



Charter Schools Institute
The State University of New York

Renewal Report

Bronx Charter School for Excellence

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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 Renewal, 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”).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 Bronx Charter School for Excellence (“Bronx Excellence”) and renew the charter through and including July 31, 2009 with authority to provide instruction to students in kindergarten through 5th grade 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 Application for Renewal, the Institute makes the following findings required by the Act. Bronx Excellence 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, 2009 is likely to improve student learning and achievement and materially further the purposes set out in Education Law subdivision 2850(2). Finally, 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 analyze 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* (revised December 13, 2005) 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

Now in its fourth year of instruction, Bronx Excellence serves students in kindergarten through the 4th grade. As of this writing, test scores from 2007-08 are not yet available. In 2006-07 Bronx Excellence served students in kindergarten through 3rd grade. The results reported below are based on the school's first administration of the New York State Testing Program in English language arts and mathematics.

In 2006-07 on the state's 3rd grade assessment in English language arts, 39 percent of students scored at the proficient level. Notably, students who had been in the school longer were less likely to be proficient. Bronx Excellence did meet the Annual Measurable Objective (AMO) set by the state's No Child Left Behind (NCLB) accountability system, indicating that almost half the students scored at Level 2 (Partially Meeting Learning Standards). The school did not outperform its local school district or the comparison school selected in its Accountability Plan, and performed far worse than predicted in comparison to demographically similar schools state-wide. In terms of other assessments, both 1st and 2nd grade student cohorts achieved their growth targets on the Iowa Test of Basic Skills (ITBS) in 2005-06, and overall the school improved to the national norm. In 2006-07 two out of three cohorts did not achieve their targets, though overall performance again improved to the national norm. Finally in 2006-07 the school did meet all of its targets on the Early Childhood Literacy Assessment System-2 for students in kindergarten through 2nd grade.

In mathematics, 78 percent of 3rd grade students scored at the proficient level. Bronx Excellence also exceeded the AMO. Despite these strong results, it only came close to the performance level of its local school district and underperformed its selected comparison school. In addition, the school performed slightly worse than predicted in comparison to demographically similar schools statewide. In terms of growth on the ITBS, results in 2005-06 show that neither the 1st nor 2nd grade cohorts achieved their targets, and overall performance declined to further below the national norm. In 2006-07, all three cohorts achieved their targets and overall performance improved to the national norm.

The school has not yet had state testing grades for science or social studies.

Bronx Excellence is deemed to be in Good Standing under the state's NCLB accountability system.

In the school evaluation report generated as a result of the Institute's Third-Year Inspection Visit, inspectors reported that although the school collected a range of student assessment data, the school's teachers used the data to improve instructional effectiveness and student learning in a limited way. In addition, inspectors found that the school did not have a clearly defined curriculum that was aligned with New York state performance standards, and that there was little evidence that high quality instruction was sufficiently in place to allow the school to meet its mission. Teachers also expressed frustration with the challenge of teaching students with a wide range of skill levels in the absence of a well-defined program of academic intervention for non-classified students. Further, the

school's professional development program was not adequate in terms of content or process. However, at the time of the visit the school had just hired a new principal who was aware of the various challenges within the school's academic program, and was taking steps to address them.

According to the school's application for a short-term planning year renewal, Bronx Excellence has taken steps to address the concerns raised within the evaluation report under the leadership of the school's new principal. In particular, the application notes that the school has realigned its curriculum with the New York state performance standards, and adopted the Storytown and Everyday Math textbook series in English language arts and mathematics, respectively. These programs are accompanied by formative and summative assessment tools. After the assessments are administered to students, the results are analyzed by teachers during common planning periods, and teachers identify and implement changes to the curriculum and instructional strategies to address student needs. In addition, the school principal and academic dean created a curriculum binder for each of the school's teachers, containing organized pacing calendars for reading, writing, mathematics, social studies, science, art, music, physical education and health. The school has also initiated a number of new professional development initiatives, including individual professional growth plans for teachers, the Teacher Academy (through Teachers College at Columbia University), a needs-based study group, content-area seminars and workshops, and a stipend for graduate courses. Other steps to improve the effectiveness of the school include identifying mentor teachers at the 3rd and 4th grade levels, adjusting the school's schedule to allow teachers to plan lessons collaboratively, and hiring a new executive director and investing in a full-time director of operations, which will allow the school's principal to focus exclusively on curriculum and instruction.

Organizational Effectiveness and Viability

Bronx Excellence has been sufficiently governed during its first four years of operation. According to its application for a short-term planning year renewal, of the eleven original board members only three continue to serve the school in that capacity. The school's current board consists of nine members, some of whom had been recruited to provide greater oversight of the school's educational program. Over the term of its charter, the school maintained the founding executive director for the first three years, and has had two executive directors since her resignation. The school's current executive director, hired in October of 2007, plans to continue through the 2008-09 school year. The executive director maintains oversight of the school as a whole, and is assisted by a director of operations in addition to the principal.

