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Chancellor

OPPORTUNITY CHARTER SCHOOL RENEWAL REPORT

DECEMBER 29, 2008

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I. Introduction

A. Statutory Basis for Renewal

The Charter Schools Act of 1998 (“the Act”) authorizes the creation of charter schools to provide opportunities for teachers, parents, and community members to establish and maintain schools that operate independently of existing schools and school districts in order to accomplish the following objectives:

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

When granted, a charter is valid for up to five years. For a school chartered under the Act to operate beyond the initial charter term, the school must seek and obtain renewal of its charter.²

A school seeking renewal of its charter must submit a renewal application to the charter entity to which the original charter application was submitted.³ As one such charter entity, the New York City Department of Education (“NYCDOE”) institutes a renewal application process that adheres to the Act’s renewal standards:

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

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

² See §§ 2851(4) and 2852 of the Act.

³ See generally §§ 2851(3) and 2851(4).

Where the NYCDOE approves a renewal application, it is required under the Act to submit the application and a proposed charter to the Board of Regents for its review and approval.⁴

B. NYCDOE's Charter Renewal Process

The expiration of charters and their renewal based on a compelling record of success is the linchpin of charter school accountability. The NYCDOE's processes and procedures reflect this philosophy and therefore meet the objectives of the Act.

In the final year of its charter, a Chancellor-authorized charter school seeking renewal must demonstrate its success during the initial charter term and establish goals and objectives for the next charter term. Ultimately, the renewal process offers an opportunity for the school community to reflect on its experiences during its first term, to make a compelling, evidence-based case that it has earned the privilege of an additional charter term, and, if renewed, to build an ambitious plan for the future.

Consistent with the requirements of § 2851(4) of the Act, a school applying for renewal of its charter must use data and other credible evidence to prove its success, a case that can be summarized into three questions:

1. Has your school been an academic success?
2. Has your school been a viable organization?
3. Has your school complied with applicable laws and regulations?

A school will answer these overarching questions by demonstrating that its students have made significant academic progress and that the school has met the goals and objectives pledged in its initial charter. In addition, the school will describe challenges it has faced during its charter term, the strategies that were used to address those challenges, and the lessons learned.

This report contains the findings and recommendations of the NYCDOE regarding a school's application for charter renewal. This report is based on a cumulative record of the school's progress during its charter term, including but not limited to oversight visits, annual reports, and formal correspondence between the school and its authorizing entities, all of which are conducted in order to identify areas of weakness and to help the school to address them. Additionally, the NYCDOE incorporates into this report its findings from the renewal application process, which includes a written application, completion of student achievement data templates, and a school visit by the Office of Charter Schools of the NYCDOE ("NYCDOE-OCS").

The NYCDOE-OCS then prepares a draft report and provides a copy to the school for its review and comment. The draft contains the findings, discussion, and the evidence base for those findings. Upon receiving a school's comment, the NYCDOE-OCS reviews its draft, makes any appropriate changes, and reviews the amended findings to make a

⁴ § 2852(5)

recommendation to the Chancellor. The Chancellor's final decision, and the findings on which that decision is based, is submitted to the Board of Regents for a final decision.

Review Process

In preparing this renewal decision, the NYCDOE-OCS reviewed site visit reports from each year of the school's charter, annual reports, financial audits, achievement data and other information provided by the school in the Opportunity Charter School Renewal Application Part I: Retrospective, as well as additional data from the NYCDOE Progress Report.

In addition, a site visit was conducted at the school from October 6-8, 2008 by NYCDOE-OCS. Reviewers observed classrooms and reviewed documentation on finances, teacher certification, IEPs, curricula, student data, etc. The team also spent a great deal of time interviewing leadership, the board of trustees, teachers, students, parents, teaching assistants, operational staff, behavior specialists, and other staff in the building. The review team consisted of the following individuals:

- Jeannemarie Hendershot, Associate Director of Accountability NYCDOE-OCS
- Aamir Raza, Director of Oversight and Policy, NYCDOE-OCS
- Dr. Sean O'Shea, Senior Special Education Program Specialist, NYCDOE Office of Special Education Initiatives
- Fred Lisker, Senior School Improvement Specialist, NYCDOE Office of Special Education Initiatives
- Christopher Hawkins, Charter Accountability Analyst, NYCDOE-OCS
- Michael Thomas Duffy, Executive Director, NYCDOE-OCS
- Joshua Morales, Director of Charter School Operations, NYCDOE-OCS
- Christina Grant, Deputy Director, NYCDOE-OCS
- Jo Cheadle, Cambridge Education

After the visit, the team continued to review documents collected at the visit, requested additional data, and reviewed all documentation related to the school. All of this information was compiled, using the NYCDOE-OCS Benchmarks for Renewal, and are laid out as findings in this report.

II. School Description and History

Mission Statement

The mission of the Opportunity Charter School is to provide students in grades 6-12, in Harlem, with an education that will enable them to go to college as well as achieve social and career success. Performance-driven and results-oriented, Opportunity's highly-trained staff will: explicitly and directly teach basic reading and math skills; develop students' expository writing ability; differentiate instruction in every curricular area; prepare students for the technological demands of the Information Age; and expand higher cognitive thinking in all students. Opportunity will provide staff and students with a consistent, supportive, safe and orderly environment in which to produce, follow, and achieve the outcomes set down in an individualized plan for every student, for each staff member, and for the school as a whole. Opportunity's language-based, standards-based program will result in our students graduating with a Regents Diploma; a clearly demonstrated set of academic skills; experience in the workplace and in community service; an understanding of their own strengths and weaknesses; and a clear awareness of their rights and responsibilities as citizens.

The Opportunity Charter School ("Opportunity") received its charter in May 2004 and opened its doors in September 2004 as a proposed model inclusion program for the highest need students in Community School District 5. The school served 108 students in grades six and seven during its first year, 48% of whom were students with disabilities. Of the students with Individualized Education Plans (IEPs), 63% had come from self-contained, more restrictive educational settings in their previous schools. In the first year, the entire student population entered the school reading three years below grade level, on average. The focus for the school in this year was to establish a school culture and create behavioral norms for a population of students who had not been accustomed to functioning in an inclusion setting, and for other students who had experienced failure prior to entering the school.

The tables below provide demographic, educational, and risk-factor information for the student body at the school. This data should be used to understand the context in which the school has operated during this chartering period.

Race/ ethnicity	2004-05		2005-06		2006-07		2007-08	
	# of students	% of enrollment						
American Indian, Alaskan, Asian, or Pacific Islander	0	0%	0	0%	0	0%	2	0.01%
Black (Not Hispanic)	99	91.37%	133	88%	199	91%	223	84%
Hispanic	9	8.3%	18	12%	19	9%	42	16%
White (Not Hispanic)	0	0%	1	0.01%	0	0%	0	0%

Student Demographics⁵

	2004-05		2005-06		2006-07		2007-08	
	# of students	% of enrollment						
Limited English Proficient	0	0%	2	0.01%	9	4%	11	4%
Free Lunch Eligible	108	100%	136	90%	195	89%	237	89%
Special Education	52	48%	71	47%	107	50%	142	53%

Characteristics of Students at Opportunity

Year	Number of Students with IEPs	% who were previously placed in self-contained settings
2004-05	52	63%
2005-06	71	64%
2006-07	107	59%
2007-08	142	61%

Risk Factors For Students at Opportunity ⁶	Minimum % of students demonstrating factor currently or historically* (n=270)
Single Parent Household	63%
IQ between 76-84 (Borderline Intellectual Functioning)**	12%
IQ between 56-75 (Mild Mental Retardation)	7%
IQ between 35 and 55 (Moderate Mental Retardation)	1%
Referred to Special Education	65%
Born with Positive Toxicity	7%
Involved in Gang Activity	18%
Recommended for Residential Placement	5%
Physically or sexually abused	13%
Admitted to Hospital for psychiatric condition	13%
Member of the immediate family incarcerated	18%
Prescribed Psychotropic Medication	14%
In the Juvenile Justice System	7%
Foster Care	14%
Under Alternative Guardianship (Not Legal Foster Care)	12%

* Due to the sensitive nature of these factors they are often underreported. These percentages represent the minimum percentage Opportunity has been able to confirm. Staff suspicions without confirmation have not been included.

**IQ information was only available for 60 students at the time of this analysis. The true percentage for the school, for these categories is much larger.

⁵ Source: New York State Report Cards, 2004-05; 2005-06; 2006-07; and Opportunity Charter School Annual Report 2007-08

⁶ From *Opportunity Charter School Renewal Application Part I: Retrospective*, submitted July 15, 2008.

In its charter, Opportunity set out to move students gradually to high levels of proficiency based on their incoming skill levels. They intended to do this through a school-wide implementation of *Schools Attuned*, a program which would monitor student progress and interventions through individualized plans for each student. The school also sought to implement Therapeutic Crisis Intervention as a school-wide mechanism for behavior management.

This required a heavy staffing model, with teachers, teaching assistants, and behavior managers. The school, as detailed in its charter, would be led by two Co-Directors, Betty Marsella and Leonard Goldberg. Ms. Marsella and Mr. Goldberg did serve as Co-Directors from the school's founding until last spring when the school's board of trustees voted to restructure their roles. Currently, Ms. Marsella serves as Director of External Development and Mr. Goldberg serves as Head of School. The school has a ratio of 3:1, students to staff. Every classroom is staffed with a general education teacher, a teaching assistant, and a learning specialist shared among the classes on each grade. Approximately 14 of the school's 41 teachers, or 34%, are certified to deliver special education services. The school also employs counselors, social workers, behavior managers, a Director of Professional Development, Director of Data and Assessment, Director of Development, Director of Operations, and a Director of Assertive Discipline, as well as many administrative staff. This manifests itself in hallways with constant adult supervision and presence and classrooms that can sometimes have four adults and 18 or fewer students.

In the school's first three years of operation, instructional support and supervision was primarily provided by Ms. Marsella and the school's Director of Professional Development, Kate Sussman. Instructional and compliance support for students with disabilities was provided by the Clinical Director, Peg Hoey. In the fourth year, the school made a revision to its organizational structure and hired a Principal, JoAnn Murphy, under the Co-Directors to lead instruction. The principal was responsible for evaluating and supporting teachers with the various instructional programs across the school, and was also instrumental in the development of the school's Positive Behavior Intervention System (PBIS). At the end of the fourth year, the school's board of trustees voted to change the principal role to a Director of Instruction role, and Ms. Murphy departed. In its fifth year, the school hired Marya Baker to serve as Acting Director of Instruction. The board intends to launch a search for a Director of Instruction in January, and according to board minutes from September 2008, the board intends to invite Ms. Baker to apply. Ms. Hoey, who had been part of the founding team for the school, also departed at the end of the fourth year. At the time of the renewal visit, the role of Clinical Director was vacant and being covered by social workers and other special education staff.

The school's teaching assistant structure is currently set up so that in the middle school, one teaching assistant follows a homeroom group of students and in the high school, teaching assistants work directly with the same teacher. This structure has changed over time, and most recently, teaching assistants began to report to the Acting Director of Instruction so that their effectiveness in classrooms could be better monitored and supported. Teaching assistants are sometimes teachers working towards certification or those who have just completed certification, but this is not always the case.

The special education service delivery model at the school is similar to a co-teaching, inclusion model, with 18 students per class. However, at Opportunity, the model does not utilize two teachers in each classroom and the proportion of students with disabilities in some classes exceeds the proportion of general education students in each class⁷.

⁷ "Register of Official Class List (ROCL) Report"; ATS: December 4, 2008.

Oversight History

School Year	Year of Operation	Oversight Visit	Feedback to School
2004-05	1	11/22/04 and 5/26/05:NYCDOE	Two letters of findings and observations provided to the school.
2005-06	2	6/14/06: NYCDOE School also received a pilot Quality Review through the NYCDOE Empowerment Network	Report of findings provided to the school measuring the school against NYCDOE Performance and Compliance Standards for Charter Schools
2006-07	3	2/1/07: NYSED Third Year Comprehensive Monitoring Visit	Report of Findings with request for immediate attention to: <ul style="list-style-type: none"> ▪ Low state assessment results ▪ Unapproved lottery procedure ▪ Failure to provide alternative instruction ▪ Minimal board participation/oversight ▪ Inconsistent suspension policy ▪ Inconsistent referrals to CSE ▪ Behavior tracking ▪ Ill-defined system to track academic gains ▪ Low attendance ▪ Failure to gain approval for charter revisions ▪ Lack of confidentiality – open space used for counseling sessions ▪ Certification of Special Education teachers ▪ Excess of students with disabilities served in Inclusion setting
2007-08	4	9/07: Follow up visit from NYSED and VESID 4/8/08: NYCDOE with Cambridge Education	Report of findings from NYCDOE and Cambridge, categorizing the school as “Proficient” in 7 of 8 Quality Statements, and Well-developed in one.
2008-09	5	10/6/08 – 10/8/08: Renewal Visit – NYCDOE and NYSED	This report constitutes findings from the Renewal Visit.

Challenges

- After its second year of operation, the school was moved to a new space in Community School District 3. The school cites this move as a major challenge in its first chartering period. The move, according to school leaders, created challenges for maintaining community and family support, since the school was no longer located in the community where a large majority of its students lived. To adjust, the school took some proactive steps for maintaining family engagement, such as shuttles from District 5 to the new location for parent-teacher conferences.
- On the 2006-07 Progress Report (which was not released because Opportunity's leadership argued to staff at NYCDOE that the metrics for the report were not entirely appropriate for the students served at the school) the school's Peer Index was 2.54, higher than only two other middle schools in the city. This meant that the school was receiving some of the lowest performing students in the city, as determined by their average grade four NYS ELA and Math scores.
- On the 2007-08 Progress Report (which was released due to changes that gave schools additional credit for serving special education students) the school's Peer Index was 2.55, lower than any other middle school in the city.

III. Findings and Recommendation

A. Summary of Findings

Recommendation: NYCDOE-OCS recommends that the State Board of Regents approve the application for renewal of the Opportunity Charter School for a period of 2 years, with conditions, consistent with the terms of the renewal application. No two consecutive short term renewals shall be granted. After this two year chartering period, if the school has not met the conditions of this renewal and most of the goals in its accountability plan, the school's charter will not be renewed.

In order for the NYCDOE-OCS to recommend that a Chancellor-authorized charter school be awarded a five-year renewal of its charter, a school must show that it has met its goals as outlined in the charter or at least made consistent and meaningful progress towards meeting those outcome measures and goals. The NYCDOE-OCS has found Opportunity Charter School to be a school that is making some progress towards meeting its goals with a student population that is performing far below expectations. The school has not sufficiently demonstrated enough progress or a strong enough program to warrant a renewal for any length longer than 2 years. The school appeared to be financially stable and in compliance with laws and regulations.

