



**Charter Schools Institute**  
The State University of New York

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[www.newyorkcharters.org](http://www.newyorkcharters.org)

June 19, 2012

**VIA ELECTRONIC AND FIRST CLASS MAIL**

Kyle Westaway  
Chairman of the Board  
Explore Excel Charter School  
1077 Remsen Avenue  
Brooklyn, NY 11236

Re: First- Year School Evaluation Visit

Dear Mr. Kyle Westaway:

This letter outlines the State University of New York's Charter Schools Institute's observations and findings from its May 9, 2012 first year school evaluation visit to the Explore Excel Charter School ("Explore Excel"). The visit team consisted of Lori Clement, Institute Senior Analyst and Mary Grace Eapen, an external consultant. Allow me first to place this letter and the conclusions set forth below into context.

As with all SUNY authorized charter schools, on a periodic basis throughout the term of your school's charter the Institute conducts a number of formal site visits. The Institute reports in writing to the school on data gathered during these visits. Cumulatively, the information in letters such as this, as well as reports provided in later years, forms the foundation of qualitative data on the school's effectiveness. At the conclusion of the school's charter term, the Institute provides the State University of New York's Board of Trustees an analysis of your school's performance over the term of its charter that includes this qualitative information. The Institute makes a renewal recommendation for your school based on two components: the school's attainment of its academic Accountability Plan goals and evidence of the quality of the school's educational program collected during school evaluation visits.

At renewal, the Institute evaluates the academic, organizational, legal and fiscal aspects of the school's program using SUNY's Charter School Renewal Benchmarks (see attachment). A copy of the Renewal Benchmarks is included for your information. For formal school evaluation visits conducted prior to renewal, the Institute focuses on specific academic and organizational Renewal Benchmarks (called Qualitative Educational Benchmarks). They provide a fixed standard for determining the quality of the academic program as the school progresses toward renewal.

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To Search  
To Serve

the Power of



For this first year visit, the Institute narrows the expectation for each benchmark in recognition of the school program's limited development. As a first year school is in its formative stage which has not yet completed an annual cycle, the visit focus is on the initial implementation of basic practices and procedures in each benchmark area. The center of attention is on the quality of instruction and related benchmarks, which heavily affect the progress that a school is able to demonstrate in meeting its Accountability Plan goals during the charter period. By the time a school comes to renewal, a school is expected to have moved from the beginning of implementation and the promise of future growth to full and effective implementation of a quality program.

Although the information provided in this letter is not intended as a prescription, the Institute would expect you to review thoroughly the issues highlighted below and, to the extent you find them helpful, use them to assist in guiding the school's leadership team to further develop the school's academic program or other aspects of the school. In this regard, please be aware that although the Institute takes very seriously the conclusions provided, we are cognizant of the fact that a one-day site visit may not yield information on all facets of a school's program.

Please find the team's findings from the first year visit below.

#### **Use of Assessment Data**

*Explore Excel regularly gathers assessment data and uses it to create action plans for improving instruction.*

- Explore Excel administers the Terra Nova assessment in the fall and spring, Fountas and Pinnell benchmark assessments every six weeks, interim assessments from Achievement Network or the Explore Network, unit tests from commercial curriculum and daily teacher-created assessments.
- Teachers, with guidance from school leaders, meet regularly in grade-level data meetings to analyze data and develop re-teaching plans, sometimes with input from other Explore Network schools.
- Explore Excel communicates student performance and progress to parents annually in five report cards and four progress reports. The school determines the most appropriate data to share with parents in order to ensure that they understand the school's approach to measuring student progress.

#### **Curriculum**

*Explore Excel has a curriculum that supports teachers in their planning and delivery of instruction.*

- Teachers use a scope and sequence aligned to the Common Core Standards and based on the commercial curriculum to support the development of daily lesson plans.

- Teachers have access to ample curriculum materials including TERC Investigations for mathematics with supplemental materials from Everyday Math, and Journeys for English language arts, supplemented by Foundations and Scholastic Books.
- The school is in the process of developing an internal writing curriculum to bridge the gaps in the Journeys writing curriculum and is also exploring the use of another writing curriculum more in line with the Common Core Standards.

