



**Department of  
Education**

*Carmen Fariña, Chancellor*

**THE ETHICAL COMMUNITY CHARTER SCHOOL  
RENEWAL REPORT**

**2014 – 2015 SCHOOL YEAR  
MARCH 2015**

# Table of Contents

|   |           |
|---|-----------|
| <b>PART 1: SUMMARY OF RENEWAL RECOMMENDATION .....</b>  | <b>2</b>  |
| I.    CHARTER SCHOOL OVERVIEW: .....  | 2         |
| <i>Background Information</i> .....   | 2         |
| <i>Overview of School-Specific Data</i> .....   | 3         |
| II.   RENEWAL RECOMMENDATION AND RATIONALE .....  | 6         |
| <b>PART 2: SCHOOL OVERVIEW AND HISTORY.....</b>   | <b>13</b> |
| <b>PART 3: RENEWAL REPORT OVERVIEW .....</b>  | <b>15</b> |
| <b>PART 4: FINDINGS .....</b>   | <b>17</b> |
| <i>Essential Question 1: Is the School an Academic Success?</i> .....   | 17        |
| <i>Essential Question 2: Is the School a Fiscally and Operationally Sound, Viable Organization?</i> .....         | 22        |
| <i>Essential Question 3: Is the School Compliant with its Charter and All Applicable Law and Regulations?</i> ... | 27        |
| <i>Essential Question 4: What are the School’s Plans for the Next Charter Term?</i> .....                         | 30        |
| <b>PART 5: BACKGROUND ON THE CHARTER RENEWAL PROCESS .....</b>  | <b>31</b> |
| <b>PART 6: NYC DOE OSDCP ACCOUNTABILITY FRAMEWORK.....</b>  | <b>34</b> |
| <b>APPENDIX A: SCHOOL PERFORMANCE DATA .....</b>  | <b>46</b> |
| <b>APPENDIX B: ADDITIONAL ACCOUNTABILITY DATA .....</b>   | <b>47</b> |

## Part 1: Summary of Renewal Recommendation

### I. Charter School Overview:

#### Background Information

| The Ethical Community Charter School                |   |
|---|---|
| Board Chair(s)                                      | Jeffrey Meyer                                   |
| School Leader(s)                                    | Dr. Annette Keane                               |
| Charter Management Organization (if applicable)     | N/A   |
| Other Partner(s)                                    | N/A   |
| District(s) of Location                             | NYC Community School District 14                |
| Physical Address(es)                                | 700 Park Avenue, Brooklyn                       |
| Facility Owner(s)                                   | DOE   |
| School Opened For Instruction                       | 2009-2010                                       |
| Current Charter Term Expiration Date                | 6/30/2015                                       |
| Current Authorized Grade Span                       | K-5   |
| Current Authorized Enrollment                       | 240   |
| Proposed New Charter Term                           | N/A – the renewal recommendation is Non-Renewal |
| Proposed Authorized Grade Span for New Charter Term | N/A   |
| Proposed Authorized Enrollment for New Charter Term | N/A   |
| Proposed Sections per Grade for New Charter Term    | N/A   |

## Overview of School-Specific Data

### School Evaluation of Academic Goals as stated in Annual Report to NYSED and Renewal Application to NYC DOE

| Academic Goal Analysis        |           |           |                               |
|-------------------------------|-----------|-----------|-------------------------------|
|                               | 2012-2013 | 2013-2014 | Cumulative Charter Term Total |
| Total Achievable Goals        | 10        | 10        | 20                            |
| # Met                         | 1         | 1         | 2                             |
| # Partially Met               | 0         | 0         | 0                             |
| # Not Met                     | 4         | 7         | 11                            |
| # Not Applicable *            | 5         | 2         | 7                             |
| % Met                         | 10%       | 10%       | 10%                           |
| % Partially Met               | 0%        | 0%        | 0%                            |
| % Not Met                     | 40%       | 70%       | 55%                           |
| % Not Applicable *            | 50%       | 20%       | 35%                           |
| % Met of All Applicable Goals | 20%       | 13%       | 15%                           |

\* Some goals may not be applicable in all years. For example, goals related to the NYC Progress Report are not applicable for the 2013-2014 school year as Progress Reports were not issued that year.

### ES/MS students scoring at or above Level 3 on NYS assessments, compared to CSD, NYC and State averages

| % Proficient in English Language Arts       |           |           |
|---|-----------|-----------|
|   | 2012-2013 | 2013-2014 |
| <b>The Ethical Community Charter School</b> | 17.5%     | 12.6%     |
| CSD 14                                      | 25.8%     | 29.4%     |
| Difference from CSD 14 *                    | -8.3      | -16.8     |
| NYC   | 27.7%     | 29.8%     |
| Difference from NYC *                       | -10.2     | -17.2     |
| New York State **                           | 31.1%     | 30.6%     |
| Difference from New York State              | -13.6     | -18.0     |

| <b>% Proficient in Mathematics</b>          |                  |                  |
|---|------------------|------------------|
|   | <b>2012-2013</b> | <b>2013-2014</b> |
| <b>The Ethical Community Charter School</b> | 15.5%            | 11.8%            |
| CSD 14                                      | 29.7%            | 37.1%            |
| Difference from CSD 14 *                    | -14.2            | -25.3            |
| NYC   | 34.2%            | 39.1%            |
| Difference from NYC *                       | -18.7            | -27.3            |
| New York State **                           | 31.1%            | 36.2%            |
| Difference from New York State              | -15.6            | -24.4            |

\* All comparisons to either the CSD or NYC take into account only grades the school itself served. CSD comparisons are particular to the CSD in which the school was sited each year.