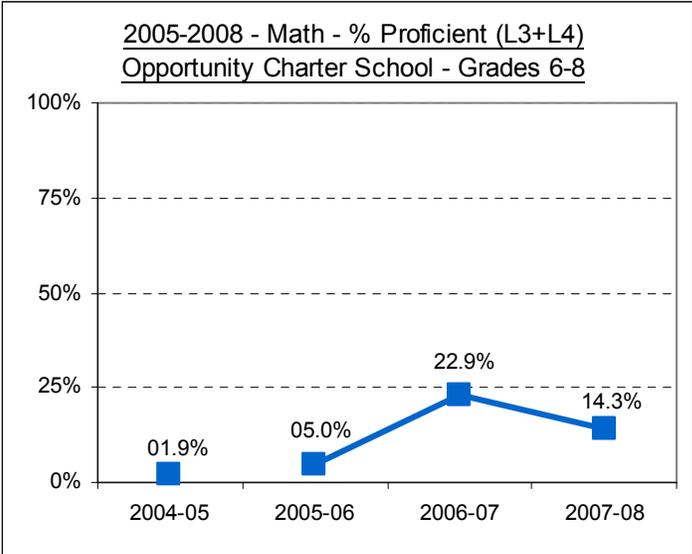
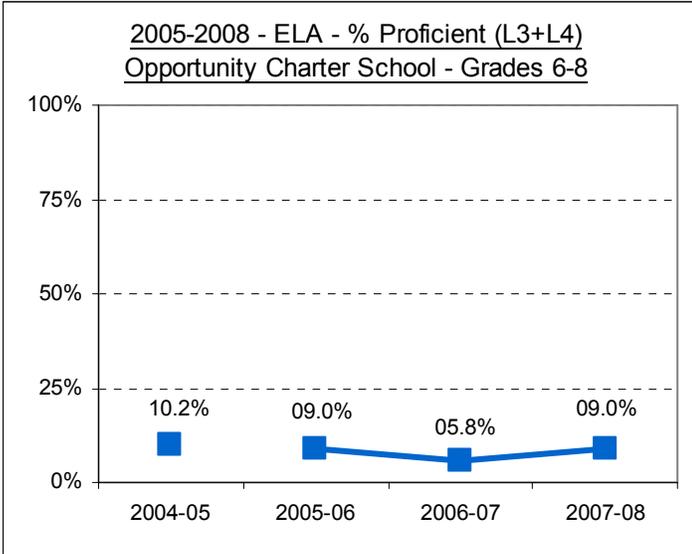
The Department of Education Office of Charter Schools finds that Opportunity Charter School has potential for educational soundness, and with improvement, may enhance student learning. Opportunity Charter School currently appears financially stable organization with some reservations noted in Benchmark 3C of this report. The Opportunity Charter School has met the requirements of the Charter Schools Act and applicable law.

A. Has the School Been an Academic Success?

Finding 1:

Opportunity Charter School has been furthest from State standards for three consecutive years (the school has not made adequate yearly progress in ELA and math according to NYS and No Child Left Behind guidelines) because the school's absolute performance on NYS ELA, math and Regents exams has been extremely low. However, the school serves New York City's lowest performing middle school students (as determined by the NYCDOE 2008 Progress Report, the school's Peer Index, or average 4th grade test scores of students before they enter Opportunity, is 2.55) and is making good progress with students in the middle grades at the school who fall into the school's lowest third of performance. The school has also been successful at moving high percentages of students from Level 1 to Level 2 on the NYS ELA and math assessments. The school has been far less successful with both its students who entered the school performing in the top 2/3 of the school and with general education students performing above a certain proficiency level. The charts below illustrate the school's absolute performance as well as the student progress in ELA and math from 2007 to 2008.

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E L A	Year	DOE Progress Report	Opportunity Charter School Report		
			Total	SpEd	GenEd
Percentage of Students Making at Last 1 Year of Progress	2006-2007	38.7%	62.3% *	80.0% *	46.1% *
	2007-2008	62.6%	71.2% **	82.9% **	57.7% **
Percentage of Students in the School's Lowest Third Making 1 Year of Progress	2007-008	77.8%	96.4% **	95.2% **	100% **
Average Change in Student Proficiency	2006-2007	0.05	0.05	0.10	-0.01
	2007-2008 for Level 1/2	0.16	0.18 ***	0.30 ***	0.05
	2007-2008 for Level 3/4	-0.16	-0.14 ***	-0.03 ***	-0.21

MATH	Year	DOE Progress Report	Opportunity Charter School Report
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Opportunity Charter School Renewal Report

			Total	SpEd	GenEd
Percentage of Students Making at Last 1 Year of Progress	2006-2007	34.2%	65% *	74% *	57% *
	2007-2008	48.0%	57.2% **	69.6 % **	43.8 % **
Percentage of Students in the School's Lowest Third Making 1 Year of Progress					
	2007-008	61.5%	80.0 % **	86.0 % **	58.3 % **
Average Change in Student Proficiency					
	2006-2007	0.05	0.05	0.05	0.04
	2007-2008 for Level 1/2	0.20	0.22 ***	0.32 ***	0.08 ***
	2007-2008 for Level 3/4	-0.28	-0.27 ***	-0.31 ***	-0.25 ***

Percent of Students Making One Year of Progress – Broken Down by Subgroup (2007 to 2008):

One Year of Progress in ELA	
Top 2/3	56.5%
Bottom 1/3	73.2%
General Ed.	50.7%
Special Ed.	80.1%
All	62.6%

One Year of Progress in Math	
Top 2/3	42.8%
Bottom 1/3	58.8%
General Ed.	39.4%
Special Ed.	60.5%
All	48.0%

Finding 2:

The school's curriculum continues to develop and the use of data is still in the process of being refined. However, marked improvement has been made in this area over the course of the charter. A standards-based curriculum is being provided and staff are working to improve this curricula across all subject areas. A great deal of work must still be done to improve the quality of teaching and learning at the school, particularly in designing lessons and units that meet the needs of all learners, despite incoming proficiency levels.

Finding 3:

The school has successfully created a safe and calm environment that is conducive to learning through the implementation of several programs to support students' social and emotional needs. A positive and respectful culture is evident at the school.

B. Has the School Been a Viable Organization?

Finding 1:

Opportunity Charter School has committed board members who are passionate about the mission and vision of the school. The board understandably takes pride in the progress made with students performing in the school's lowest third and special education students, but has not focused on the academic performance of higher performing students and general education students. The school's population is challenging and requires board and the leadership to continuously look for newer strategies and solutions. The board's evaluation of the school leadership has been problematic at times. Overall, the board needs some board development just like many other charter school boards to govern in an effective manner and continue add diverse voices to the governance structure of the school.

Finding 2:

Opportunity Charter School spends a high portion of its public and private revenue on educational programs (91.4%) and overall, the state of finances at the school is satisfactory, barring the results of pending litigation. According to the school's audited financial statements, the full amount of the litigation claim (\$66 million) exceeds the Charter School's insurance coverage. However, it is the school management's belief that any "reasonable" settlement/loss will be well within the charter school's insurance coverage. Currently, the school carries an insurance coverage totaling \$1million that covers legal fees, settlement costs, and litigation expenses.

Finding 3:

In general, parents have expressed satisfaction with the school through interviews and survey data. Staff has also expressed satisfaction, although teacher attrition has been increasing slightly in recent years.

C. Has the School Been in Compliance with All Applicable Laws and Regulations?

Finding:

The school has maintained compliance, for the most part, with health laws and regulations, and Title I. There are concerns about the school's compliance with IDEA. The school made significant changes to its policies after a visit from NYSED in Year 3 found the school to be out of compliance with several policies around suspension and alternative instruction. The school conducts a blind lottery now after previously conducting a bifurcated lottery. The school is now fully compliant with these regulations, but there remain some concerns about the school's special education service delivery model.

B. Conclusion and Recommendation

The Department of Education Office of Charter Schools finds that Opportunity Charter School has potential for educational soundness, and with improvement, may enhance student learning. Opportunity Charter School currently appears to be a financially stable organization however there are some reservations noted in section III of this report. The Opportunity Charter School has met the requirements of the Charter Schools Act and applicable law. As such, the Department of Education Office of Charter Schools recommends renewal for a term of two years with probation to serve grades 6-12. No two consecutive short term renewals shall be granted. If approved by the Board of Regents of the State of New York, the school will have two years to clearly demonstrate its ability to meet the conditions of this renewal and the goals in its charter agreement.

**The School will be offered this renewal with the following conditions.
Opportunity Charter School must:**

1. Submit a Corrective Action Plan by February 18, 2009 outlining how the board will:
 - A. Address lagging student achievement, particularly among those students whose performance puts them in the top 2/3 of the school ;
 - B. Expand recruitment to a broader range of students to demonstrate a good faith effort to recruit students with and without disabilities;
 - C. Hold staff accountable for the academic performance and progress of all students at the school;
 - D. Clearly articulate academic, operational and performance targets or incentives to be met by school leadership and hold them accountable for meeting these targets;
 - E. Given the school's high level of funding and relatively low student performance outcomes, please provide evidence that the service delivery model coincides with the guidelines for special education funding per § 3602(19) (1)(b-1) of the Education Law as added by Chapter 405 of the Laws of 1999⁸ and is consistent with reporting procedures for the distribution of funding for special education services on the invoice (see Benchmark 3C on pp. 58-60 for concerns);
 - F. Ensure that speech services are provided for the 77 students who have not been receiving these services since February 2008
 - G. In light of 1.E and the pending outcome of the litigation, present a plan to keep the school financially stable moving forward.
2. Ensure that the service delivery and staffing model ensures appropriate levels of direct service for all students with IEPs; and
3. Using the NYCDOE Progress Report as a measure, increase the percentage of students making at least 1 year of progress in ELA and Math. The school must, at a minimum, increase the percent of students making at least one year of progress in ELA from 62.6% to 65%. In math, the school must, at a minimum, increase the percent of students making at least one year of progress in math from 48% to 55%. The school must also demonstrate progress among students with disabilities and general education students.

⁸ <http://stateaid.nysed.gov/pwdset.htm>

III. Discussion of Findings by Benchmark

A. Renewal Question #1: Has the School Been an Academic Success?

Benchmark 1A:

An academically successful school can demonstrate outstanding student performance outcomes according to the following statistical analyses:

1. Absolute
2. Value-Added
3. Comparative
4. NCLB

Discussion of Benchmark 1A:

As stated in Finding #1 above, the School has not met all of the academic goals that it set for itself in its application.

Academic Goals:

1. Meet or exceed all New York State and New York City Standards (as described in the below timeline provided that demonstrates incremental progress to be made towards meeting the standards).
2. Meet or exceed the standard (a score of 3 or 4) on all assessments (as described below in the timeline provided that demonstrates incremental progress to be made towards meeting the standards).
3. All 8th graders will go on to high school.
4. All 12th graders will have the ability to go on to higher educational institutions, as tracked by school counselors during transition planning.

Academic Goal 1:

Meet or exceed all New York State and New York City Standards (as described in the below timeline provided that demonstrates incremental progress to be made towards meeting the standards).

Academic Goal 2:

Meet or exceed the standard (a score of 3 or 4) on all assessments (as described below in the timeline provided that demonstrates incremental progress to be made towards meeting the standards).

The three subsequent pages are copies of the “value added and/or incremental quantitative goals” established by the Opportunity Charter School in the school’s original charter.

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	'04/'05 grade 8	'05/'06 grade 9	'06/'07 grade 10	'07/'08 grade 11	'08/'09 grade 12
Entering Grade 8 on Level 1	3% move to Level 2 in 1 yr	On Level 2, move to Level 3 in 3 yrs	Still on Level 2	Still on Level 2	On level 3, port. Presentations + regents
	30% move to Level 2 in 2 yrs	Still on Level 1	On Level 2, move to level 3 in 2 yrs	Still on Level 2	On Level 3, begin regents work, port. presentations
	67% move to Level 2 in 3 yrs	Still on Level 1	Still on Level 1	On Level 2, move to Level 3 in 2 yrs	Still on Level 2, ending yr on Level 3
Entering Grade 8 on Level 2	5% move to Level 3 in 1 year	On Level 3, portfolio assessment	Portfolio assessment and regents prep	Portfolio assessment and regents prep	Continue regents prep & portfolio presentations
	30% move to Level 3 in 2 years	Still on Level 2	On Level 3, Portfolio assessment + regents prep	Portfolio assessment and regents prep	Continue regents prep & portfolio presentations
	65% move to Level 3 in 3 years	Still on Level 2	Still on Level 2	On Level 3, portfolio assessment + regents prep	Continue regents prep & portfolio presentations
Entering Grade 8 on Level 3	15% move to level 4 in 1 year	On level 4, portfolio assessment	Portfolio assessment and regents prep	Portfolio assessment and regents prep	Portfolio presentations and regents prep
	15% move to level 4 in 2 years	Still on level 3	On level 4, portfolio assessment + regents prep	Portfolio assessment and regents prep	Portfolio presentations and regents prep
	30% move to level 4 in 3 years	Still on level 3	Still on level 3 + portfolio assessment + regents prep	On level 4, portfolio assessment + regents prep	Portfolio presentations and regents prep
	40% on level 3	40% on level 3	40% on level 3, portfolio assessment	Portfolio assessment and regents prep	Portfolio presentations and regents prep

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	'04/'05 grade 6	'05/'06 grade 7	'06/'07 grade 8	'07/'08 grade 9	'08/'09 grade 10
Entering Grade 6 on Level 1	5% move to Level 2 in 1 yr	On Level 2, move to Level 3 in 2 yrs	Still on Level 2	On Level 3, begin work on regents	Present Portfolio review and regents
	30% move to Level 2 in 2 yrs	Still on Level 1	On Level 2, move to level 3 in 2 yrs	Still on Level 2	On Level 3, begin regents work
	65% move to Level 2 in 3 yrs	Still on Level 1	Still on Level 1	On Level 2, move to Level 3 in 2 yrs	Still on Level 2, ending yr on Level 3
Entering Grade 6 on Level 2	15% move to Level 3 in 1 year	On Level 3, moving to Level 4	On Level 4, portfolio assessment	Begin regents prep, portfolio assessment	Continue regents prep & portfolio assessment
	70% move to Level 3 in 2 years	Still on Level 2	On Level 3, some will move to Lev. 4 by year's end	Begin regents prep, portfolio assessment	Continue regents prep & portfolio assessment
	15% move to Level 3 in 3 years	Still on Level 2	Still on Level 2	On Level 3, portfolio assessment	Begin regents prep & port. assessment
Entering Grade 6 on Level 3	20% move to level 4 in 1 year	On level 4, enrichment program + portfolio assessment	On level 4	Portfolio assessment and regents prep	Portfolio assessment and regents prep
	20% move to level 4 in 2 years	Still on level 3	On level 4, portfolio assessment	Portfolio assessment and regents prep	Portfolio assessment and regents prep
	20% move to level 4 in 3 years	Still on level 3	Still on level 3	On level 4, portfolio assessment +regents prep	Portfolio assessment and regents prep
	40% on level 3	40% on level 3	40% on level 3, portfolio assessment	Portfolio assessment and regents prep	Portfolio assessment and regents prep