Approximately 76% of families with students enrolled at the school completed a satisfaction survey in the spring of 2007. The school reports in its Application for Renewal that the "majority of parents were either satisfied or very satisfied with the school" (specific figures were not provided). Bronx Excellence also reported that in 2007-08, over 200 parents attended the school's "Curriculum Night and Day" programs, and 100% of parents participated in the school's "family chats" for kindergarten students and students new to the school. On average, the school has retained approximately 83.3% of its students from year-to-year.

Fiscal Soundness

The school's finances have been challenged due to costs of identifying and preparing a school facility adequate to house its educational program. Unanticipated lease expenses of close to \$1 million per year for the past two years have caused the school's budget to be over what was projected by a large margin. As a result, the school has relied heavily on fundraising to balance the budget and create a

cash balance. The school relies on private fundraising to cover approximately 20% of its operating costs. However, Bronx Excellence completed its second operating year in a good financial position. At the start of the 2007-08 school year, unrestricted net assets totaled \$1,384,474 – an increase from the prior year of \$763,384.

The school leases space from the Friends of Bronx Charter School for Excellence, which has a 30 year non-cancelable operation lease for the property. The school will need additional space to house one grade level until the building is expanded to fit the growing needs of the school. The cost of this additional space has been included in the projected 2008-09 budget.

Bronx Excellence filed all of its financial reports late during the 2007-08 fiscal year, but was on time most of the prior year. The budget for the renewal year includes \$825,000 in various contributions to balance the budget. During the prior year the school and/or the Friends of Bronx Charter School for Excellence were able to fundraise \$433,000; the year prior \$719,000 was fundraised. An increase in the per-pupil payments from the New York City Department of Education over what was budgeted should help reduce the reliance on fundraising.

Plans for the Next Charter Period

Should the school be awarded a short-term planning year renewal, it seeks to expand instruction through the 5th grade. This request is consistent with the school's original charter application, which provided all materials for a kindergarten through 5th grade program, even though the school was granted authority to provide instruction in kindergarten through 4th grade as a result of the school's stated intention to take a planning year in its original charter.

The school would implement the 5th grade curriculum submitted as part of its original charter application, and approved by the Institute as part of the original application. The school also proposes some non-material modifications to its educational program, including the addition of the Storytown and Everyday Math programs as a resource to be used in conjunction with its existing curricular programs.

With the exception of the addition of teaching staff consistent with the addition of a 5th grade in the last year of its proposed charter, the school has not significantly amended its management structure or staffing plan. Bronx Excellence has made other slight modifications to its organizational structure and school budget, including the hiring of a full-time director of operations to assist with daily personnel and school operations, such as bus routes, budgets, and purchasing duties. The school also shifted the role of its social worker to that of dean of students, due to the limited caseload for counseling per students' Individualized Education Programs. The dean of students focuses on school culture and student discipline.

According to the school's application for a short-term planning year renewal, Bronx Excellence would enroll a new kindergarten class of approximately 50 students, fill seats emptied through attrition, and add a 5th grade for the 2008-09 school year. The total projected enrollment would be 300 students for the 2008-09 school year.

Bronx Excellence proposes to reduce the number of instructional days from 200 to 193, but plans to offer 8 additional days of Saturday Academy for students in 3rd through 5th grade. In addition, based on feedback received from the Institute's Third-Year Inspection Report, the school will shorten its school day from 5 pm to 4 pm.

The school's Accountability Plan would be amended under the guidance of Institute staff, primarily to reflect the addition of a 5th grade, as well as other updates required by the Institute.

SCHOOL DESCRIPTION

The Board of Trustees of The State University of New York approved the application for Bronx Excellence on February 25, 2003, which was subsequently approved by the Board of Regents on April 29, 2003. After taking a planning year in 2003-04, the school opened in August of 2004 at 1508 Webster Avenue in the Bronx. Bronx Excellence initially served 100 students in kindergarten and 1st grades, and added a grade each year thereafter, enrolling 254 students in kindergarten through 4th grade in 2007-08. On January 15, 2008, the school submitted an Application for Short Term Planning Year Renewal to make up for the planning year taken in 2003-04. The founders ultimately envision a kindergarten through 8th grade school program.

The mission statement for Bronx Excellence is as follows:

The Bronx Charter School for Excellence prepares young people in New York City to compete for admission to and succeed in top public, private and parochial high schools by cultivating their intellectual, artistic, social, emotional and ethical development. The Bronx Charter School for Excellence will accomplish this by offering a challenging and rigorous academic curriculum – which at the earliest of grades will have an eye towards college preparation. The Bronx Charter School for Excellence will accomplish this in a supportive and caring environment that has high expectations of all its students.

The academic program and school culture is modeled after high performing charter schools such as KIPP Academy, an accomplished charter middle school in New York City. The lead applicant studied these models during the planning phase recognizing, however, the need to adapt them in certain respects to the primary grades.