### **Pedagogy**

*Quality instruction is evident in most classrooms.*

- Throughout each lesson, teachers use consistent language and routines to reinforce learning objectives and expectations for what students must know and be able to do.
- Teachers maximize learning time and opportunities for higher order thinking, with some teachers seizing upon student comments and answers, whether on or off topic, to create teachable moments that enhance student understanding by connecting students prior knowledge and experience to new content and situations.
- The school has developed a culture of excellence through school culture activities and incentives that reinforce strong academic performance and good behavior.
- With few exceptions, teachers consistently implement the school-wide discipline policy and do not tolerate low-level misbehavior.

### **Instructional Leadership**

*Explore Excel has strong instructional leadership.*

- To support development of the teaching staff, instructional leaders conduct frequent informal observations and provide teachers with immediate feedback which teachers report is useful and actionable.
- The school utilizes a co-teaching model, which pairs a novice and veteran teacher together to facilitate peer coaching. Teachers also receive content support from Explore Network mathematics and literacy specialists who attend grade level planning meetings.
- Instructional leaders conduct at least one formal evaluation with each teacher per year. Teachers report that the school leaders base evaluations on clear criteria which highlight teacher's strengths and areas of growth as well as identify a plan for improvement.
- In addition to three weeks of training during the summer, teachers meet weekly for grade-level or whole-school professional development sessions in addition to three grade-level common prep periods each week. The school has not yet differentiated professional development by teacher experience.

### **At-Risk Student**

*Explore Excel addresses the needs of special education and academically struggling students, but does not adequately address the needs of English Language Learners. (ELLs).*

- The school has a clearly defined screening procedure for identifying at-risk students and providing them with appropriate interventions.
- The school, which has recently identified 12 percent of its students as “promotion in doubt,” currently supports them with daily small-group and weekly after-school tutoring.
- The school, which has identified 20 percent of students as possessing or in need of an Individualized Education Program (IEP), serves them through the co-teaching model, Special Education Teacher Support Services and related services as needed.
- ELL students comprise 3.5 percent of the student population. The school does not employ English-as-a-second language trained staff and is not implementing a school-wide ESL strategy. Some students receive no services, while others receive pull-out instruction along with special education students.
- The school does not yet provide sufficient time and support for on-going coordination between general education and at-risk teachers as well as other program specialists and service providers.

### **Organizational Capacity**

*Explore Excel’s administrative systems support the delivery of the educational program; however, the school’s organizational structure remains unclear to staff.*

- The school has put in place an administrative structure with staff and operational procedures for facilities, food, transportation, technology and data management.
- The school has not yet developed a clear organizational structure to ensure that staff members understand each other’s roles and expectations.
- The school allocates sufficient resources in support of achieving its goals.
- The school is safe and orderly.

### **Board Oversight**

*Explore Excel’s board works effectively to achieve the school’s Accountability Plan goals.*

- The seven member board has skills in strategy, finance, law, general management and education. The board has identified the need for additional expertise in education and for representation from the surrounding community.
- The board meets ten times each year and its five committees meet on an as-needed basis.
- At each meeting, the board consults a network-created dashboard containing the school’s most recent assessment data as well as data on discipline, attendance, demographics, stakeholder satisfaction and financial viability. The principal formally

reports to the board five times each year providing qualitative data to support the quantitative data of the dashboard. During all other board meetings, the board requires the principal to provide an in-depth analysis on certain aspects of the principal's report from the previous board meeting.

- The board has in place clear criteria for evaluating the principal and the management company.

These conclusions constitute the beginning of your school's record of progress toward meeting the standards constituted in SUNY's Renewal Benchmarks. The Institute conducts formal evaluation visits multiple times during each school's initial charter term and at least once during subsequent charter terms. The cumulative evidence collected during these school evaluation and renewal visits, as well as the school's record of success at meeting Accountability Plan goals becomes part of the record that informs the Institute's renewal recommendation to the SUNY Trustees.

The number of school evaluation visits the Institute will conduct before renewal depends on a variety of factors. In addition to adhering to a regular schedule of visits, concerns raised in the conclusions of previous visits, the school's progress toward meeting Accountability Plan goals and emergent legal and compliance issues may affect the frequency and timing of the visits.

The Institute looks forward to its next visit to Explore Excel and is available at any time to discuss the results of the first year visit, future visits or other concerns you may have as the school moves through its charter term and toward renewal.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Miller Barker", written in a cursive style.