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	'04/'05 grade 7	'05/'06 grade 8	'06/'07 grade 9	'07/'08 grade 10	'08/'09 grade 11
Entering Grade 7 on Level 1	5% move to Level 2 in 1 yr	On Level 2, move to Level 3 in 2 yrs	Still on Level 2	On Level 3, begin work on regents	Continue regents prep & portfolio assessment
	20% move to Level 2 in 2 yrs	Still on Level 1	On Level 2, move to level 3 in 2 yrs	Still on Level 2	On Level 3, begin regents work, port. assessment
	70% move to Level 2 in 3 yrs	Still on Level 1	Still on Level 1	On Level 2, move to Level 3 in 2 yrs	Still on Level 2, ending yr on Level 3
Entering Grade 7 on Level 2	10% move to Level 3 in 1 year	On Level 3, moving to Level 4	On Level 4, portfolio assessment	Begin regents prep, portfolio assessment	Continue regents prep & portfolio assessment
	35% move to Level 3 in 2 years	Still on Level 2	On Level 3, some will move to Lev. 4 by year's end	Begin regents prep, portfolio assessment	Continue regents prep & portfolio assessment
	55% move to Level 3 in 3 years	Still on Level 2	Still on Level 2	On Level 3, portfolio assessment	Begin regents prep & continue port. assessment
Entering Grade 7 on Level 3	15% move to level 4 in 1 year	On level 4, portfolio assessment	Portfolio assessment and regents prep	Portfolio assessment and regents prep	Portfolio assessment and regents prep
	15% move to level 4 in 2 years	Still on level 3	On level 4, portfolio assessment	Portfolio assessment and regents prep	Portfolio assessment and regents prep
	30% move to level 4 in 3 years	Still on level 3	Still on level 3	On level 4, portfolio assessment +regents prep	Portfolio assessment and regents prep
	40% on level 3	40% on level 3	40% on level 3, portfolio assessment	Portfolio assessment and regents prep	Portfolio assessment and regents prep

Incoming 6 th Grade - Value Added / Incremental Goals – ELA & Math					
GRADE 6	YR1	YR2	YR3	YR2 TOTAL	YR3 TOTAL
L1→L2	5%	30%	65%	35%	100%
L2→L3	15%	70%	15%	85%	100%
L3→L4	20%	20%	20%	40%	60%
STAY L3	40%	40%	40%	40%	40%

Table 1

Incoming 7 th Grade - Value Added / Incremental Goals – ELA & Math					
GRADE 7	YR1	YR2	YR3	YR2 TOTAL	YR3 TOTAL
L1→L2	5%	20%	70%	25%	95%
L2→L3	10%	35%	55%	45%	100%
L3→L4	15%	15%	30%	30%	60%
STAY L3	40%	40%	40%	40%	40%

Table 2

Tables 1 and 2 above diagram and simplify the progress documented in the value-added goals of the charter. For example, row one in the “GRADE 6” table, labeled “L1→L2,” shows the goals from the previous pages that the school will move 5% of students entering on Level 1 (L1) to Level 2 (L2) in Year 1 (YR1), 30% of students entering on L1 to L2 by Year 2 (Y2) and the remaining 65% of students entering on L1 to L2 by Year 3 (Y3). The two columns on the right of the Y3 column represent the total percent of students to the performance level indicated in the first column by the second year (YR2 TOTAL) and by the third year (YR3 TOTAL).

Analysis of ELA Test Scores^{9 10}

1A.1 – Absolute:

ELA	2004-05	2005-06	2006-07	2007-08
Grade 6	05.7%	17.3%	04.1%	12.0%
Grade 7	14.5%	05.8%	09.1%	13.0%
Grade 8	-	03.9%	03.9%	01.9%
TOTAL	10.2%	09.0%	05.8%	09.0%

Table 3

Table 3 shows the performance of all students in grades 6-8 at the Opportunity Charter School on the NY State ELA assessment over the past four years. The NY State ELA data over the past four years shows no significant trend of continued and consistent school wide progress towards the levels of proficiency they established in their goals.

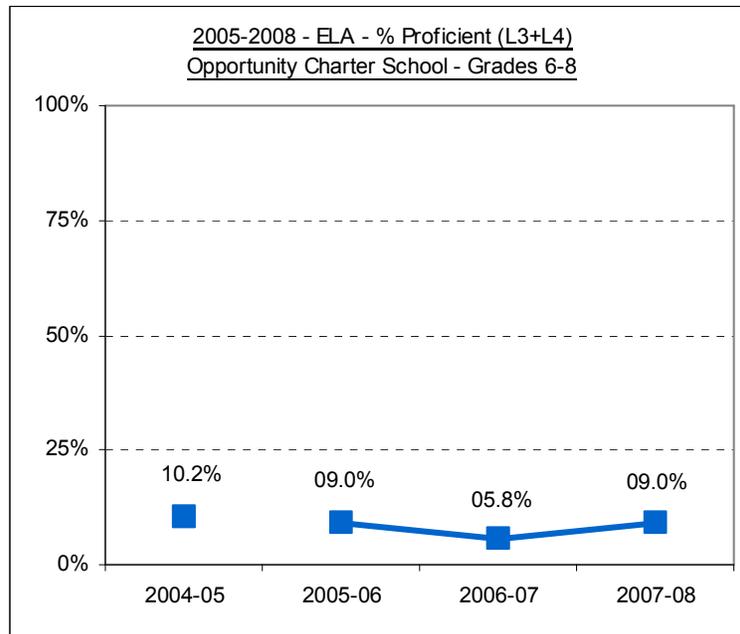


Figure 1

Figure 1 illustrates the performance of all students in grades 6-8 at Opportunity Charter School on the NY State ELA assessment over the past four years as detailed in Table 3. Data from the NY City CTB assessment (2004-05) is not connected to the other years as it cannot be compared to the NY State ELA assessment given in years 2005-08.

⁹ NYC Department of Education Results of the City CTB-Reading Tests Grades 3, 4, 5, 6, 7 and 8 (2004-05) and NY State Assessment (2005-08)

¹⁰ The City CTB assessment given in 2004-05 cannot be directly compared to the scores achieved on the NY State Assessments given between years 2005-08.

1A.2 – Value-Added:

Class of 2011 – 7 th to 8 th – ELA						
GR. 7-8	YR1	YR2	YR1 TOTAL	YR1 GOAL	Difference	MET?
L1→L2	40%	-	40%	5%	35%	MET
L2→L3	9%	-	9%	10%	-1%	MET ¹¹
L3→L4	0%	-	0%	15%	-15%	NOT MET ¹²
STAY L3	NR	-	NR	NR	n/a	n/a

Table 4

Class of 2012 – 6 th to 8 th – ELA						
GR. 6-8	YR1	YR2	YR2 TOTAL	YR2 GOAL	Difference	MET?
L1→L2	38%	6%	44%	35%	9%	MET
L2→L3	6%	0%	6%	85%	-79%	NOT MET
L3→L4	0%	0%	0%	40%	-40%	NOT MET
STAY L3	NR	NR	NR	NR	n/a	n/a

Table 5

Class of 2013 – 6 th to 7 th – ELA						
GR. 6-7	YR1	YR2	YR1 TOTAL	YR1 GOAL	Difference	MET?
L1→L2	80%	-	80%	5%	75%	MET
L2→L3	17%	-	17%	15%	2%	MET
L3→L4	0%	-	0%	20%	-20%	NOT MET ¹³
STAY L3	NR	-	NR	NR	n/a	n/a

Table 6

The Tables 4-6 represent the performance of Opportunity Charter School students on the NY State ELA assessment as reported by the school compared to the goals the school established in Tables 1 & 2 (pg. 9). Of the 9 goals reported on, the school has met or exceeded 5.

¹¹ The 1% difference between the goal and actual represents less than one student, which means that the school has essentially met this goal.

¹² Only one student entered in this cohort at a Level 3.

¹³ Only two students entered in this cohort at a Level 3.

Value-Added / Incremental Goals – English Language Arts

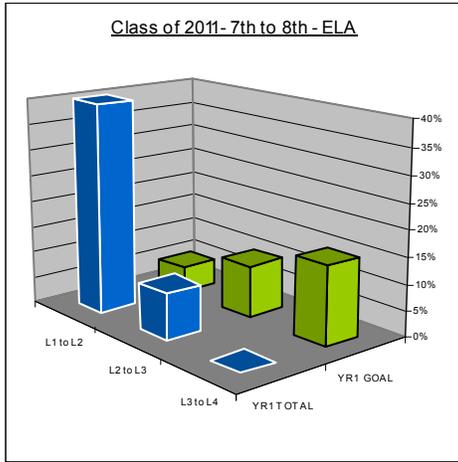


Figure 2

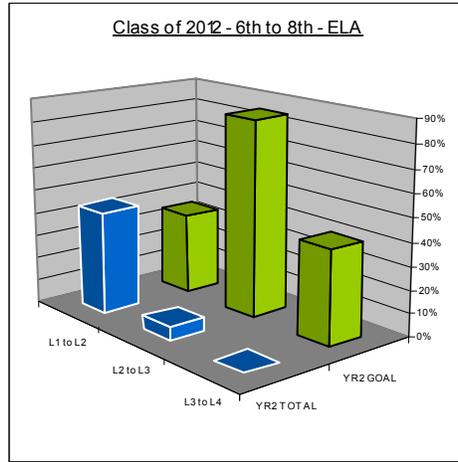


Figure 3

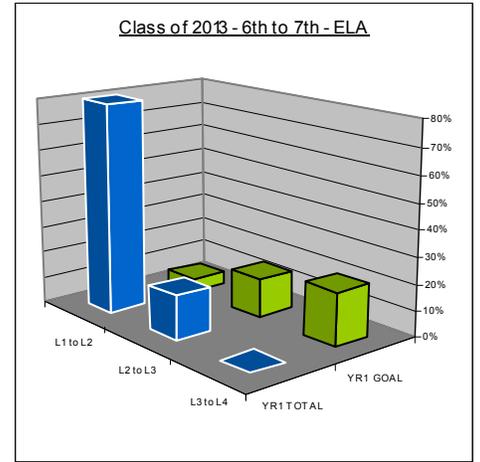


Figure 4

Figures 2, 3 and 4 above visually depicts the performance of the school (blue) towards the goals it established (green) in Tables 4, 5 and 6. As seen above, the majority of students are staying in Level 2 and the school has failed to meet the majority of the goals it has established in moving students to levels of proficiency (L3 & L4).

E L A	Year	DOE Progress Report	Opportunity Charter School Report		
			Total	SpEd	GenEd
Percentage of Students Making at Last 1 Year of Progress	2006-2007	38.7%	62.3% *	80.0% *	46.1% *
	2007-2008	62.6%	71.2% **	82.9% **	57.7% **
Percentage of Students in the School's Lowest Third Making 1 Year of Progress	2007-008	77.8%	96.4% **	95.2% **	100% **
Average Change in Student Proficiency	2006-2007	0.05	0.05	0.10	-0.01
	2007-2008 for Level 1/2	0.16	0.18 ***	0.30 ***	0.05
	2007-2008 for Level 3/4	-0.16	-0.14 ***	-0.03 ***	-0.21

Table 7

* Level 1 students who made a year of progress are included and SpEd student proficiency rates are adjusted with 0.2.
 ** Level 1 students who made a year of progress are included and students who were listed as GE students in DOE PR Report but are enrolled as SpEd students are given the 0.2 adjustment.
 *** Students who were listed as GE students in DOE PR Report but are enrolled as SpEd students are given the 0.2 adjustment

The above Table 7 has been submitted by the school and:

is an attempt to more comprehensively view progress at Opportunity Charter School as indicated by the New York State ELA Assessment, the following chart follows, as closely as possible, the same procedures as the 2006-07 New York City Progress Report. Except for two changes: (1) Students making a year of progress by the city's definition, but still scoring within the Level 1 range are included in the count and (2) the 2007-08 Progress Report Procedure of adding 0.2 to the proficiency ratings of Special Education students has been applied retroactively to the 2006-07 percentages.¹⁴

Table 7 shows significant academic growth in the Special Education populations however the progress of general education population is significantly low. Most striking is the significant negative average change in student proficiency for students who scored above a Level 3 or 4 on the 2006-07 ELA assessment as compared to the 2007-08 assessment.

Current Grade 2007-08	Average Yearly Gain in Reading, Pre-Opportunity Charter (GLE) (based on entering GLEs in Reading)	Average yearly gain in reading at Opportunity Charter (GLE)
6 th Grade	0.56	0.88
7 th Grade	0.59	0.98
8 th Grade	0.51	0.94
9 th Grade	0.51	0.71
10 th Grade	0.52	0.9

Figure 5

Figure 5 has been submitted as evidence by the school and shows a significant and general growth in students' average yearly gain in reading measured in Grade Level Equivalents. However, the average yearly gain in reading at the Opportunity Charter School is still below 1 GLE per year.

	Average TOSWRF Gain/ Year Enrolled 2006 – 2008 (GLE)	Average DRP Gain/ Year Enrolled 2006 – 2008 (GLE)
6 th Grade	3.3	0.8
7 th Grade	2.1	0.9
8 th Grade*	1.1	0.8
9 th Grade*	1.4	0.7
10 th Grade*	2.2	0.8

Figure 6

Figure 6 has been submitted as evidence by the school and shows a significant and general growth in students' average yearly gain in reading measured by the Test of Silent Word Reading Fluency and the DRP: Degrees of Reading Power in Grade Level Equivalents. The results of the

¹⁴ Opportunity Charter School Renewal Application Part I: Retrospective, July 15, 2008.

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TOSWRF are encouraging and show above one year's growth in all of the grades. However, the average yearly gain in reading as measured by the DRP is still below 1 GLE per year.

1A.3 - Comparative:

% Proficient (L3+L4) - NY State ELA Assessment - Opportunity vs. Host CSD vs. City												
	2004-05			2005-06			2006-07			2007-08		
	OCS	CSD	CITY									
Grade 6	5.7%	53.4%	44.0%	17.3%	49.8%	48.6%	04.1%	56.1%	49.8%	12.0%	57.6%	52.7%
Grade 7	14.5%	53.7%	43.8%	05.8%	47.1%	44.2%	09.1%	53.8%	45.4%	13.0%	67.3%	59.5%
Grade 8	-	-	-	03.8%	40.3%	36.6%	03.9%	48.1%	41.8%	01.9%	48.3%	43.0%
TOTAL	10.2%	53.6%	43.9%	09.0%	45.6%	43.1%	05.8%	52.6%	45.6%	09.0%	57.4%	51.7%

Table 8

Table 8 compares the percent of Opportunity, host CSD 03 and New York City students attaining proficiency (L3+L4) on the NY State ELA assessment over the past four years.

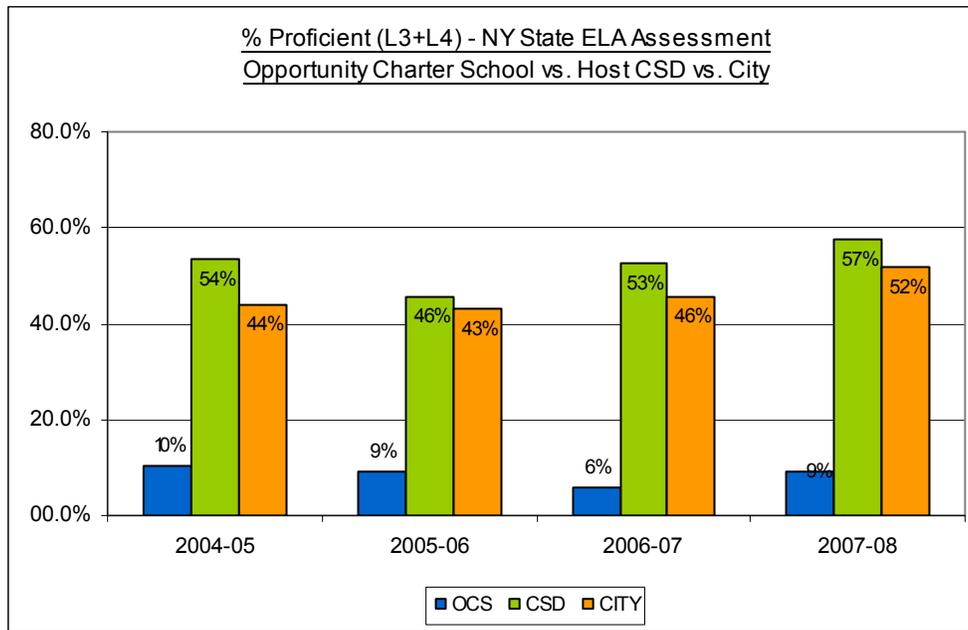


Figure 7

Figure 7 above visually depicts the percent of Opportunity (blue), host CSD 03 (green) and NY City (orange) students attaining proficiency (L3+L4) on the NY State ELA assessment over the past four years.

