, 2009 in order to allow the school to apply for a Short-Term Planning Year Renewal.

The board of trustees of KIPP Tech Valley Charter School is comprised of the following individuals:

- John P. Reilly, President
- B. Jason Brooks, Vice President and Secretary
- Eric H. Burnett, Treasurer
- Sabrina Johnson
- P.O. Kelly R. Kimbrough
- Stephen Mancini
- Kelly Ryan

KIPP Tech Valley is located at 1 Dudley Heights in Albany, New York. The school shared this new building with another charter school (Achievement Academy Charter School) in the 2005-06 school year. The Board of Trustees of KIPP Tech Valley partners with KIPP (Knowledge is Power Program) National, a non-profit organization that trains school leaders to open and run academically rigorous public schools. As a partner organization, KIPP National provides the school with instructional, organizational, and operations leadership in addition to community development. KIPP National does not operate or manage the school, but rather provides services as needed.

KIPP Tech Valley Charter School’s mission statement as included in the school’s original Charter follows:

KIPP Tech Valley Charter School’s mission is to provide educationally underserved middle school students with the knowledge, skills, and character required to succeed in top-quality high schools, college, and the competitive world beyond.

Key design elements as outlined in the school’s initial Charter include:

- an academic program guided by five KIPP Pillars, which include: High Expectations; Choice and Commitment; More Time; Power to Lead; and Focus on Results;
- an extended school day and year, with additional enrichment experiences scheduled on select Saturdays;
- extended instructional time spent on English Language Arts and mathematics;
- daily enrichment periods in which students have an option of various activities, offset by mandatory physical education blocks every other day;
- mandatory four-week summer school program for all students;

- an electronic scoring system to track each student's progress towards mastering each individual KIPP and aligned New York State learning standard with monthly reports for parents, teachers, and administrators; and
- a focus on the following seven character skills, referred to in the Charter Application as the set of "Seven Virtues": Tenacity, Excellence, Adventurous Spirit, Teamwork, Respect, Self-Reliance, and Creative Expression.

School Year (2008-09)

220 Instructional Days²

School Day (2008-09)

7:25 a.m. to 5:00 p.m.³

Enrollment

	Original Chartered Enrollment	Revised Chartered Enrollment	Actual Enrollment⁴	Original Chartered Grades	Revised Grades Served	Actual Grades Served	Complying
2004-05	Planning Year	NA	NA	NA	NA	NA	NA
2005-06	90	90	97	5	5	5	YES
2006-07	180	180	162	5, 6	5, 6	5, 6	YES
2007-08	270	270	210	5-7	5-7	5-7	YES
2008-09	360	300	284	5-8	5 - 8	5 - 8	YES

	2005-2006		2006-2007	
Race/Ethnicity	% of Enroll. KIPP Tech Valley	% of Enroll. Albany City District	% of Enroll. KIPP Tech Valley	% of Enroll. Albany City District
American Indian or Alaska Native	0.0 %	0.0 %	0%	2%
Black or African American	89.0 %	66.0 %	89%	63%
Hispanic	5.0 %	10.0 %	6%	11%
Asian, Native Hawaiian, or Pacific Islander	0.0 %	3.0 %	0%	3%
White	6.0 %	21.0 %	5%	20%
Multiracial	NA	NA	0%	2%

Source: 2005-06: New York State Education Department School Report Card
2006-07: New York State Education Department Database

² According to the school's charter, this total includes Saturday instruction approximately twice monthly and a 15 instructional days during a mandatory summer instruction for all students.

³ According to the school's charter, 7:25 to 7:55 a.m. is used as for breakfast/homeroom, while 2:50 to 3:50 p.m. and 3:55 to 5:00 p.m. is used for enrichment on alternating days.

⁴ Actual enrollment per the Institute's Official Enrollment Table. Note that the NYSED School Report Card and database, upon which the Free and Reduced lunch figures are calculated, may represent slightly different enrollment levels depending on the date in which this data was collected.