The charter's Executive Summary states that Bronx Excellence will achieve its mission through the following key design elements of the school:

- small classrooms (only 50 students per grade level);
- extended day and year;
- high academic standards;
- subject-based teaching;
- professional opportunities for teachers;
- school uniforms;
- clearly articulated behavior standards for students;
- a commitment to academic performance accountability through internal and external standardized assessments and student portfolio reviews;
- a commitment to financial accountability;
- executive director/principal administrative structure; and
- performance-based accountability.

School Year (2007-08)

200 Instructional Days

School Day (2007-08)

7:45 a.m. to 5:00 p.m.²

Enrollment

	Original Chartered Enrollment	Revised Chartered Enrollment	Actual Enrollment³	Original Chartered Grades	Revised Grades Served	Actual Grades Served	Complying
2003-04	Planning Year	Planning Year	Planning Year	Planning Year	Planning Year	Planning Year	Planning Year
2004-05	100	100	100	K-1	K-1	K-1	YES
2005-06	150	150	145	K-2	K-2	K-2	YES
2006-07	200	200	200	K-3	K-3	K-3	YES
2007-08	250	250	254	K-4	K-4	K-4	YES

Race/Ethnicity	2004-2005		2005-2006		2006-2007	
	% of Enroll. Bronx Excellence	% of Enroll. Community District #11	% of Enroll. Bronx Excellence	% of Enroll. Community District #11	% of Enroll. Bronx Excellence	% of Enroll. Community District #11
American Indian or Alaska Native	0.0 %	1.0 %	0.0 %	1.0 %	NA	NA
Black or African American	68.0 %	47.0 %	62.0 %	48.0 %	NA	NA
Hispanic	32.0 %	39.0 %	36.0 %	39.0 %	NA	NA
Asian, Native Hawaiian, or Pacific Islander	0.0 %	5.0 %	2.0 %	5.0 %	NA	NA
White	0.0 %	8.0 %	0.0 %	7.0 %	NA	NA

Source: 2004-05, 2005-06: New York State Education School Report Card.
2006-07: New York State Education Database.

² According to the school's charter, 7:45 a.m. to 8:15 a.m. is used for arrival, welcoming, and breakfast. 3:15 p.m. to 4:00 p.m. and 4:00 to 5:00 p.m. is used as a time for supplemental instruction, homeroom, and study hall for second through fourth grades and kindergarten and first grades respectively.

³ Actual enrollment per the Institute's Official Enrollment Table. Note that the New York State Education Department 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.

Special Populations	2004-2005		2005-2006		2006-2007	
	% of Enroll. Bronx Excellence	% of Enroll. Community District #11	% of Enroll. Bronx Excellence	% of Enroll. Community District #11	% of Enroll. Bronx Excellence	% of Enroll. Community District #11
Students with Disabilities	NA	NA	NA	NA	8.1 %	15.9 %
Limited English Proficient	0.0 %	8.0 %	0.0 %	9.0 %	0.0 %	9.5 %

Source: 2004-05, 2005-06: New York State Education School Report Card.
2006-07: New York State Education Department Database.

Free/Reduced Lunch	2004-2005		2005-2006		2006-2007	
	% of Enroll. Bronx Excellence	% of Enroll. Community District #11	% of Enroll. Bronx Excellence	% of Enroll. Community District #11	% of Enroll. Bronx Excellence	% of Enroll. Community District #11
Eligible for Free Lunch	60.0 %	55.0 %	52.0 %	70.0 %	56.8 %	68.2 %
Eligible for Reduced Lunch	0.0 %	8.0 %	10.0 %	9.0 %	15.7 %	10.0 %

Source: 2004-05, 2005-06: New York State Education Department School Report Card.
2006-07: New York State Education Department Database.

School Charter History

School Year	Year of Operation	Evaluation Visit	Feedback to School	Other Actions Taken
2003-04	Planning Year	NO		
2004-05	1 st	YES	Prior Action Letter; End-of-Year Evaluation Letter	
2005-06	2 nd	YES	End-of-Year Evaluation Report	
2006-07	3 rd	YES	End-of-Year Evaluation Report	
2007-08	4 th	YES	End-of-Year Evaluation Letter	School Applied for Short-Term Planning Year Renewal

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.⁴

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”).⁵

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;

⁴ See § 2850 of the New York Education Law.

⁵ The *Practices, Policies and Procedures for the Renewal of Charter Schools Authorized by the State University Board of Trustees* (revised December 13, 2005) are available at www.newyorkcharters.org.

- a 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.⁶

The Institute's processes and procedures mirror these requirements and meet the objectives of the Act.⁷

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.⁸

When 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.⁹ 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.¹⁰

⁶ Education Law § 2851(4).

⁷ Further explication of these policies and procedures is available on the Charter Schools Institute's website. See www.newyorkcharters.org/schoolsRenewOverview.htm.

⁸ See Education Law § 2852(2).

⁹ See Education Law § 2852(5).

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

Process for Short-Term Planning Year Renewals

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 on August 1st of each year that the school has been in operation), and, as needed and available, any prior Accountability Plan Progress Reports that the school has filed. When a school files for a 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 Board of Trustees, the other members of the State University Trustees, and the school itself. This report is the product of that process.