Susan Miller Barker  
Executive Director

c: Ethan Mitnick, Principal



## State University of New York Charter Renewal Benchmarks

Version 5.0, April 2012

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### Introduction

The State University of New York Charter Renewal Benchmarks<sup>1</sup> (the "SUNY Renewal Benchmarks") serve two primary functions at renewal:

- They provide a framework for the Charter Schools Institute (the "Institute") to gather and evaluate evidence to determine whether a school has made an adequate case for renewal. In turn, this evidence assists the Institute in deciding if it can make the required legal and other findings in order to reach a positive recommendation for renewal. For example, the various benchmarks that the Institute uses to determine whether the school has had fiscally responsible practices in place during the last charter period allow the Institute to determine with greater precision whether the school will operate in a fiscally sound manner during the next charter period, a finding that the New York Charter Schools Act requires the SUNY Trustees to make.
- At the same time that the SUNY Renewal Benchmarks provide a framework for the Institute to collect and review evidence, they also provide the school with a guide to understanding the Institute's evaluative criteria. As the Institute uses the SUNY Renewal Benchmarks (or some sub-set of them) as the framework for conducting its ongoing school evaluation visits, school leaders should be fully aware of the content of the Benchmarks at the time of renewal.

The SUNY Renewal Benchmarks are organized into four inter-connected renewal questions that each school must answer when submitting a renewal application. The benchmarks further reflect the interwoven nature of schools from an academic, organizational, fiscal and/or legal perspective. For example, the Institute could reasonably place many of the academic benchmarks under the heading of organizational effectiveness. More generally, some redundancy exists because the Institute looks at the same issue from different perspectives.

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<sup>1</sup> Research on public school reform, known as the effective schools movement, has embraced the premise that, given certain organizing and cultural characteristics, schools can teach all children the intended curriculum and hold them to high academic standards. Over the decades, the accumulated research into effective schools has yielded a set of common characteristics that all effective schools share. These characteristics are so consistently prevalent among successful schools that they have come to be known as the *Correlates of Effective Schools*. The Renewal Benchmarks adapt and elaborate on these correlates.

Precisely how the Institute uses the SUNY Renewal Benchmarks, during both the renewal process and throughout the charter period, is explained in greater detail in the *Practices, Policies and Procedures for the Renewal of Charter Schools Authorized by the State University of New York* (the “SUNY Renewal Practices”), available on the Institute’s website at: [www.newyorkcharters.org/schoolsRenewOverview.htm](http://www.newyorkcharters.org/schoolsRenewOverview.htm). Responses to frequently asked questions about the Institute’s use of the SUNY Renewal Benchmarks appear below:

- The Institute does not have a point system for recommending renewal. A school cannot simply tally up the number of positive benchmark statements in order to determine the Institute’s recommendation.
  - Some benchmarks are weighed more heavily than others. In particular, the Institute gives the greatest weight to how well the school has met its academic Accountability Plan goals.
  - Despite the fact that the Accountability Plan comprises only a single benchmark, a school’s performance on that benchmark is critical. In fact, it is so important that while the Institute may recommend non-renewal for fiscal and organizational failures (if sufficiently serious), excellence in these areas will not excuse poor academic performance.
- The Institute does not use every benchmark during every kind of renewal review, and how the benchmarks are used differs depending on a school’s circumstances. For example, the Qualitative Education Benchmarks (Benchmarks 1B-1F, 2C and 2D) are given far less weight in making a renewal decision on schools that the Institute has previously renewed. Similarly, less weight is accorded to these benchmarks during an initial renewal review where a school has consistently met its academic Accountability Plan goals.
  - The Institute also may not consider every indicator subsumed under a benchmark when determining if a school has met that benchmark, given the school’s stage of development or its previous track record.
- Aside from Benchmark 1A on academic Accountability Plan goals (which is singular in its importance), no school should fear that a failure to meet every element of every benchmark means that it is not in a position to make a case for renewal. To the contrary, the Institute has yet to see a school that performs perfectly in every respect. The Institute appreciates that the benchmarks set a very high standard collectively. While the Institute certainly hopes and expects that schools aim high, it is understood that a school’s reach will necessarily exceed its grasp in at least some aspects.

In this fifth edition of the SUNY Renewal Benchmarks, the Institute has made some revisions to the Qualitative Educational Benchmarks, namely those benchmarks used for ongoing school evaluation visits, to streamline the collection of evidence. For example, the Institute has incorporated Student Order and Discipline into Pedagogy, and Professional Development into Instructional Leadership. The Institute has rewritten some of the overarching benchmark statements to capture the most salient aspects of school effectiveness, organizational viability, legal compliance, and fiscal

soundness. Some of the bulleted indicators within benchmarks have been recast or eliminated. Finally, the Institute has added some indicators to align the benchmarks with changes in the Charter Schools Act (e.g., provisions in meeting enrollment and retention targets when assigned and abiding by the General Municipal Law).