% Proficient (L3+L4) - NY State ELA Assessment - Opportunity vs. D75 Manhattan vs. D75 City													
	2004-05			2005-06			2006-07			2007-08			
	OCS	Man.	CITY	OCS	Man.	CITY	OCS	Man.	CITY	OCS	Man.	CITY	CSD 03
Grade 6	5.7%	10.3%	11.2%	17.3%	3.3%	5.1%	4.1%	5.7%	7.3%	12.0%	3.1%	9.7%	5.0%
Grade 7	14.5%	12.1%	14.8%	5.8%	7.0%	4.8%	9.1%	2.0%	7.0%	13.0%	23.6%	16.0%	35.7%
Grade 8	-	-	-	3.8%	5.3%	3.2%	3.9%	5.9%	3.7%	1.9%	4.6%	4.5%	0.0%
TOTAL	10.2%	11.2%	12.9%	9.0%	5.3%	4.5%	5.8%	4.5%	6.0%	9.0%	10.8%	10.1%	13.3%

Table 9

Table 9 compares the percent of Opportunity students (OCS), D75 students served in Manhattan (Man.), D75 students served in all of NYC (City) and D75 students served in CSD 03 (CSD 03) who attained proficiency (L3+L4) on the NY State ELA assessment over the past four years. CSD 03 is only considered in the final year as the school had been serving students primarily from CSD 05 the three years before and CSD 05 has no D75 schools that serve grades 6-8 for comparison. On a grade specific analysis, Opportunity has under performed its counterparts 13 times and outperformed them 12 times.

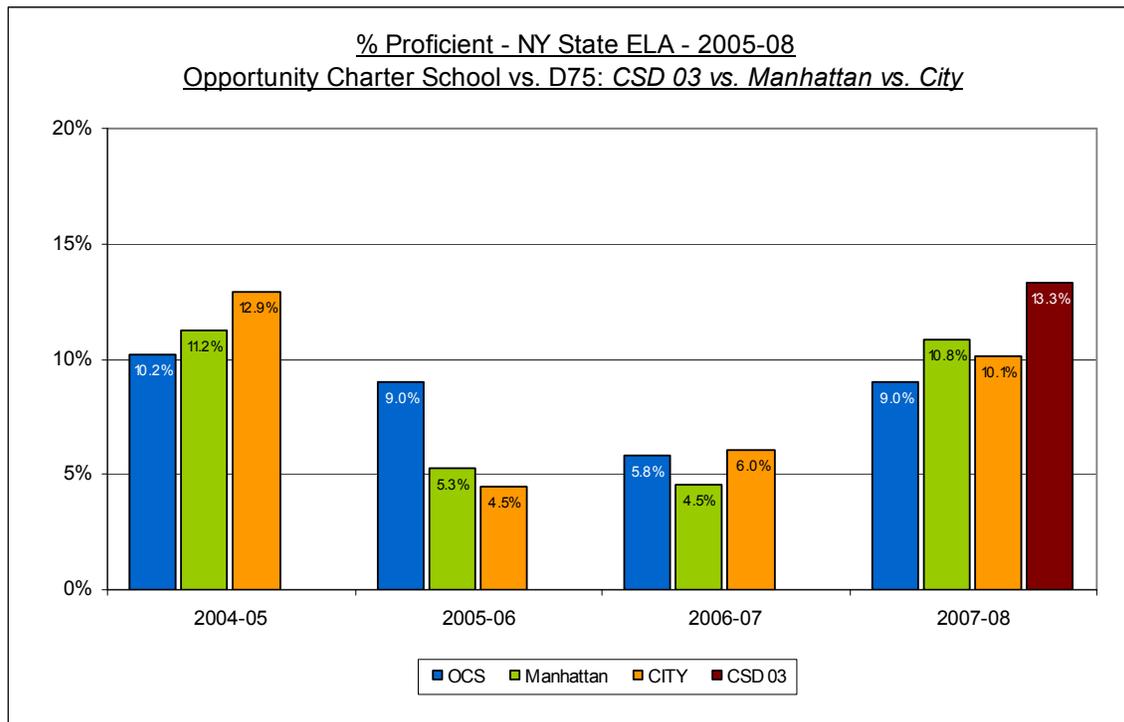


Figure 8

Figure 8 visually depicts the percent of Opportunity students (blue), D75 students served in Manhattan (green), D75 students served in all of NYC (orange) and D75 students served in CSD 03 (maroon) who attained proficiency (L3+L4) on the NY State ELA assessment over the past four years. Table 9 and Figure 8 demonstrate little evidence across grades 6-8 over the past four years that suggests that the school is consistently outperforming students served in Manhattan and citywide D75 schools. On the whole, Opportunity has underperformed its counterparts 6 times and outperformed them 3 times.

Analysis of Math Test Scores¹⁵¹⁶

1A.1 – Absolute:

Math	2004-05	2005-06	2006-07	2007-08
Grade 6	00.0%	09.3%	60.0%	14.8%
Grade 7	03.7%	05.8%	10.3%	18.5%
Grade 8	-	00.0%	03.5%	09.4%
TOTAL	01.9%	05.0%	22.9%	14.3%

Table 10

Table 10 shows the performance of all students in grades 6-8 at Opportunity Charter School on the NY State Math assessment over the past four years. The table demonstrates moderate growth from the 2005-06 year to the 2007-08 year, with a huge spike in proficiency in the grade 6 class of 2006-07. The school shows a slight trend of continued and consistent school wide progress towards the levels of proficiency they established in their goals.

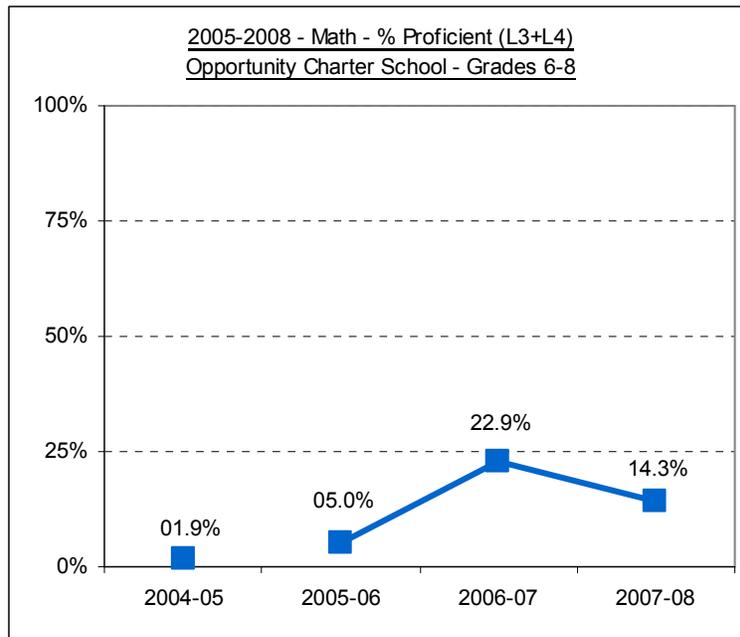


Figure 9

Figure 9 illustrates the performance of all students in grades 6-8 at Opportunity Charter School on the NYS ELA assessment over the past four years as detailed in Table 10. Data from the NYC CTB assessment (2004-05) is not connected to the other years as it cannot be compared to the NYS math assessment given in years 2005-08.

¹⁵ NYC Department of Education Results of the City CTB-Math Tests Grades 3, 4, 5, 6, 7 and 8 (2004-05) and NY State Math Assessment (2005-08).

¹⁶ The City CTB assessment given in 2004-05 cannot be directly compared to the scores achieved on the NY State Assessments given between years 2005-08.

1A.2 - Value-Added:

Class of 2011 - 7th to 8th - Math						
GRADE 7	YR1	YR2	YR1 TOTAL	YR1 GOAL	Difference	MET?
L1→L2	15%	-	15%	5%	10%	MET
L2→L3	4%	-	4%	10%	-6%	NOT MET
L3→L4	0%	-	0%	15%	-15%	NOT MET
STAY L3	NR	-	NR	NR	n/a	n/a

Table 11

Class of 2012 - 6th to 8th - Math						
GRADE 7	YR1	YR2	YR2 TOTAL	YR2 GOAL	Difference	MET?
L1→L2	30%	15%	45%	35%	10%	MET
L2→L3	0%	0%	0%	85%	-85%	NOT MET
L3→L4	0%	0%	0%	40%	-40%	NOT MET
STAY L3	NR	NR	NR	40%	n/a	n/a

Table 12

Class of 2013 - 6th to 7th - Math						
GRADE 6	YR1	YR2	YR1 TOTAL	YR1 GOAL	Difference	MET?
L1→L2	43%	-	43%	5%	38%	MET
L2→L3	9%	-	9%	15%	-6%	NOT MET
L3→L4	0%	-	0%	20%	-20%	NOT MET
STAY L3	NR	-	NR	40%	n/a	n/a

Table 13

The Tables 11, 12 and 13 represent the performance of Opportunity Charter School students on the NY State Math assessment as reported by the school compared to the goals the school established in Tables 1 & 2 (pg. 9). Of the 9 goals reported on, the school has met or exceeded 3.

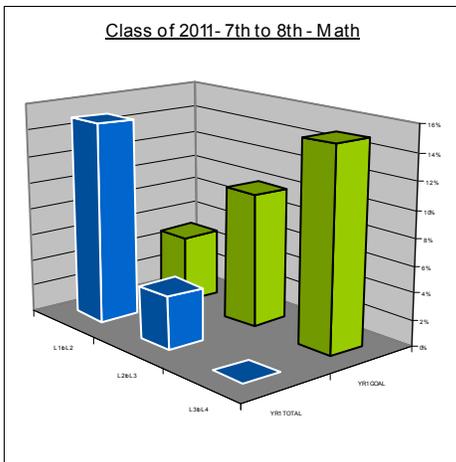


Figure 10

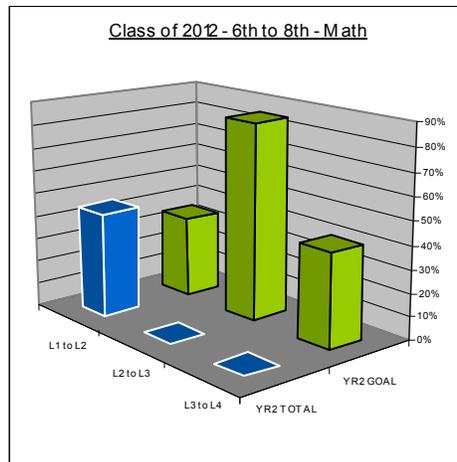


Figure 11

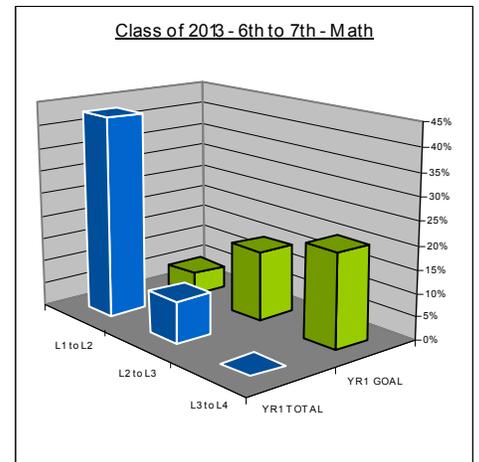


Figure 12

Figures 10, 11 and 12 above visually depict the performance of the school (blue) towards the goals it established (green) in Tables 11, 12 and 13. As seen above, the majority of students are

staying in Level 1 and the school has failed to meet the majority of the goals it has established in moving students to levels of proficiency (L3 & L4).

MATH	Year	DOE Progress Report	Opportunity Charter School Report		
			Total	SpEd	GenEd
Percentage of Students Making at Last 1 Year of Progress	2006-2007	34.2%	65% *	74% *	57% *
	2007-2008	48.0%	57.2% **	69.6 % **	43.8 % **
Percentage of Students in the School's Lowest Third Making 1 Year of Progress	2007-008	61.5%	80.0 % **	86.0 % **	58.3 % **
Average Change in Student Proficiency	2006-2007	0.05	0.05	0.05	0.04
	2007-2008 for Level 1/2	0.20	0.22 ***	0.32 ***	0.08 ***
	2007-2008 for Level 3/4	-0.28	-0.27 ***	-0.31 ***	-0.25 ***

Table 14

The above Table 14 has been submitted by the school and:

is an attempt to more comprehensively view progress at Opportunity Charter School as indicated by the New York State Math Assessment, the following chart follows, as closely as possible, the same procedures as the 2006-07 New York City Progress Report. Except for two changes: (1) Students making a year of progress by the city's definition, but still scoring within the Level 1 range are included in the count and (2) the 2007-08 Progress Report Procedure of adding 0.2 to the proficiency ratings of Special Education students has been applied retroactively to the 2006-07 percentages.¹⁷

Table 14 shows significant academic growth among students with disabilities, however the progress of general education students is significantly lower. Most concerning is the significant negative average change in student proficiency for students who scored above a Level 3 or 4 on the 2006-07 Math assessment as compared to the 2007-08 assessment.

¹⁷ *Opportunity Charter School Renewal Application Part I: Retrospective, July 15, 2008.*

1A.3 - Comparative:

% Proficient (L3+L4) - NY State Math Assessment - Opportunity vs. Host CSD vs. City												
	2004-05			2005-06			2006-07			2007-08		
	OCS	CSD	CITY									
Grade 6	00.0%	44.1%	35.9%	09.3%	56.6%	52.7%	60.0%	70.7%	63.2%	14.8%	73.5%	71.7%
Grade 7	03.7%	43.3%	35.0%	05.8%	47.4%	43.9%	10.3%	60.0%	55.5%	18.5%	75.4%	69.0%
Grade 8	-	-	-	00.0%	45.3%	38.9%	03.4%	55.7%	45.6%	09.4%	57.7%	59.6%
TOTAL	01.9%	43.7%	35.5%	05.0%	49.7%	45.1%	22.9%	62.0%	54.6%	14.3%	68.6%	66.7%

Table 15

Table 15 compares the percent of Opportunity, host CSD 03 and NYC students attaining proficiency (L3+L4) on the NY State ELA assessment over the past four years.