	2005-2006		2006-2007	
Special Populations	% of Enroll. KIPP Tech Valley	% of Enroll. Albany City District	% of Enroll. KIPP Tech Valley	% of Enroll. Albany City District
Students with Disabilities	NA	NA	9.6 %	16.9 %
Limited English Proficient	0.0 %	3.0 %	0.0 %	4.3 %

Source: Students with Disabilities: New York State Education Department Database
Limited English Proficient: 2005-06: New York State Education Department School Report Card; 2006-07: New York State Education Department Database

	2005-2006		2006-2007	
Free/Reduced Lunch	% of Enroll. KIPP Tech Valley	% of Enroll. Albany City District	% of Enroll. KIPP Tech Valley	% of Enroll. Albany City District
Eligible for Free Lunch	69.0 %	61.0 %	59.6 %	53.0 %
Eligible for Reduced Lunch	6.0 %	11.0 %	15.7 %	10.0 %

Source: 2005-06: New York State Education Department School Report Card
2006-07: New York State Education Department Database

School Charter History

Charter Year	School Year	Year of Operation	Evaluation Visit	Feedback to School	Other Actions Taken
Original Charter – 1 st Year	2004-05	Planning Year	NO		NONE
Original Charter – 2 nd Year	2005-06	1 st	YES	Prior Action Letter, End-of-Year Evaluation Letter	NONE
Original Charter – 3 rd Year	2006-07	2 nd	YES	End-of-Year Evaluation Report	NONE
Original Charter – 4 th Year	2007-08	3 rd	YES	External School Evaluation Report	
Original Charter – 5 th Year	2008-09	4 th	Abbreviated	Short-Term Planning Year Renewal Report	

APPENDIX

An Overview of Renewal Requirements

The New York State Charter Schools Act of 1998 (as amended) (the “Act”) authorizes the Board of Trustees of the State University of New York 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 independent 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.⁵

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

This report is the primary vehicle by which the Institute transmits to the State University Trustees its findings and recommendations regarding a school’s renewal application, and more broadly, details the merits of a school’s case for renewal. This report has been created and issued pursuant to the *Practices, Policies and Procedures for the Renewal of Charter Schools Authorized by the State University Board of Trustees* (the “State University Renewal Practices”).⁶

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:

- a report of the progress of the charter school in achieving the educational objectives set forth in its charter;

⁵ See § 2850 of the New York Education Law.

⁶ The *Practices, Policies and Procedures for the Renewal of Charter Schools Authorized by the State University Board of Trustees* (last revised June 9, 2008) are available at www.newyorkcharters.org.

- 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.⁷

The Institute's processes and procedures mirror these requirements and meet the objectives of the Act.⁸

As a charter authorizing entity, the State University Trustees can renew a charter so long as the Trustees can make each of the following findings ("Required 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;
- granting the application is likely to improve student learning and achievement and materially further the purposes of the Act; and,
- (if applicable) in a school district where the total enrollment of resident students attending charter schools in the base year is greater than five percent of the total public school enrollment of the school district in the base year: (i) granting the application would have a significant educational benefit to the students expected to attend the proposed charter school; or (ii) the school district in which the charter school will be located consents to such application.⁹

Where the State University Trustees approve a renewal application, they are required under the Act to submit the application and a proposed charter to the Board of Regents for its review.¹⁰ The Regents may approve the proposed charter or return the proposed charter to the State University Trustees with the Regents' comments and recommendation(s). In the former case, the charter will then issue and become operational on the day the current charter expires. In the latter case (return to the State University Trustees), the State University 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 State University Trustees resubmit the charter, the Regents have thirty days to act to approve it. If they do not 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.¹¹

Process for Short-Term Planning Year Renewals

⁷ Education Law § 2851(4).

⁸ Further explication of these policies and procedures is available on the Charter Schools Institute's website. See www.newyorkcharters.org/schoolsRenewOverview.htm.

⁹ See Education Law § 2852(2).

¹⁰ See Education Law § 2852(5).

¹¹ See Education Law §§ 2852(5-a) and (5-b).

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 State University 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:

1. Is the school an academic success?
2. Is the school an effective, viable organization?
3. Is the school fiscally sound?
4. What are the school's plans for the term of the next charter and are they reasonable, feasible and achievable?

The Institute also makes the same legal findings as it does for any Application for Renewal 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.

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 school's 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 and 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 Application for Renewal. The Institute will take cognizance of other data in its possession to determine the reasonableness of the school's proposed plans, 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 a renewal inspection visit where necessary, although doing so would be the exception and not the rule with regard to short-term planning year Applications for Renewal.

The Institute then prepares a renewal report, which is reviewed by key staff members. The report is then transmitted to the Charter Schools Committee of the State University Trustees, the other members of the State University Trustees, and the school itself. This report is the product of that process.