It is important that the entire school community understand the renewal process. All members of a school's leadership team and board should carefully review both the SUNY Renewal Benchmarks and the SUNY Renewal Practices. Note that a renewal overview document for parents, teachers and community members is also available on the Institute's website at: [www.newyorkcharters.org/schoolsRenewOverview.htm](http://www.newyorkcharters.org/schoolsRenewOverview.htm). Please do not hesitate to contact the Institute with any questions.



## State University of New York Charter Renewal Benchmarks

	<b>Renewal Question 1 Is the School an Academic Success?</b>
<b><u>Evidence Category</u></b>	<b><u>SUNY Renewal Benchmarks</u></b>
<b>SUNY Renewal Benchmark 1A</b>  <b>Academic Accountability Plan Goals</b>	<p><b>Over the Accountability Period, the school has met or come close to meeting its academic Accountability Plan goals.</b></p> <p>The Institute determines the extent to which the school has met the Accountability Plan goals in the following areas:</p> <ul style="list-style-type: none"><li>• English language arts;</li><li>• mathematics;</li><li>• science;</li><li>• social studies (high school only);</li><li>• NCLB;</li><li>• high school graduation and college preparation (if applicable); and</li><li>• optional academic goals included by the school.</li></ul>

- Revised April 2012 -

	<b>Renewal Question 1 Is the School an Academic Success?</b>
<b><u>Evidence Category</u></b>	<b><u>SUNY Renewal Benchmarks</u></b>
<b>SUNY Renewal Benchmark 1B</b>  <b>Use of Assessment Data</b>	<p><b>The school has an assessment system that improves instructional effectiveness and student learning.</b></p> <p>The following elements are generally present:</p> <ul style="list-style-type: none"> <li>• the school regularly administers valid and reliable assessments aligned to the school's curriculum and state performance standards;</li> <li>• the school has a valid and reliable process for scoring and analyzing assessments;</li> <li>• the school makes assessment data accessible to teachers, school leaders and board members;</li> <li>• teachers use assessment results to meet students' needs by adjusting classroom instruction, grouping students and/or identifying students for special intervention;</li> <li>• school leaders use assessment results to evaluate teacher effectiveness and to develop professional development and coaching strategies; and</li> <li>• the school regularly communicates to parents/guardians about their students' progress and growth.</li> </ul>
<b>SUNY Renewal Benchmark 1C</b>  <b>Curriculum</b>	<p><b>The school's curriculum supports teachers in their instructional planning.</b></p> <p>The following elements are generally present:</p> <ul style="list-style-type: none"> <li>• the school has a curriculum framework with student performance expectations that provides a fixed, underlying structure, aligned to state standards and across grades;</li> <li>• in addition to the framework, the school has supporting tools (i.e., curriculum maps or scope and sequence documents) that provide a bridge between the curriculum framework and lesson plans;</li> <li>• teachers know what to teach and when to teach it based on these documents;</li> <li>• the school has a process for selecting, developing and reviewing its curriculum documents and its resources for delivering the curriculum; and</li> </ul>

	<b>Renewal Question 1 Is the School an Academic Success?</b>
<b><u>Evidence Category</u></b>	<b><u>SUNY Renewal Benchmarks</u></b>
	<ul style="list-style-type: none"> <li>teachers plan purposeful and focused lessons.</li> </ul>
<b>SUNY Renewal Benchmark 1D</b>  <b>Pedagogy</b>	<p><b>High quality instruction is evident throughout the school.</b></p> <p>The following elements are generally present.</p> <ul style="list-style-type: none"> <li>teachers deliver purposeful lessons with clear objectives aligned to the school's curriculum;</li> <li>teachers regularly and effectively use techniques to check for student understanding;</li> <li>teachers include opportunities in their lessons to challenge students with questions and activities that develop depth of understanding and higher-order thinking and problem solving skills;</li> <li>teachers maximize learning time (e.g., appropriate pacing, on-task student behavior, clear lesson focus and clear directions to students); transitions are efficient; and</li> <li>teachers have effective classroom management techniques and routines that create a consistent focus on academic achievement.</li> </ul>
<b>SUNY Renewal Benchmark 1E</b>  <b>Instructional</b>	<p><b>The school has strong instructional leadership.</b></p> <p>The following elements are generally present:</p> <ul style="list-style-type: none"> <li>the school's leadership establishes an environment of high expectations for teacher performance (in content knowledge and</li> </ul>