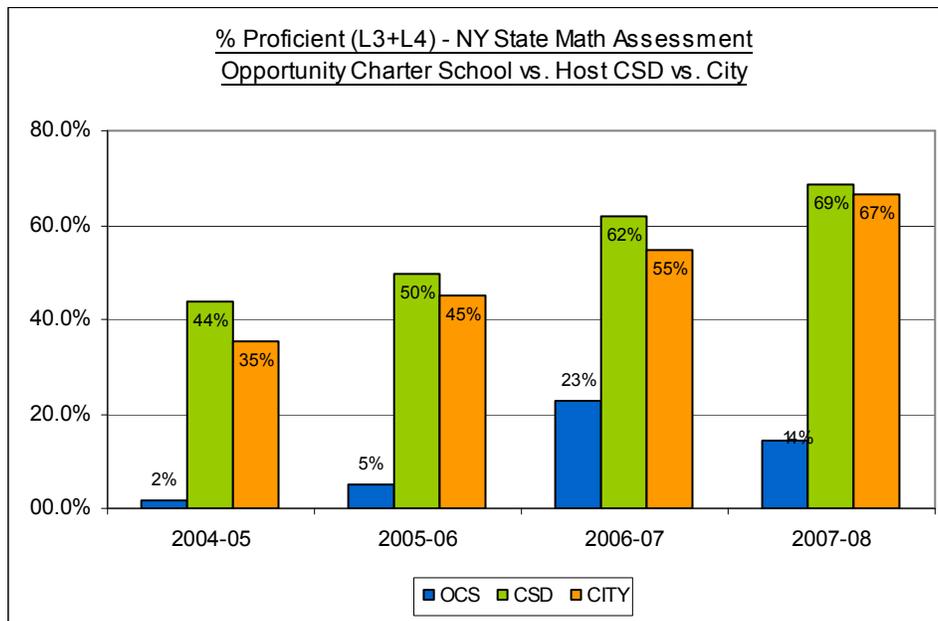


Figure 13

Figure 13 visually depicts the percent of Opportunity (blue), host CSD 03 (green) and NYC (orange) students attaining proficiency (L3+L4) on the NY State ELA assessment over the past four years.

% Proficient (L3+L4) - NY State Math Assessment - Opportunity vs. D75 Manhattan vs. D75 City													
	2004-05			2005-06			2006-07			2007-08			
	OCS	Man.	CITY	OCS	Man.	CITY	OCS	Man.	CITY	OCS	Man.	CITY	CSD 03
Grade 6	0.0%	5.6%	5.9%	9.3%	3.9%	7.5%	60.0%	7.5%	10.8%	14.8%	16.0%	15.2%	6.3%
Grade 7	3.7%	5.5%	8.7%	5.8%	6.1%	3.6%	10.3%	12.1%	7.9%	18.5%	8.2%	13.5%	14.3%
Grade 8	-	-	-	0.0%	7.7%	4.7%	3.4%	7.2%	4.2%	9.4%	14.7%	11.2%	8.3%
TOTAL	1.9%	5.5%	7.3%	5.0%	5.7%	5.4%	22.9%	9.0%	7.8%	14.3%	13.2%	13.4%	9.5%

Table 16

Table 16 compares the percent of Opportunity students (OCS), D75 students served in Manhattan (Man.), D75 students served in all of NYC (City) and D75 students served in CSD 03 (CSD 03) who attained proficiency (L3+L4) on the NY State Math assessment over the past four years. CSD 03 is only considered in the final year as the school had been serving students primarily from CSD 05 the three years before and CSD 05 has no D75 schools that serve grades 6-8 for comparison. On a grade specific analysis, Opportunity has under performed its counterparts 14 times and outperformed them 11 times.

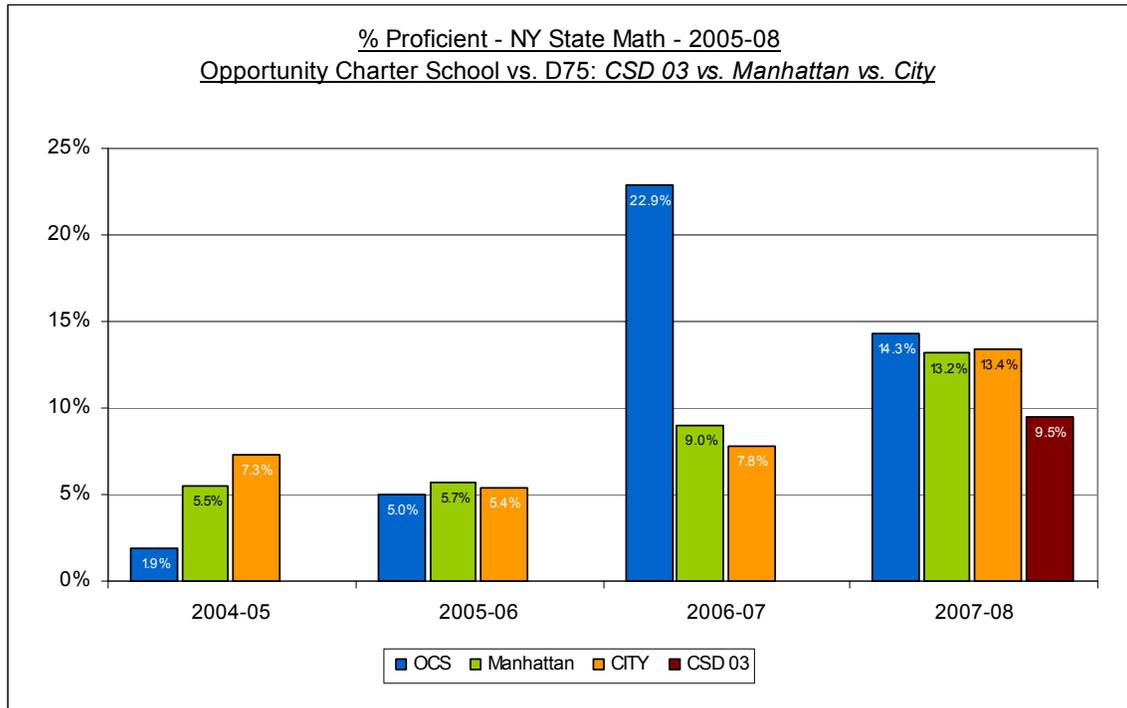


Figure 14

Figure 14 visually depicts the percent of Opportunity students (blue), D75 students served in Manhattan (green), D75 students served in all of NYC (orange) and D75 students served in CSD 03 (maroon) who attained proficiency (L3+L4) on the NY State Math assessment over the past four years. Table 16 and Figure 14 demonstrate little evidence across grades 6-8 over the past four years that suggests that the school is consistently outperforming students served in Manhattan and citywide D75 schools. On the whole, Opportunity has underperformed its counterparts 4 times and outperformed them 5 times. As well, much of the large spike in proficiency in year 2006-07 can be attributed to the extraordinarily high (60.0%) percent of sixth graders who attained proficiency.

Analysis of Grade 8 Science Test Scores¹⁸

1A.1 – Absolute:

Grade 8 - Science	L1	L2	L3	L4	L3+L4
2005-06	NR	NR	NR	NR	NR
2006-07	69.4%	30.6%	0.0%	0.0%	0.0%
2007-08	42.6%	51.9%	5.6%	0.0%	5.6%

Table 17

Table 17 shows the performance of Opportunity students on the NY State Grade 8 Science assessment. The results from year 2005-06 have been labeled “NR” as “Non-Reported.” In Table 17 there is some evidence that the school is making progress towards student proficiency in science.

¹⁸ Results of the NY State Grade 8 Science assessment (2005-08).

Analysis of Grade 8 Social Studies Test Scores¹⁹

1A.1 – Absolute:

Grade 8 - Social Studies	L1	L2	L3	L4	L3+L4
2005-06	NR	NR	NR	NR	NR
2006-07	34.7%	65.3%	0.0%	0.0%	0.0%
2007-08	64.0%	36.0%	0.0%	0.0%	0.0%

Table 18

Table 18 shows the performance of Opportunity students on the NY State Grade 8 Social Studies assessment. The results from year 2005-06 have been labeled “NR” as “Non-Reported.” In Table 18 there is evidence that students are performing worse on this examination of NYS Social Studies Standards over time.

¹⁹ Results of the NY State Grade 8 Social Studies assessment (2005-08).

Academic Goal 3:

All 8th graders will go on to high school.

In 2005-06, all 8th grade students at Opportunity moved on to the 9th grade or to another high school. Six students left to attend another school, ACS placement, or moved out-of-state. One student relocated briefly but return during the middle of ninth grade.

In 2006-07, all 8th grade students at Opportunity moved on to 9th grade or to another high school. Four students moved into different schools, fifty students remained at Opportunity and six students were admitted to ninth grade at the start of the 2007 school year.

In 2007-08, all 8th grade students at Opportunity moved on to the 9th grade or to another high school. Forty three students are returning to Opportunity.

The school's promotion policy was in draft form at the time of the visit, but is in the process of being finalized. Students have been promoted to high school over the course of the charter without having demonstrated grade level proficiency on New York State Standards, though many students may have modified promotion criteria per their IEPs.

Academic Goal 4:

All 12th graders will have the ability to go on to higher educational institutions, as tracked by school counselors during transition planning.

Opportunity does not currently have a 12th grade class. The school says that:

A vocational guidance counselor has met with all high school students about their credits; helping them to understand their transcripts. All students have toured at least two colleges this past school year and the school has registered for the PSATs.

The counselor conducted a “Career Day” fair so that all high school students would have the opportunity to learn about a variety of possible careers from which they will be able to choose.

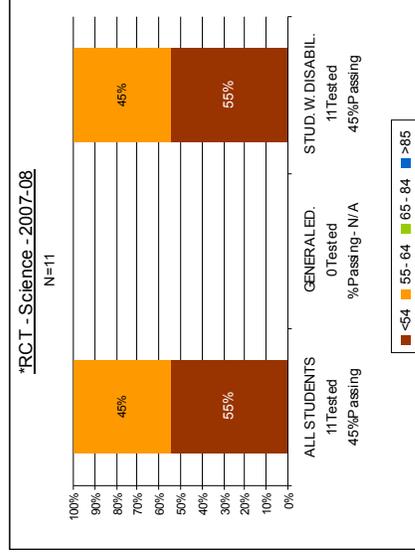
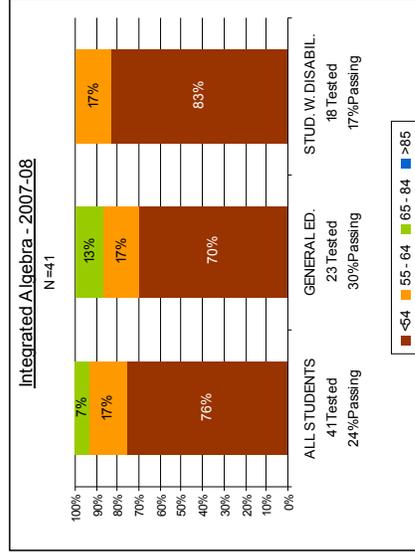
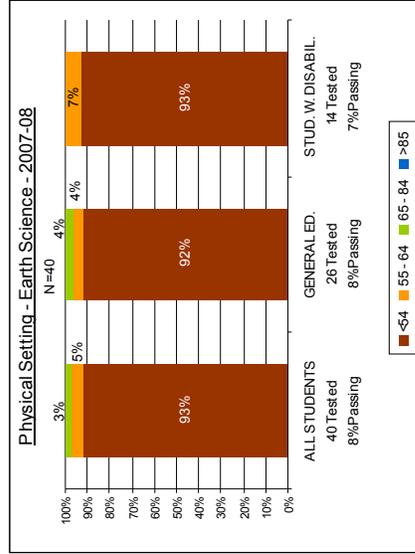
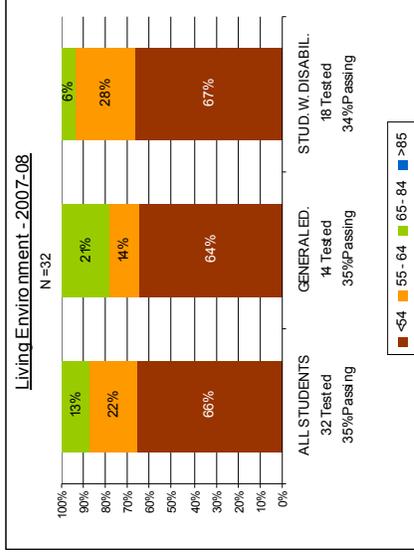
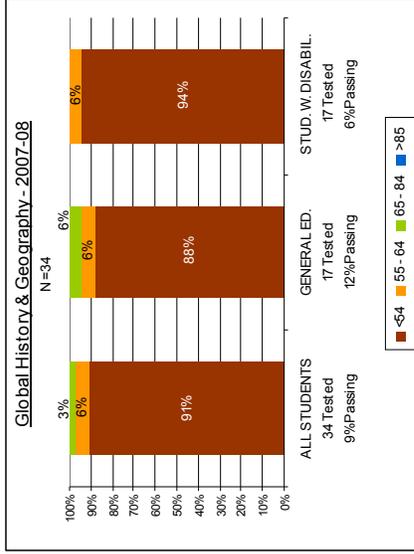
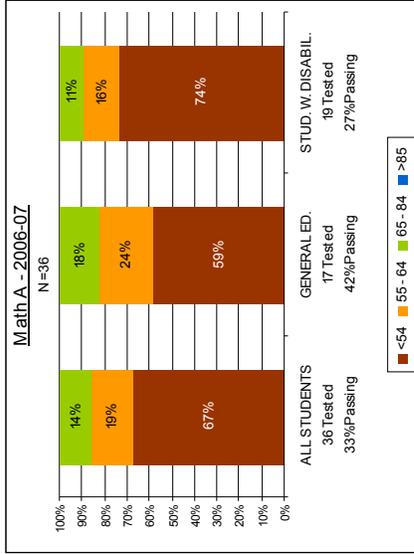
Fifteen students have been accepted to attend Co-Op Tech during their junior year so that they can get training in a specific skill that will move them towards the career and/or studies in the college of their choice.

Course Name	Grade	# of Enrolled Students	Promotion Rate
Spanish I	9	4	75%
Web Design	9	9	100%
Intro to Theatre	9	8	75%
Phys. Set. Earth Science	9	41	71%
Pre-Algebra	9	48	71%
Instruments & Ensembles	9	34	71%
Living Environment	9	12	74%
Health	9	9	89%
Global I	9	54	87%
English 9	9	54	82%
Algebra I	9	6	83%
Physical Education	9	54	99%
Spanish I	10	24	92%
Geometry	10	4	100%
Intro to Theatre	10	8	89%
Web Design	10	16	100%
Pre Algebra	10	7	29%
Instruments & Ensembles	10	14	85%
Phys. Set. Earth Science	10	11	27%
Algebra I	10	39	44%*
Living Environment	10	27	100%
Health	10	17	94%
English 10	10	50	80%
Global II	10	37	84%
Global I	10	13	62%
Physical Education	10	50	88%

Table 19

Table 19 shows the current course promotion rate of students in each of the high school grades.