	<b>Renewal Question 1 Is the School an Academic Success?</b>
<b><u>Evidence Category</u></b>	<b><u>SUNY Renewal Benchmarks</u></b>
<b>Leadership</b>	<p>pedagogical skills) and in which teachers believe that all students can succeed;</p> <ul style="list-style-type: none"> <li>• the instructional leadership is adequate to support the development of the teaching staff;</li> <li>• instructional leaders provide sustained, systemic and effective coaching and supervision that improves teachers' instructional effectiveness;</li> <li>• instructional leaders provide opportunities and guidance for teachers to plan curriculum and instruction within and across grade levels;</li> <li>• instructional leaders implement a comprehensive professional development program that develops the competencies and skills of all teachers;</li> <li>• professional development activities are interrelated with classroom practice;</li> <li>• instructional leaders regularly conduct teacher evaluations with clear criteria that accurately identify teachers' strengths and weaknesses; and</li> <li>• instructional leaders hold teachers accountable for quality instruction and student achievement.</li> </ul>
<b>SUNY Renewal Benchmark 1F</b>  <b>At-Risk Students</b>	<p><b>The school meets the educational needs of at-risk students.</b></p> <p>The following elements are generally present:</p> <ul style="list-style-type: none"> <li>• the school uses clear procedures for identifying at-risk students including students with disabilities, English language learners and those struggling academically;</li> <li>• the school has adequate intervention programs to meet the needs of at-risk students;</li> <li>• general education teachers, as well as specialists, utilize effective strategies to support students within the general education program;</li> <li>• the school adequately monitors the progress and success of at-risk students;</li> <li>• teachers are aware of their students' progress toward meeting IEP goals, achieving English proficiency or school-based goals for</li> </ul>

	<b>Renewal Question 1 Is the School an Academic Success?</b>
<b><u>Evidence Category</u></b>	<b><u>SUNY Renewal Benchmarks</u></b>
	<p>struggling students;</p> <ul style="list-style-type: none"> <li>the school provides adequate training and professional development to identify at-risk students and to help teachers meet students' needs; and</li> <li>the school provides opportunities for coordination between classroom teachers and at-risk program staff including the school nurse, if applicable.</li> </ul>

	<b>Renewal Question 2</b> <b>Is the School an Effective, Viable Organization?</b>
<b><u>Evidence Category</u></b>	<b><u>SUNY Renewal Benchmarks</u></b>
<b>SUNY Renewal Benchmark 2A</b>  <b>Mission &amp; Key Design Elements</b>	<p><b>The school is faithful to its mission and has implemented the key design elements included in its charter.</b></p> <p>The following elements are generally present:</p> <ul style="list-style-type: none"> <li>• the school faithfully follows its mission; and</li> <li>• the school has implemented its key design elements.</li> </ul>
<b>SUNY Renewal Benchmark 2B</b>  <b>Parents &amp; Students</b>	<p><b>Parents/guardians and students are satisfied with the school.</b></p> <p>The following elements are generally present:</p> <ul style="list-style-type: none"> <li>• the school regularly communicates each child's academic performance results to families;</li> <li>• families are satisfied with the school; and</li> <li>• parents keep their children enrolled year-to-year.</li> </ul>
<b>SUNY Renewal Benchmark 2C</b>  <b>Organizational Capacity</b>	<p><b>The school organization effectively supports the delivery of the educational program.</b></p> <p>The following elements are generally present:</p> <ul style="list-style-type: none"> <li>• the school has established an administrative structure with staff, operational systems, policies and procedures that allow the school to carry out its academic program;</li> <li>• the organizational structure establishes distinct lines of accountability with clearly defined roles and responsibilities;</li> <li>• the school has a clear student discipline system in place at the administrative level that is consistently applied;</li> <li>• the school retains quality staff;</li> <li>• the school has allocated sufficient resources to support the achievement of goals;</li> <li>• the school maintains adequate student enrollment;</li> <li>• the school has procedures in place to monitor its progress toward meeting enrollment and retention targets for special education students, ELLs and students who qualify for free and reduced price lunch, and adjusts its recruitment efforts accordingly; and</li> <li>• the school regularly monitors and evaluates the school's</li> </ul>

	<b>Renewal Question 2</b> <b>Is the School an Effective, Viable Organization?</b>
<b><u>Evidence Category</u></b>	<b><u>SUNY Renewal Benchmarks</u></b>
	<p>programs and makes changes if necessary.</p>
<b>SUNY Renewal Benchmark 2D</b>  <b>Board Oversight</b>	<p><b>The school board works effectively to achieve the school's Accountability Plan goals.</b></p> <p>The following elements are generally present:</p> <ul style="list-style-type: none"> <li>• board members possess adequate skills and have put in place structures and procedures with which to govern the school and oversee management of day-to-day operations in order to ensure the school's future as an academically successful, financially healthy and legally compliant organization;</li> <li>• the board requests and receives sufficient information to provide rigorous oversight of the school's program and finances;</li> <li>• it establishes clear priorities, objectives and long-range goals, (including Accountability Plan, fiscal, facilities and fundraising), and has in place benchmarks for tracking progress as well as a process for their regular review and revision;</li> <li>• the board successfully recruits, hires and retains key personnel, and provides them with sufficient resources to function effectively;</li> <li>• the board regularly evaluates its own performance and that of the school leaders and the management company (if applicable), holding them accountable for student achievement; and</li> <li>• the board effectively communicates with the school community including school leadership, staff, parents/guardians and students.</li> </ul>
<b>SUNY Renewal Benchmark 2E</b>  <b>Governance</b>	<p><b>The board implements, maintains and abides by appropriate policies, systems and processes.</b></p> <p>The following elements are generally present:</p> <ul style="list-style-type: none"> <li>• the board effectively communicates with its partner or management organizations as well as key contractors such as back-office service providers and ensures that it receives value in exchange for contracts and relationships it enters into and effectively monitors such relationships;</li> </ul>

	<b>Renewal Question 2</b> <b>Is the School an Effective, Viable Organization?</b>
<b><u>Evidence Category</u></b>	<b><u>SUNY Renewal Benchmarks</u></b>
	<ul style="list-style-type: none"> <li>the board takes effective action when there are organizational, leadership, management, facilities or fiscal deficiencies; or where the management or partner organization fails to meet expectations; to correct those deficiencies and puts in place benchmarks for determining if the partner organization corrects them in a timely fashion;</li> <li>the board regularly reviews and updates board and school policies as needed and has in place an orientation process for new members;</li> <li>the board effectively recruits and selects new members in order to maintain adequate skill sets and expertise for effective governance and structural continuity;</li> <li>the board implements a comprehensive and strict conflict of interest policy (and/or code of ethics)—consistent with that set forth in the charter and with the General Municipal Law—and consistently abides by them throughout the term of the charter;</li> <li>the board generally avoids conflicts of interest; where not possible, the board manages those conflicts in a clear and transparent manner;</li> <li>the board implements a process for dealing with complaints consistent with that set forth in the charter, makes the complaint policy clear to all stakeholders, and follows the policy including acting on complaints in a timely fashion;</li> <li>the board abides by its by-laws including, but not limited to, provisions regarding trustee election and the removal and filling of vacancies; and</li> <li>the board holds all meetings in accordance with the Open Meetings Law and records minutes for all meetings including executive sessions and, as appropriate, committee meetings.</li> </ul>
<b>SUNY Renewal Benchmark 2F</b>  <b>Legal Requirements</b>	<p><b>The school substantially complies with applicable laws, rules and regulations and the provisions of its charter.</b></p> <p>The following elements are generally present:</p> <ul style="list-style-type: none"> <li>the school compiles a record of substantial compliance with the terms of its charter and applicable state and federal laws, rules and regulations including, but not limited to, submitting items to</li> </ul>



	<b>Renewal Question 2</b> <b>Is the School an Effective, Viable Organization?</b>
<b><u>Evidence Category</u></b>	<b><u>SUNY Renewal Benchmarks</u></b>
	<p>the Institute in a timely manner, and meeting teacher certification (including NCLB highly qualified status) and background check requirements, FOIL and Open Meetings Law;</p> <ul style="list-style-type: none"> <li>• the school substantially complies with the terms of its charter and applicable laws, rules and regulations;</li> <li>• the school abides by the terms of its monitoring plan;</li> <li>• the school implements effective systems and controls to ensure that it meets legal and charter requirements;</li> <li>• the school has an active and ongoing relationship with in-house or independent legal counsel who reviews and makes recommendations on relevant policies, documents, transactions and incidents and who also handles other legal matters as needed; and</li> <li>• the school manages any litigation appropriately and provides litigation papers to insurers and the Institute in a timely manner.</li> </ul>