Performance on Regents Exams:



Regents Test	Year	ALL STUDENTS					GENERAL ED.					STUDENTS W. DISABILITIES				
		Total Tested	< 54	55-64	65-84	> 85	Total Tested	< 54	55-64	65-84	> 85	Total Tested	< 54	55-64	65-84	> 85
Math A	2006-07	36	67%	19%	14%	0%	17	59%	24%	18%	0%	19	74%	16%	11%	0%
Global History & Geography	2007-08	34	91%	6%	3%	0%	17	88%	6%	6%	0%	17	94%	6%	0%	0%
Living Environment	2007-08	32	66%	22%	13%	0%	14	64%	14%	21%	0%	18	67%	28%	6%	0%
Phys. Setting / Earth Science	2007-08	40	93%	5%	3%	0%	26	92%	4%	4%	0%	14	93%	7%	0%	0%
Integrated-Algebra	2007-08	41	76%	17%	7%	0%	23	70%	17%	13%	0%	18	83%	17%	0%	0%
*RCT - Science	2007-08	11	55%	45%	0%	0%	0	0%	0%	0%	0%	11	55%	45%	0%	0%

Figure 15

Performance on Regents Exams (Cont'd):

Figure 15 documents the performance of Opportunity Charter School on the five Regents examinations and one RCT examination. Overall, the general education students who have taken the Regents assessments have performed better than those students with disabilities. However, the current passing rates indicate that many students are passing at 55, which does not qualify students for a NYS Regents diploma. Further, as the state moves to eliminate the Local Diploma, students who entered the 9th grade in 2007 or later will be considered “passing” only if they score at 65 percent or above, rather than the 55 percent threshold of the past.

Additional Data & Analysis²⁰

The NYCDOE-OCS realizes that Opportunity serves a unique population with a high number of special education students and that it is unwise to make direct comparisons of Opportunity to the district alone as seen in Tables 8 and 15. Thus, the NYCDOE-OCS has broken down student progress into various groups from the NYS ELA and Math assessments from 2007 to 2008. The number of students tested using the grades 6-8 NYS ELA and Math exams are 158 students and 152 students, respectively.

Progress of Special Education & General Education Students in the Lowest One-Third of the School (2007 to 2008):

ELA:

Group	Average ELA Proficiency Rating	Difference
General Education N = 19	2007	1.97
	2008	2.24
Special Education N = 35	2007	1.87
	2008	2.13
Total N = 54	2007	1.91
	2008	2.17

Table 20

Table 20 shows high average gains of +0.27 proficiency rating for both general education and special education students who scored in the lowest third of Opportunity students who took the ELA test in 2007 and 2008.

Math:

Group	Average Math Proficiency Rating	Difference
General Education N = 17	2007	1.73
	2008	1.93
Special Education N = 35	2007	1.79
	2008	2.00
Total N = 52	2007	1.77
	2008	1.98

Table 21

Table 21 shows high average gains of +0.20 proficiency rating for both general education and special education students who scored in the lowest third of Opportunity students who took the Math test in 2007 and 2008.

²⁰ Data analysis from the 2008 NYCDOE Opportunity Charter School Middle School Progress Report

Progress of Special Education & General Education Students in the Top Two-Thirds of the School (2007 to 2008):

ELA:

Group	Average ELA Proficiency Rating		Difference
General Education N = 67	2007	2.72	
	2008	2.69	-0.03
Special Education N = 32	2007	2.68	
	2008	2.60	-0.08
Total N = 99	2007	2.71	
	2008	2.66	-0.05

Table 22

Table 22 shows low to high average losses in proficiency rating for both general education students (-0.03) and special education students (-0.08) who scored in the top two-thirds of Opportunity students who took the ELA test in 2007 and 2008.

Math:

Group	Average Math Proficiency Rating		Difference
General Education N = 70	2007	2.77	
	2008	2.67	-0.10
Special Education N = 30	2007	2.68	
	2008	2.57	-0.11
Total N = 100	2007	2.74	
	2008	2.64	-0.10

Table 23

Table 23 shows high average losses in proficiency rating for both general education students (-0.10) and special education students (-0.11) who scored in the top two-thirds of Opportunity students who took the Math test in 2007 and 2008.

Progress of Special Education & General Education Students in the Scoring on Levels 1 or 2 (2007 to 2008):

ELA:

Group	Average ELA Proficiency Rating	Difference
General Education N = 74	2007	2.45
	2008	2.52
Special Education N = 62	2007	2.19
	2008	2.32
Total N = 136	2007	2.33
	2008	2.43

Table 24

Table 24 shows strong average gains of +0.07 proficiency rating for general education students and +0.13 gains for special education students who scored either Level 1 or 2 on the ELA test in 2007 and 2008.

Math:

Group	Average Math Proficiency Rating	Difference
General Education N = 56	2007	2.18
	2008	2.28
Special Education N = 57	2007	2.03
	2008	2.17
Total N = 113	2007	2.11
	2008	2.23

Table 25

Table 25 shows strong average gains of proficiency rating for general education students (+0.10) and for special education students (+0.14) who scored either Level 1 or 2 on the Math test in 2007 and 2008.

Progress of Special Education & General Education Students in the Scoring on Levels 3 or 4 (2007 to 2008):

ELA:

Group	Average ELA Proficiency Rating	Difference
General Education N = 12	2007	3.19
	2008	3.01
Special Education N = 5	2007	3.13
	2008	2.94
Total N = 17	2007	3.17
	2008	2.99

Table 26

Table 26 shows high average losses for both general education students (-0.18) and special education students (-0.19) who scored in the top two-thirds of Opportunity students who took the ELA test in 2007 and 2008.

Math:

Group	Average Math Proficiency Rating	Difference
General Education N = 31	2007	3.26
	2008	2.97
Special Education N = 8	2007	3.37
	2008	3.11
Total N = 39	2007	3.28
	2008	3.00

Table 27

Table 27 shows high average losses for both general education students (-0.29) and special education students (-0.26) who scored in the top two-thirds of Opportunity students who took the Math test in 2007 and 2008.

Percent of Students Making One Year of Progress – Broken Down by Subgroup (2007 to 2008):

ELA:

One Year of Progress in ELA	
Top 2/3	56.5%
Bottom 1/3	73.2%
General Ed.	50.7%
Special Ed.	80.1%
All	62.6%

Table 28

Table 28 above shows the percent of students making one year of progress on the NY State ELA assessment from 2007 to 2008. It is clear from Table 28 that between the 2007 and 2008 NY State ELA assessment, Opportunity served special education students and those students in the bottom third²¹ of its population better than general education students and those students in the top two-thirds of its population.

Compared to 78.9%, (the NYC average one year progress rate for middle school students on the NY State ELA assessment), Opportunity (80.1 %) provided slightly better services for its special education students than the whole of NYC.

Math:

One Year of Progress in Math	
Top 2/3	42.8%
Bottom 1/3	58.8%
General Ed.	39.4%
Special Ed.	60.5%
All	48.0%

Table 29

Table 29 above shows the percent of students making one year of progress on the NY State Math assessment from 2007 to 2008. It is clear from Table 29 that between the 2007 and 2008 NY State Math assessment, Opportunity served special education students and those students in the bottom third of its population better than general education students and those students in the top two-thirds of its population.

Compared to 72.0%, (the NYC average one year progress rate for middle school students on the NY State Math assessment), Opportunity (60.5 %) students performed worse than special education students overall in NYC.

²¹ Additional analysis presented by the school indicates that students in the bottom ½ of performance are generally making good progress and those students in the top 46% of performance make less progress. The school found that students whose proficiency rating fell below 2.52 using the NYCDOE Progress Report made the most progress at the school. Fifty-four percent of students fall into this category.

Benchmark 1B:

In addition to outstanding student performance outcomes, a school that is an academic success has the following characteristics:

1: A Rigorous Instructional Program that includes:

- Clearly-defined essential knowledge and skills that students are expected to learn, and that are aligned with state standards;
- Curriculum that is organized coherently across subjects and grades, and reflects the school's mission and goals;
- Academic expectations that adults in the school clearly and consistently communicate to students;
- Classroom lessons with clear goals aligned with the curriculum;
- Classroom practices that reflect competent instructional strategies;
- Assessments and data that the school systematically generates and uses to improve instructional effectiveness and student learning, and that has led to increased student performance; and
- Formal and successful strategies to identify and meet the needs of students at-risk of academic failure, students not making acceptable progress towards achieving school goals, students who are ELL, and special education students.

Discussion of Benchmark 1B²²:

Clearly-defined essential knowledge and skills that students are expected to learn, and that are aligned with state standards

The school has taken a significant amount of time to develop its full 6-12 curriculum. In past years, teachers took responsibility for developing curriculum with other teachers from their subject areas. Some of this work was guided by leadership, but instructional leadership has changed each year, and so consistency in developing curriculum has been lacking. Previous reports of site visits to the school indicated this as a concern as early as spring 2005. This year, the school has created the position of Director of Instruction, and has named Department Chairs for each content area. These Department Chairs currently take a leadership role in the development of curriculum. The school began a process last year of identifying 'power standards' to help teachers focus more explicitly on those standards that would be tested on New York State exams. In English language arts, teachers are currently creating a set of formative assessments so as to better predict student performance on the NYS ELA exam and to better prepare students for that exam.

The school is in a unique position, however, because many students are enrolled in *Wilson* or *Language!* for their English Language Arts instruction. These two programs are both designed to provide students in the middle or high school grades with foundational literacy skills in decoding, letter sounds, fluency, etc. These classes are determined by a student's Grade Level Equivalent upon entrance to Opportunity using multiple assessments such as the Qualitative Reading Inventory (QRI), the Developmental Reading Assessment (DRA) and Test of Silent Word Reading Fluency (TOSWRF). More recently the school has moved to the Scantron Performance Series computer adaptive assessment and is using the GLE from this assessment to place students in *Wilson* and *Language!* classes. Students who are currently reading below a third grade reading

²² Discussion is based on evidence gathered during the Renewal Site Visit, October 6-8, 2008.

level are enrolled in *Wilson*. This means that all students enrolled in *Wilson* are reading three or more years below their current grade level. Of the current sixth grade class, 20% of students fall into this category. Students in *Language!* are generally reading approximately 2 years below grade level. All other students who are reading close to or on grade level are enrolled in what the school calls, “curriculum classes” for English language arts. Currently, there are four sections of English language arts on each grade level. Each grade level has one *Wilson* class, two *Language!* classes and one curriculum class. This means that approximately 75% of students are reading two or more years below grade level, and are therefore enrolled in courses to help support growth in this area. While *Wilson* and *Language!* are supported by some elements of a balanced literacy program at the school, staff have not yet undertaken efforts to map NYS standards for English language arts to these programs. In the high school grades, students receive two periods of English language arts; one class is a curriculum class and the other is called Comprehensive English, a class focused on building skills in reading and writing.

English language arts has been a priority at the school, and has been the first area in which the new Acting Director of Instruction has selected to spend time revamping the curriculum. The other content areas have not received the same level of attention at this point. However, it was clear from interviews and classroom observations that the department chairs work closely to ensure continuity of skills and strategies are taught across classes and grades in the same subject areas.

Curriculum that is organized coherently across subjects and grades, and reflects the school’s mission and goals

Opportunity’s mission states that the school will be “performance-driven and results-oriented” and will “differentiate instruction in every curricular area” as well as “prepare students for the demands of the Information Age and expand higher cognitive thinking in all students.” Evidence that the school is fulfilling its mission through a comprehensive curriculum that addresses these elements was scant. There was little to no evidence of differentiated instruction within classes or in unit or lesson plans. Technology was used in some classrooms through SMART Boards, however there was not a great deal of evidence that students are being prepared to use technology regularly.

During the renewal visit, reviewers examined several scope and sequence documents and pacing guides for English Language Arts. These guides lacked assessments built in to planning to provide focus and intervention for teachers as they move through units of study. While formative assessments are in the process of being developed, assessments are not currently driving instruction. The school’s newly hired Acting Director of Instruction has stepped in as the interim chair of the English department; she is currently working to enhance the staff’s ability to use assessment as a mechanism for planning, and has stressed that explicit test preparation will need to be included in the school’s instructional program this year.

Reviewers did not find evidence of fully planned curriculum for the 12th grade, which the school intends to serve next year for the first time. There was also no evidence of curriculum differentiated for the various needs of the student population.

Academic expectations that adults in the school clearly and consistently communicate to students

Academic expectations at the school were observed to be mixed. While discussions about college were happening among staff and all students interviewed agreed that the school was focused on preparing them for college, very few staff members could clearly articulate exactly how students would be prepared for college through the school's program. One staff member did clarify, however, that college at Opportunity is defined as "the broad spectrum of post-secondary educational options for students." Parents and students interviewed were unclear about how many credits were needed for graduation. At the time of the visit, no staff could clearly articulate what percentage of the student population would be eligible for graduation in four years or five years, however, school leaders did share a credit tracking system that had been established to be shared with students. School leaders emphasized that a new program called "educational guardianship" in which each staff member would be responsible for 2-3 high school students and tracking their progress toward graduation and college, would help make the college preparation plan much clearer for students.

While almost all of the students enrolled at the school are eligible to take NYS standardized tests, Regents Exam pass rates at the school have not exceeded 35% in any subject area, using 55 as a passing grade. School leaders acknowledged that passing Regents might be a difficult task for some high school students who are reading far below grade level or students who suffer from severe emotional disturbance. For these students, the school has begun the implementation of an alternate plan whereby students take academic classes in the morning and receive career and technical training in the afternoons through the Co-Op Tech program. The school has emphasized that it wants to push students to pass Regents exams and aim for a Regents diploma, rather than an IEP or Local Diploma.

In all classes, the SLANT technique of "sit up straight, listen, ask questions, nod, and track the speaker" was posted. However, reviewers found little evidence of this student engagement strategy being enforced consistently. In classes where teaching was effective and students were engaged because of the teacher's ability to engage the class in the work, students were found to be SLANTing. This was observed in approximately 5 classrooms.

Classroom lessons with clear goals aligned with the curriculum

The review team examined several lesson plans on teachers' desks and bulletin boards while observing classrooms. The Acting Director of Instruction reviews these plans as she conducts walk-throughs and other informal observations. Reviewers noted that the lesson plan structure that most teachers used was simple, and expectations for lesson planning and unit planning were generally low. Most teachers do not appear to plan lessons in a very detailed, outcome-oriented manner. Instead, their lessons appear as quick overviews of what they will present during a class period, rather than what students will learn, and how different types of learners will accomplish the same goals. In addition, during a content area professional development meeting, one reviewer learned that many staff still needed support in their planning of effective, assessment driven lessons. The support was being provided to ensure all teachers could improve their practice in this area.

In many lessons observed, however, aims for learning were clearly posted and clearly delineated what students were expected to learn by the end of the class, such as, "Students will analyze several documents to determine Aztec feelings about Spanish explorers." In several other

lessons, learning aims were worded as questions or listed as lesson topics such as “graphing linear equations.” Most content area lessons were focused on delivering grade-level appropriate content. These lessons were often more rigorous than others, particularly in the high school.

Classroom practices that reflect competent instructional strategies

In several content area classes, similar strategies were observed to help students access grade level content. For example, flip books were used as a strategy for content comprehension in science and social studies classes. The numbered heads strategy was used in several classes observed to define individual expectations for group work and participation in class. In many classes, students worked in groups to complete shared graphic organizers during lessons. Reading in most classes was done ‘round robin’ style, which meant that students of all skill levels were given the opportunity to practice reading aloud, but also that classes easily lost focus when less fluent readers were reading aloud.

Classroom management was weak in many classes that reviewers observed. In many of these classes, it was unclear who was responsible for managing student behaviors. Reviewers typically found between two and four adults in each classroom: a teacher, teaching assistant (TA), behavior manager, and learning specialist. It was observed that many teachers had trouble focusing students on the lesson, and that interactions between TAs, behavior managers, and students could be counterproductive to the lesson. In several instances, TAs were not engaged in supporting the lesson at all, and were working on computers or just observing the lesson. However, reviewers noted exceptionally strong management in some classes in which the classroom teacher was the only adult in the room. Some staff members commented that the TA structure in the school appears to create dependencies for some students and as a result, students that would otherwise be ready to achieve are not achieving. Rather than looking inside themselves to manage behaviors and solve problems, the students are deferring that responsibility to the TAs and behavior specialists. Reviewers agreed that in many cases, the presence of other adults in the room, when not directly involved in instructing students, appeared to have a disruptive effect on classroom focus and the direction of the lead teacher.

There were very few instances of informal assessment observed in classes. Only several teachers observed requested that students complete an “exit slip” or other end of class informal assessment to demonstrate their learning, and therefore it was unclear how teachers knew how to adjust their planning for subsequent lessons.

Assessments and data that the school systematically generates and uses to improve instructional effectiveness and student learning, and that has led to increased student performance

The school is beginning to formulate more meaningful plans to use assessment. During the course of the charter, assessment plans changed each year, which has left the school with little evidence of longitudinal growth in English language arts or math. During the school’s first year of operation, data was gathered on student reading levels at entrance and at the end of the year. That data was generated through the use of the Qualitative Reading Inventory (QRI). In subsequent years, the QRI was used, but was not always administered twice a year for consistent growth measurement. The Test of Silent Word Reading Fluency (TOSWRF) was also used, but not throughout the charter. In the school’s fourth year, the Scantron Performance Series program was adopted, and continues to be used as the main source of student level data. During the visit,

reviewers were presented with several documents that demonstrate the school's approach to using data. One document, "Assessment @ OCS: 2008-09" charted the goals, process, and timing of assessments at the school. This document indicates which types of assessment are given at different points during the year and how those assessments are used, including the creation of Individual Academic Intervention Plans based on the state benchmarks identified by Scantron which students have not attained. The school's Director of Data and Assessment produces a document for each student called the Behavior and Academic Standards for Excellence (BASE) Report. This document is produced twice each year and contains data for each student on behavior referrals by month, state test results for the past three years in ELA and Math, as well as GLEs from Scantron, the DRA, and the TOSWRF. These reports are mainly used by teachers to explain student performance to parents at Parent-Teacher meetings. These reports are broad, and do not drill down to the skills and knowledge that students may be lacking, but are useful for sharing high level information with parents about overall progress.

The Director of Data and Assessment coordinates the administration of the Scantron assessment, as well as all other school-wide testing. This staff member often meets with groups of teachers to explain assessment data and show teachers how to access Scantron data for their students. However, assessment at the school is largely divorced from instruction. While the Director of Instruction and Director of Data and Assessment meet to plan strategies for school-wide assessment, and while both are eager to implement a formative testing cycle to the school this year, the classroom level work of assessing students and planning lessons around skill deficiencies appears disconnected from the larger assessment program. This, in large part, appears to be a result of teachers not being clearly held accountable for using the data produced by the Director of Data and Assessment.

Formal and successful strategies to identify and meet the needs of students at-risk of academic failure, students not making acceptable progress towards achieving school goals, students who are ELL, and special education students

The school conducts a psycho-educational evaluation of all students when they enroll in the school. This involves assessing students with multiple measures for reading and Scantron for math, interviewing the student and family about learning and behavior, and if applicable, reviewing the student's IEP. When the school was chartered, it was planned that the Schools Attuned model would be fully implemented in order to readily track interventions for all students, regardless of whether or not the student was classified as having a disability. The Schools Attuned program requires that all students have Individual Academic Programs. The school, however, was never able to fully implement these for all students because of the time required to develop the plans. One school leader said that, "interventions were needed quicker than these could be completed," and so the program was implemented without this element. Instead, the program is used so that all staff can speak about students and their learning styles from a clinical perspective. In this way, almost all staff are trained to 'speak the same language' when discussing individual students, programs, or lessons.

A plan for systematic interventions based on skill deficiencies for each individual student is not currently in place at the school. While all staff can access the performance indicators from the Scantron test that students have not yet mastered, there is no evidence that staff work together to systematically address student needs on a skill level and track the success of interventions with students.

Benchmark 1B (continued):

In addition to outstanding student performance outcomes, a school that is an academic success has the following characteristics:

2: A School Environment that Promotes Successful Teaching and Learning that includes:

- An environment where students and staff feel safe and secure;
- Behavioral and cultural expectations that adults in the school clearly and consistently communicate to students;
- Clear policies and strategies to address student behaviors to promote learning—those behaviors that are both appropriate and inappropriate;
- Documented discipline policies and procedures for general and special education students that the school enforces fairly and consistently with appropriate due process;
- A professional culture focused on teaching and learning, with a qualified and competent teaching staff;
- Professional development activities at or sponsored by the school that are aligned with the mission and goals of the school, support the instructional program, meet student needs, and result in increased student achievement; and
- A system for ongoing teacher evaluation and improvement that builds the school’s capacity to reach its academic goals, with effective strategies to assist inexperienced or struggling teachers.

Discussion of Benchmark 1B²³:

An environment where students and staff feel safe and secure

Opportunity has prided itself on the learning environment it has established. The school serves a high number of students with special needs, many of whom were in self-contained classroom settings in their previous schools (over 60% of the students with disabilities enrolled at the school came from more restrictive educational settings before enrolling at Opportunity, where all IEPs show students in a 18:1:1 setting). Many students, according to school leadership, have been identified as emotionally disturbed or would be attending school in residential treatment facilities if not for Opportunity as an option. At Opportunity, student uniforms, procedures for hallway passing and the code of conduct are enforced regularly and consistently. Students are calm, quiet, and proceed to classes in a very orderly fashion throughout the day. Procedures and significant staff resources are in place to maintain order during crisis situations or during day to day incidents in which conflicts or misbehavior arise. A clinical office at the school provides counseling, both mandated and drop-in, as well as social workers and other staff to support students through obstacles that may be preventing them from achieving academic success. In addition, an after-school program meets daily until 6:00 p.m. and students are given opportunities to participate in clubs, get extra help and connect with their peers. Further, during a group interview, students expressed that there is at least one adult in the building whom they can trust.

Behavioral and cultural expectations that adults in the school clearly and consistently communicate to students

²³ Discussion is based on evidence gathered during the Renewal Site Visit, October 6-8, 2008.

Behavioral expectations are reinforced throughout the school through the use of PBIS cards. These cards are distributed to students by teachers, teaching assistants, and behavior managers when students are found to be following expectations. Students collect these cards and can then cash them in for rewards such as lunch with teachers, or free homework passes. This creates a positive culture where students work hard to receive positive recognition from adults for their behavior and effort in the classroom. Other, more specific school wide expectations are sometimes less consistently communicated. For example, SLANT, an expectation for engagement in class, was rarely observed by reviewers, despite posters in most classrooms that articulated the expectation. Teachers were also less consistent about enforcing consequences for tardiness to class. Several reviewers observed students enter classrooms after the lesson had begun (in several different classrooms) and no consequences were delivered for this. These students frequently had difficulty engaging in the “Do Now” as quickly as students who had entered the classroom from the start of class. Expectations for wearing uniforms appeared consistent; reviewers observed almost all students in full uniform during each day of the visit. In addition, behavior managers and deans were present during each hallway transition and managed these transitions well. Students were well-behaved and respectful to staff and one another between classes. This represents a significant accomplishment for many students who had previously struggled with conduct.

Clear policies and strategies to address student behaviors to promote learning—those behaviors that are both appropriate and inappropriate

One of the school’s most significant accomplishments in the course of its first charter has been the school-wide implementation of a behavior management model that integrates positive reinforcement through PBIS, crisis intervention through TCI, and a well-trained staff who are very knowledgeable about the behavioral triggers of each student in the school. This results in a staff of deans and behavior managers who communicate well about each student in the school, and establish clear documented plans for addressing infractions or crisis situations. This requires that sometimes, physical restraints be used to prevent students from harming themselves or others. The school has a clearly documented policy for this, and according to this policy, restraints are only used when they have been pre-approved in the child’s behavior plan with parents. After receiving some anonymous complaints last year regarding the use of therapeutic restraints, the board conducted an internal investigation by reviewing incident reports and internal policy documents, as well as documents from staff and parents. Through the investigation the board found that all 13 uses of therapeutic restraints at the school had been conducted in accordance with school policy.

The school has succeeded in creating an environment where student behaviors can be managed and learning can happen for all students, including those who face social, emotional, or learning obstacles. It is a significant achievement that the school has created such an environment where the competencies of students with special needs can be discussed in terms of high expectations for academic progress and attainment. The school, however, has not yet fully capitalized on the environment they have created. Expectations for student learning are still not as high as they should be as evidenced by classroom observations and interviews with staff and the board. There appears to be a sense of stagnation in academics at the school; the school has accomplished a great deal in terms of school culture, behavior management and support programs for students, but instruction has not caught up and a clear sense of urgency to improve instruction and student academic performance was not evident at the school. This was evidenced by the fact that at the time of the visit in the first week of October, there were still students who had not been given a baseline assessment, and therefore, specific targets and learning objectives could not be set for all students.

Documented discipline policies and procedures for general and special education students that the school enforces fairly and consistently with appropriate due process

During the visit the school provided a copy of its 2008-09 Parent Handbook which clearly documents discipline policies and policies for suspension as they apply to both general education and special education students. These policies were amended in 2007 after a visit from NYSED in which previous policies were found to be out of compliance with applicable law. The school documents all incidents and tracks them through a School Wide Incident Reporting System (SWIS) database. However, at the time of the visit, incidents for the current year had not yet been entered into the database or tracked. All policies regarding therapeutic restraints have been documented properly.

A professional culture focused on teaching and learning, with a qualified and competent teaching staff

The school currently employs 41 teachers. Of these teachers, all but six are certified. Of the six uncertified teachers, all are highly qualified, and three are pending certification. Fourteen of the school's 41 teachers are certified to teach special education. There are currently 189 students with disabilities enrolled at the school. This means that the ratio of students with disabilities to teachers certified to teach special education is 13:1.

Teachers, learning specialists and Teaching Assistants all play a role in the instruction of students at Opportunity. Many TAs are working towards certification, and the school has forged a partnership with Mercy College to assist staff in this endeavor. Through classroom and hallway observations, TAs and behavior specialists were variable in their effectiveness. Some were unsupportive of teachers' efforts to engage in co-teaching, and others were actively working with groups in ways that complemented the lesson. In many cases, TAs and behavior specialists appeared to interrupt class or played almost no role in the class. Reviewers were left with questions about the effectiveness of the staffing model as it relates to ensuring academic progress for all students.

Professional development activities at or sponsored by the school that are aligned with the mission and goals of the school, support the instructional program, meet student needs, and result in increased student achievement

The Director of Professional Development is responsible for most professional development at the school, the majority of which is conducted internally. Staff receive training in TCI, PBIS and Schools Attuned. At the time of the visit, 50% of staff had been trained in TCI. Some staff receive external professional development on curricular programs they may be teaching, such as *Language!* and *Wilson*. There is less professional development for specific content areas or for using data to inform specific interventions, but the development that does take place is usually conducted in department meetings, sometimes through the use of external consultants.

A system for ongoing teacher evaluation and improvement that builds the school's capacity to reach its academic goals, with effective strategies to assist inexperienced or struggling teachers

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Last year, video observations and conferences were used with many of the school's teachers to help them improve professionally. This year, walkthrough and formal observations are conducted by the Acting Director of Instruction and feedback is given to teachers shortly after observations. Professional development is then planned based on findings from classroom observations.

B. Renewal Question #2: Has the School Been a Viable Organization?

Benchmark 2A:

A school that is organizationally viable can demonstrate outstanding non-academic performance outcomes according to the following statistical analyses:

- Absolute
- Comparative
- Value-Added

Discussion of Benchmark 2A:

N/A

Benchmark 2B:

In addition to outstanding non-academic performance outcomes, a school that is a viable organization has the following characteristics:

Effective School Governance that includes:

- A clear and common understanding of the school's mission, priorities, and challenges among all members of the board of trustees and school leadership, as evidenced by the strategies and resources used to further the academic and organizational success of the school;
- An evidenced commitment to serving a student population that reflects the full range of students throughout the city;
- Policies, systems, and processes that facilitate effective governance of the school and that are followed consistently;
- Meaningful opportunities for staff and parents to become involved in school governance;
- Avenues of communication from the board of trustees to other members of the school community and vice-versa;
- Communication between the school leadership and school staff that facilitates coordinated actions and messages toward other members of the school community;
- Processes to address parent, staff, community, and student concerns appropriately and in a timely manner;
- Annual evaluations of the school leadership, based on clearly-defined goals and measurements;
- A board of trustees with a diversity of opinions and perspectives that promotes a healthy and vigorous dialogue of ideas;
- A process for board development to build its capacity to oversee the school's operations and to ensure the school's continued progress;
- A conflict of interest policy and code of ethics that are followed consistently;
- Activities that are in substantial compliance with the Open Meetings Law and Public Officers Law; and
- An active and ongoing relationship with independent legal counsel that reviews relevant documents, policies, and incidents, and makes recommendations as needed.

Discussion of Benchmark 2B²⁴.

A clear and common understanding of the school’s mission, priorities, and challenges among all members of the board of trustees and school leadership, as evidenced by the strategies and resources used to further the academic and organizational success of the school

During the visit, it became very clear through interviews with staff, leadership, and the board of trustees that all were in agreement about the school’s mission. Most articulated it as some iteration of “to serve the most difficult and challenged students in the city and help prepare them for college.” While all stakeholders seemed to understand the mission, it was unclear whether everyone understood the challenges to achieving the mission, and the prioritizing that was required to do so. For example, during an interview with the board, one board member stated that, “The Board has always felt that the school has met its goals.” However, according to the review team, and as laid out in *Discussion of Benchmark 1A*, the school has only met some of the goals in its charter (5 of 9 goals were met for ELA, 3 of 9 were met for Math, the promotion to high school goal was also met). The board does have a strategic plan in place with goals for professional development, teacher retention and recruitment, the acquisition of private space, and the creation of vocational training for students. However, the board has not prioritized any explicit plans for raising student achievement at the school.

An evidenced commitment to serving a student population that reflects the full range of students throughout the city.

During an interview with the board of trustees, one board member said that he viewed the school as a school with the mission of St. Jude, alluding to the school’s commitment to serve all students that are accepted through the lottery, which are often some of the most at-risk students in the city. The school’s population is unique; 53% of students enrolled have IEPs, and at least three of those students are eligible for the NY State Alternative Assessment. Many students enter the school having been in more restrictive settings, but upon entry, the school reviews IEPs and places all students with disabilities in an 18:1:1 setting. The school recruits by visiting middle schools in districts three, four, five, and six each year to recruit students. During these recruitment visits, they speak with special education guidance counselors at each school. On the NYCDOE Middle School Progress Report, the school was given a peer index of 2.55, which happened to be the lowest peer index among all middle schools in the city. This means that the average reading and math proficiency for students entering the school, based on their 4th grade NYS ELA and Math scores, was 2.55 (out of a possible 4.5). During the visit, school leaders were proud to share that in their five years of existence, they had never turned away a student.