	<b>Renewal Question 3 Is the School Fiscally Sound?</b>
<b><u>Evidence Category</u></b>	<b><u>SUNY Renewal Benchmarks</u></b>
<b>SUNY Renewal Benchmark 3A</b>  <b>Budgeting and Long Range Planning</b>	<p><b>The school operates pursuant to a long-range financial plan in which it creates realistic budgets that it monitors and adjusts when appropriate.</b></p> <p>The following elements are generally present:</p> <ul style="list-style-type: none"> <li>• the school has clear budgetary objectives and budget preparation procedures;</li> <li>• board members, school management and staff contribute to the budget process, as appropriate;</li> <li>• the school frequently compares its long-range fiscal plan to actual progress and adjusts it to meet changing conditions;</li> <li>• the school routinely analyzes budget variances; the board addresses material variances and makes necessary revisions; and</li> <li>• actual expenses are equal to, or less than, actual revenue with no material exceptions.</li> </ul>
<b>SUNY Renewal Benchmark 3B</b>  <b>Internal Controls</b>	<p><b>The school maintains appropriate internal controls and procedures.</b></p> <p>The following elements are generally present:</p> <ul style="list-style-type: none"> <li>• the school follows a set of comprehensive written fiscal policies and procedures;</li> <li>• the school accurately records and appropriately documents transactions in accordance with management's direction, laws, regulations, grants and contracts;</li> <li>• the school safeguards its assets;</li> <li>• the school identifies/analyzes risks and takes mitigating actions;</li> <li>• the school has controls in place to ensure that management decisions are properly carried out and monitors and assesses controls to ensure their adequacy;</li> <li>• the school's trustees and employees adhere to a code of ethics;</li> <li>• the school ensures duties are appropriately segregated, or institutes compensating controls;</li> <li>• the school ensures that employees performing financial functions are appropriately qualified and adequately trained;</li> <li>• the school has systems in place to provide the appropriate information needed by staff and the board to make sound</li> </ul>

	<b>Renewal Question 3 Is the School Fiscally Sound?</b>
<b><u>Evidence Category</u></b>	<b><u>SUNY Renewal Benchmarks</u></b>
	<p>financial decisions and to fulfill compliance requirements;</p> <ul style="list-style-type: none"> <li>• a staff member of the school reviews grant agreements and restrictive gifts and monitors compliance with all stated conditions;</li> <li>• the school prepares payroll according to appropriate state and federal regulations and school policy;</li> <li>• the school ensures that employees, trustees and volunteers who handle cash and investments are bonded to help assure the safeguarding of assets; and</li> <li>• the school takes corrective action in a timely manner to address any internal control or compliance deficiencies identified by its external auditor, the Institute, and/or the State Education Department or the Comptroller, if needed.</li> </ul>
<p><b>SUNY Renewal Benchmark 3C</b></p> <p><b>Financial Reporting</b></p>	<p><b>The school has complied with financial reporting requirements by providing the SUNY Trustees and the State Education Department with required financial reports that are on time, complete and follow generally accepted accounting principles.</b></p> <p>The following reports have generally been filed in a timely, accurate and complete manner:</p> <ul style="list-style-type: none"> <li>• annual financial statement audit reports including federal Single Audit report, if applicable;</li> <li>• annual budgets and cash flow statements;</li> <li>• un-audited quarterly reports of income, expenses, and enrollment;</li> <li>• bi-monthly enrollment reports to the district and, if applicable, to the State Education Department including proper documentation regarding the level of special education services provided to students; and</li> <li>• grant expenditure reports.</li> </ul>
<p><b>SUNY Renewal Benchmark 3D</b></p> <p><b>Financial Condition</b></p>	<p><b>The school maintains adequate financial resources to ensure stable operations. Critical financial needs of the school are not dependent on variable income (grants, donations and fundraising).</b></p>

	<b>Renewal Question 3</b> <b>Is the School Fiscally Sound?</b>
<b><u>Evidence Category</u></b>	<b><u>SUNY Renewal Benchmarks</u></b>
	<p>The following elements are generally present:</p> <ul style="list-style-type: none"> <li>• the school maintains sufficient cash on hand to pay current bills and those that are due shortly;</li> <li>• the school maintains adequate liquid reserves to fund expenses in the event of income loss (generally three months);</li> <li>• the school prepares and monitors cash flow projections;</li> <li>• If the school includes philanthropy in its budget, it monitors progress toward its development goals on a periodic basis;</li> <li>• If necessary, the school pursues district state aid intercepts with the state education department to ensure adequate per pupil funding; and</li> <li>• the school accumulates unrestricted net assets that are equal to or exceed two percent of the school's operating budget for the upcoming year.</li> </ul>