Meaningful opportunities for staff and parents to become involved in school governance and a process to address parent, staff, community, and student concerns appropriately and in a timely manner

Parents and staff feel an integral part of the school’s apparatus. Parents interviewed by the review team expressed their satisfaction with the safety and level of care provided to the students. Parents are welcome to visit the school anytime. There is a Parent Teacher Association (PTA) at the school to represent parents’ interest and communicate with the school leadership and the board of trustees. The school has processes in place to address staff and parent complaints and has dealt with them in a timely fashion in most cases.

²⁴ Discussion is based on evidence gathered during the Renewal Site Visit, October 6-8, 2008.

Communication between the school leadership and school staff that facilitates coordinated actions and messages toward other members of the school community

Staff interviewed at the school expressed a desire for communication from the leadership be more consistent and provide staff with better direction. The drive for teachers to more consistently use data to inform instruction is not coming from the highest levels of leadership, and so teachers are not all compelled to use this data in their lesson planning.

Annual evaluations of the school leadership, based on clearly-defined goals and measurements

The board of trustees shared that in the first few years of the charter, it conducted a joint evaluation of the Co-Directors. However, board members stated that more recently, the “leadership evaluation has evolved into two individual evaluations with specific, ratable metrics.” It was unclear whether these evaluations were tied to attainment of the school’s charter goals.

A board of trustees with a diversity of opinions and perspectives that promotes a healthy and vigorous dialogue of ideas

The school’s board of trustees consists of the two co-founders, four other members with expertise in special education, most of whom had worked in various capacities at NYCDOE at some point, a prominent psychiatrist, two member with financial expertise, a lawyer, and a member with non-profit and policy experience. Many of the board members have been involved with the school since its founding, and several had worked with the co-directors in previous school settings, such as at the Graham School and in the NYCDOE special education community.

A process for board development to build its capacity to oversee the school’s operations and to ensure the school’s continued progress

The board participated in a retreat this year to create its strategic plan. Board members interviewed stated that the current board chair really values board development and had asked other board members to read books about governance and effective boards.

A conflict of interest policy and code of ethics that are followed consistently and activities that are in compliance with the Open Meetings Law and Public Officers Law

The school follows its adopted code of ethics and the conflict of interest policy. Parents communicated having been informed about board meetings at the school. The visiting renewal team found no postings of board meeting dates at the school. However, the school notifies parents of board meetings via regularly published newsletters and the school informed us that these meetings are posted a few days prior to board meetings in the school and in the local newspaper.

An active and ongoing relationship with independent legal counsel that reviews relevant documents, policies, and incidents, and makes recommendations as needed

The school has an active relationship with independent legal counsel. Currently, the board is involved in litigation, and has hired two separate panels of attorneys: one to handle the litigation, and one to conduct an internal investigation of matters related to the allegations involved in this litigation. Please note that the internal investigation mentioned in this renewal report was not conducted by the attorneys but rather by the Opportunity board of trustees.

Benchmark 2C:

In addition to outstanding non-academic performance outcomes, a school that is a viable organization has the following characteristics:

Healthy and Sound Financial Practices that include:

- A long range financial plan that guides school operations;
- Realistic budgets that are monitored and adjusted when appropriate;
- Effective oversight, and financial decisions that further and reflect the school's mission, program, and goals;
- Internal controls and procedures that are followed consistently and that result in prudent resource management;
- Capacity to correct any deficiencies or audit findings;
- Financial records that are kept according to GAAP;
- Adequate financial resources to ensure stable operations;
- Processes that maintain and successfully manage the school's cash flow; and
- Non-variable income streams that support critical financial needs.

Discussion of Benchmark 2C²⁵:

Opportunity has developed a cohesive plan around its operational and financial priorities as perceived by the board of trustees. The school's strategic plan has a matrix built in to explore the possibilities of finding a corporate sponsor, developing relationships with local politicians, holding a fundraising gala, reaching out to individual donors, and raising the school's public profile by working with press.

The school's internal controls do not pose major concerns. During the renewal visit, school officials were interviewed on the procurement process, check signing, inspection of paid invoices, staff files, and fingerprinting of school based staff. Of those inspected, one school staff (non-instructional) lacked proper fingerprinting clearance on file. The school administration immediately sent the staff concerned to be fingerprinted while NYCDOE-OCS was still conducting the site visit. Nonetheless, the school takes the safety of its students very seriously. The school is following its adopted financial policies. Paid invoices had the right purchase order approvals, ordering and receiving of goods, presence of packing slips and invoices along with proof of payment with proper signatories. The school has tagged its assets for inventory purposes. The teacher and staff files contained proper fingerprint clearance, W-4, I-9, and proper identification. Overall, the school has a good history of taking corrective actions on deficiencies identified in the school's audit report.

NYCDOE-OCS's review of the documents, policies and procedures and interviews with fiscal staff and board led the review team to believe that most adopted policies are being enforced properly and the school is currently in good financial standing. The financial statements of Opportunity were prepared on the accrual basis of accounting in accordance with Generally Accepted Accounting Principles (GAAP) acceptable in the United States of America. The year end financial audit indicates potential concerns for the school's financial condition. The financial statements state that:

"A claim has been filed in the amount of \$66,000,000 in connection with harassment and/or discrimination charges against the School during the year ended June 30, 2008. Management, on

²⁵ Discussion is based on evidence gathered during the Renewal Site Visit, October 6-8, 2008.

the advice of counsel, believes that it has good defenses to these charges and is defending accordingly. The full amount of the claim exceeds the Charter School's insurance coverage; however, management believes that any reasonable loss, if the claim were to succeed, would likely be well within the Charter School's insurance coverage."

According to the school's most recent financial statements for year ended June 30, 2008, the school has total assets totaling \$2,008,936 and total liabilities of \$906,599. Of the total net assets, \$1,098,038 was in unrestricted assets and \$4,299 is temporarily restricted for use purposes. Opportunity had over \$1.5 million in liquid assets that could be converted to cash generally within 90 days. The school spent a total of \$6,504,403 of which 91.4% was spent on educational activities, 7.1% on management and general, and 1.47% was spent on fundraising expenses. The school continues to enjoy private contributions from diverse revenue streams including a \$400,000 temporarily restricted contribution.

The school's budgeting process is collaborative and involves principal, administrative directors, board members, and the school's two co-directors. The board receives timely financial oversight documents and updates that helps fulfill the duties outlined in the charter. The school continues to maintain the tax exempt status under Section 501(c)(3) of the Internal Revenue Code.

Benchmark 2D:

A school that is a viable organization has the following characteristics:
Parent and Student Satisfaction, is demonstrated by survey results as well as other valid and reliable measures.

Discussion of Benchmark 2D²⁶:

The table below is excerpted from the NYCDOE Spring 2008 Learning Environment Survey. At Opportunity, 22% of families responded to this survey. The school did not provide parent survey data from previous years. However, the results below indicate that in 2008, parents who responded were generally very satisfied with the learning environment at the school.

²⁶ Discussion is based on the NYCDOE Learning Environment Survey, 2008.

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What do PARENTS at your school think?							
Each question is assigned to a category that represents an important part of a strong school learning environment. Below, you can see how parents at your school answered some of the survey questions. See page 1 for a description of each category.							
Survey Category	How satisfied are you with the following:	Very Satisfied	Satisfied	Unsatisfied	Very Unsatisfied	Score	
Academic Expectations	The education your child has received this year.	49%	42%	7%	2%	7.9	
Communication	How well your child's school communicated with you.	50%	39%	11%	0%	8	
Engagement	Your opportunities to be involved in your child's education.	51%	40%	9%	0%	8.1	
Survey Category	How much do you agree or disagree:	Strongly Agree	Agree	Disagree	Strongly Disagree	Don't Know	Score
Safety and Respect	My child is safe at school.	43%	45%	11%	2%	0%	7.9

Parent answers on the survey determine the survey category scores from 0 to 10. These scores are used to compare schools on a scale from 0% (the lowest-rated school in the City) to 100% (the highest-rated school in the City). How do the answers of parents at your school compare to those of parents at other High Schools?						
	Survey Score (0 – 10)	Progress Report City Horizon Score (0 – 100%)	Your School's Parent Scores Compared to Other High Schools			Change in Score from Last Year
			0%	50%	100%	
Academic Expectations	7.8	71.4%				N/A
Communication	7.4	66.7%				N/A
Engagement	7.4	87.1%				N/A
Safety and Respect	8.2	69.7%				N/A

Benchmark 2E:

In addition to outstanding non-academic performance outcomes, a school that is a viable organization has the following characteristics:
Sufficient Facilities and Physical Conditions conducive to the school implementing its program and meeting its goals.

*Discussion of Benchmark 2E:*²⁷

Opportunity is located in a NYCDOE facility, sharing space with Family Academy, a K-8 school. Opportunity is housed on the top two floors of the building and has shared access to the auditorium, gymnasium, and cafeteria. The school has sufficient classroom and office space.

²⁷ Discussion is based on the NYCDOE Learning Environment Survey, 2008.

C. Renewal Question #3: Has the School Been in Compliance with All Applicable Laws and Regulations?

Benchmark 3A:

A school that is in compliance with applicable laws and regulations has the following characteristics:

Sufficient Reporting that includes

- Annual reports and financial reports submitted completely and by deadline
- Responses to DOE's or SED's requests for information or for changes to school operations (in accordance with legal requirements) in a timely manner

Discussion of Benchmark 3A²⁸:

Opportunity has submitted all Annual Reports, audit reports, the Renewal Application and requests for information on time to the Office of Charter School.

Benchmark 3B:

A school that is in compliance with applicable laws and regulations has the following characteristics:

An Appropriate Admissions Policy that includes

- Opportunities for all interested parents to submit a complete application for enrollment
- A random selection process that is conducted fairly, and when a wait list is generated, it is used appropriately to ensure a fair admissions process

Discussion of Benchmark 3B²⁹:

The school became compliant with this in 2008. Prior to 2008, two separate lottery categories were used to create a balanced inclusion population; 48% of seats were reserved for students with disabilities and 52% of seats were reserved for general education students. This lottery format was not in the school's original charter, but had been approved by staff in NYCDOE-OCS when the school held its first lottery in 2004. In 2008, after requests from NYSED to change the lottery structure, the school conducted a one-category, blind lottery. This process yielded an incoming class composed of 62% students with disabilities and 38% general education students.

The school maintains a waitlist and fills open seats at all grade levels.

Benchmark 3C:

A school that is in compliance with applicable laws and regulations has the following characteristics:

A Record of Substantial Compliance with:

- Title I regulations
- IDEA regulations to meet the needs of special education students

²⁸ Discussion is based on review of historical documentation

²⁹ Discussion is based on evidence gathered during the Renewal Site Visit, October 6-8, 2008, and historical documentation.

Discussion of Benchmark 3C³⁰:

Title I was reviewed during the school’s Third Year Comprehensive Monitoring Visit by NYSED in February 2007. The Title I reviewer found only two areas of concern regarding documenting policies around parent involvement and grievances. There were no required actions for the school.

During the visit, reviewers met with the Clinical Department and reviewed all IEPs. The results of this review are detailed below.

Compliance Requirement	Possible Evidence	Y/N	If No, Identify Next Steps Towards Compliance
Every student’s IEP is current.	Review of IEP files, correspondence with CSE. Interview with special education coordinator.	N	
IEP records are maintained in a secure and confidential manner.	Review of physical files.	Y	
The school’s special education programs and services are provided by appropriately certified/licensed individuals as per the students’ IEP.	Certification/ personnel records. Special Education teacher schedules and student rosters. Classroom observations Student programs	?	
Programs and services for students with disabilities are implemented within required timelines and in accordance with the students’ IEP’s	Special Education teacher schedules and student rosters. Classroom observations Student programs	N	Classes are run like an Integrative Consultant Teaching Model , students receive services through push-in support.
Is there a sufficient referral process for special education students (initial and for re-evaluations) and appropriate communication with the CSE?	Interview with special education coordinator.	Y	
Are parents sufficiently informed of their child’s progress toward meeting the IEP annual goals?	Interview with special education coordinator.	Y	
Students with disabilities are educated to the maximum extent appropriate with students who are non-disabled.	Interview with the Principal, Special Education Coordinator or other staff, as appropriate. Review Special Education policies, or other materials that may provide evidence of Special Education processes.		

³⁰ Discussion is based on review of historical documentation

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During our visit, **we will review student IEP's** as well as interview the Principal, Special Education Coordinator or other staff, as appropriate. We are interested in any updates or changes in policies for serving students with special needs from what was originally planned in your charter.

Additional Notes: There are currently 180 out of 330 students who have been identified as having an IEP. IEPs are maintained in a secure and confidential manner. Teachers have received hard copies of their students IEP. According to the SEC Projected Register Report there are 75 students showing out of program as recommended on the IEP and 25 students are out of compliance for Annual Reviews. There were 21 Triennials out of compliance by the CSE. Annual Reviews are held at the CSE twice a month. There are only 5 missing IEPs. The school is proactive in obtaining missing IEPs from the CSE and elsewhere.

There are no self contained classes or SETSS. All students who come in with those programs are reconferenced to have their IEPs reflect 18:1:1. These classes are run like an Integrative Consultant Teaching Model and not like the CTT model classes. There are no licensed General Education and Special Education teachers in every class.

Counseling is provided by 5 social workers and OT is provided by an outside agency. Currently speech services are not being provided for 77 students. The school has not replaced the speech teacher who left last February. PT services are also not being provided. School needs to obtain RSAs from the ISC.

The schools' Child Study Team meets weekly to discuss students progress. Parents are given progress reports at each marking period informing them of their child's progress toward meeting the IEP goals. Only 2 students were sent to CSE for change of program last year. There are grade team meetings weekly attended by the learning specialist and IEP Prep meetings to discuss strategies with teachers. These meetings help to reduce initial referrals and to maintain students in there current program.

There are concerns that the class composition at the school and the level of support for students is not sufficient. The school is reimbursed bi-monthly through NYCDOE for approximately 189 students with disabilities. The school bills the same educational setting for each of these students: integrated setting in the general education classroom with direct special education services provided for more than 60% of the school day. After performing a cursory examination of this structure, there are concerns that many students with disabilities at the school are not being served in the general education classroom, and may not be receiving services for 60% or more of each day. The table below was generated from the "Register of Official Class Lists (ROCL)" report in the NYCDOE ATS system on December 4, 2008. An analysis of this report revealed that in 7 out of 18 classes, the percent of special education students exceeds the percent of general education students. In these cases, students are no longer considered as being served in a general education or integrated setting in the way that the school is currently receiving funds.

Grade Level	# of special education students	# of general education students
6	13	5
6	13	4
6	10	10
7	11	7
7	11	8
7	11	8
8	9	11
8	10	10
8	10	10
9	10	9
9	9	9
9	10	8
10	9	10
10	7	12
10	7	13
11	8	8
11	7	10
11	7	9

This also raises concerns about students receiving special education service for 60% of their day. Because the school only has 14 teachers certified to teach special education, and because the number of special education students exceeds the number of general education students at the school, it is unclear how students are receiving this high level of direct service, which must come from a teacher certified to provide special education services. NYCDOE requests further information from the school to help clarify the model of service delivery. In addition, since the school has not been providing speech service since February, there are further concerns that students are not receiving the level of service that the school is being reimbursed for. NYCDOE requests that corrective action be taken immediately to remedy this.