	<b>Renewal Question 4</b> <b>If the School's Charter is Renewed, What are its Plans for the Term of the Next Charter Period, and are they Reasonable, Feasible and Achievable?</b>
<b><u>Evidence Category</u></b>	<b><u>SUNY Renewal Benchmarks</u></b>
<b>SUNY Renewal Benchmark 4A</b>  <b>Plans for the School's Structure</b>	<p><b>Key structural elements of the school, as defined in the exhibits of the Application for Charter Renewal, are reasonable, feasible and achievable.</b></p> <p>Based on elements present in the Application for Charter Renewal:</p> <ul style="list-style-type: none"> <li>• the school is likely to fulfill its mission in the next charter period;</li> <li>• the school has an enrollment plan that can support the school program;</li> <li>• the school calendar and daily schedules clearly provide sufficient instructional time to meet all legal requirements, allow the school to meet its proposed Accountability Plan goals and abide by its proposed budget;</li> <li>• key design elements are consistent with the mission statement and are feasible given the school's budget and staffing;</li> <li>• a curriculum framework for added grades aligns with the state's performance standards; and</li> <li>• plans in the other required Exhibits indicate that the school's structure is likely to support the educational program.</li> </ul>
<b>SUNY Renewal Benchmark 4B</b>  <b>Plans for the Educational Program</b>	<p><b>The school's plans for implementing the educational program allow it to meet its Accountability Plan goals.</b></p> <p>Based on elements present in the Application for Charter Renewal:</p> <ul style="list-style-type: none"> <li>• for those grades served during the last charter period, the school has plans for sustaining and (where possible) improving upon the student outcomes it has compiled during the last charter period including any adjustments or additions to the school's educational program;</li> <li>• for a school that is seeking to add grades, the school is likely to meet its Accountability Plan goals and the SUNY Renewal Benchmarks at the new grade levels; and</li> <li>• where the school will provide secondary school instruction, it has presented a set of requirements for graduation that students are likely to meet and that are consistent with the graduation standards set by the Board of Regents.</li> </ul>

	<b>Renewal Question 4</b> <b>If the School's Charter is Renewed, What are its Plans for the Term of the Next Charter Period, and are they Reasonable, Feasible and Achievable?</b>
<b><u>Evidence Category</u></b>	<b><u>SUNY Renewal Benchmarks</u></b>
<b>SUNY Renewal Benchmark 4C</b>  <b>Plans for Board Oversight and Governance</b>	<p><b>The school provides a reasonable, feasible and achievable plan for board oversight and governance.</b></p> <p>Based on elements present in the Application for Charter Renewal:</p> <ul style="list-style-type: none"> <li>• school trustees are likely to possess a range of experience, skills, and abilities sufficient to oversee the academic, organizational and fiscal performance of the school;</li> <li>• plans by the school board to orient new trustees to their roles and responsibilities, and, if appropriate, to participate in ongoing board training are likely to sustain the board's ability to carry out its responsibilities;</li> <li>• if the school plans to change an association with a partner or management organization in the term of a future charter, it has provided a clear rationale for the disassociation and an outline indicating how it will manage the functions previously associated with that partnering organization; and</li> <li>• if the school is either moving from self-management to a management structure or vice-versa, or is changing its charter management organization/educational service provider, its plans indicate that it will be managed in an effective, sound and viable manner including appropriate oversight of the academic and fiscal performance of the school or the management organization.</li> </ul>
<b>SUNY Renewal Benchmark 4D</b>  <b>Fiscal &amp; Facility Plans</b>	<p><b>The school provides a reasonable, feasible and achievable fiscal plan including plans for an adequate facility.</b></p> <p>Based on the elements present in the Application for Charter Renewal:</p> <ul style="list-style-type: none"> <li>• the school's budgets adequately support staffing, enrollment and facility projections;</li> <li>• fiscal plans are based on the sound use of financial resources to support academic program needs;</li> <li>• fiscal plans are clear, accurate, complete and based on reasonable assumptions;</li> <li>• information on enrollment demand provides clear evidence for the reasonableness of projected enrollment; and</li> <li>• facility plans are likely to meet educational program needs.</li> </ul>