\*\* New York State proficiency rates were taken from data.nysed.gov.

### Student improvement on the state tests compared to other students

| <b>Median Adjusted Growth Percentile - English Language Arts</b>    |                  |                  |
|---|------------------|------------------|
|   | <b>2012-2013</b> | <b>2013-2014</b> |
| <b>The Ethical Community Charter School – All Students</b>          | <b>62.0%</b>     | <b>61.0%</b>     |
| Peer Percent of Range - All Students                                | 56.7%            | 43.5%            |
| City Percent of Range- All Students                                 | 43.8%            | 41.6%            |
| <b>The Ethical Community Charter School – School's Lowest Third</b> | <b>82.0%</b>     | <b>71.0%</b>     |
| Peer Percent of Range - School's Lowest Third                       | 78.1%            | 41.1%            |
| City Percent of Range - School's Lowest Third                       | 68.6%            | 40.9%            |

| <b>Median Adjusted Growth Percentile - Mathematics</b>              |                  |                  |
|---|------------------|------------------|
|   | <b>2012-2013</b> | <b>2013-2014</b> |
| <b>The Ethical Community Charter School – All Students</b>          | <b>38.0%</b>     | <b>44.0%</b>     |
| Peer Percent of Range - All Students                                | 0.7%             | 18.4%            |
| City Percent of Range- All Students                                 | 0.0%             | 10.5%            |
| <b>The Ethical Community Charter School – School's Lowest Third</b> | <b>63.0%</b>     | <b>65.5%</b>     |
| Peer Percent of Range - School's Lowest Third                       | 26.7%            | 39.8%            |
| City Percent of Range - School's Lowest Third                       | 21.1%            | 34.4%            |

A comparison range consists of all possible results within two standard deviations of the average. A peer/city percent of range of 50% represents the position of the average and can be interpreted as a school outperforming 50% of their peer group/city.

### **Closing the Achievement Gap**

| <b>Percent in the 75th Growth Percentile - English Language Arts</b> |                  |                  |
|--|------------------|------------------|
|  | <b>2012-2013</b> | <b>2013-2014</b> |
| Students with Disabilities *   | 71.4%            | 41.7%            |
| English Language Learner Students                                    | -                | 50.0%            |
| Students in the Lowest Third Citywide                                | 55.6%            | 37.5%            |
| <b>Percent in the 75th Growth Percentile - Mathematics</b>           |                  |                  |
|  | <b>2012-2013</b> | <b>2013-2014</b> |
| Students with Disabilities *   | 42.9%            | 41.7%            |
| English Language Learner Students                                    | -                | 16.7%            |
| Students in the Lowest Third Citywide                                | 28.6%            | 22.9%            |

\* Defined as students with a placement in Self-Contained, ICT, or SETSS.

## II. Renewal Recommendation and Rationale

As part of the school's 2012-2013 charter renewal, the following conditions were placed on the school as requirements for future renewal:

- **Academic Conditions: 0 of 2 met**

### Achievement of Renewal Conditions

| Academic Conditions   | 2012-2013 | 2013-2014 |
|---|-----------|-----------|
| 1. The school must score a C or better in each year of the charter term on the Overall Progress Report grade, Student Progress and Student Performance grades on the NYC DOE Progress Report. | Not Met   | N/A       |
| 2. The school must equal or surpass CSD proficiency levels in Math and ELA in testing grades of grade to grade comparisons (i.e., 3rd grade to 3rd grade) during the school's charter term.   | Not Met   | Not Met   |
| 3. If the above goals are met during the term, the school can apply to move forward with middle school expansion.   | N/A       | N/A       |

Based on the evidence presented herein and detailed below in Part II, the NYC DOE recommends a non-renewal at the conclusion of the current charter term, June 30, 2015.

### A. Academic Performance

At the time of this school's renewal, The Ethical Community Charter School has not demonstrated academic success.

#### **New York Charter Schools Act**

The New York Charter Schools Act of 1998 establishes a system of charter schools throughout New York State, with objectives that include:

#### **§ 2850 (2)**

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

Data available for The Ethical Community Charter School indicates that the school has not made progress towards meeting these objectives.

#### **Mission and Vision**

The Ethical Community Charter School's mission is to provide a safe and caring community where ethics, services, and social justice are the principles that inform every aspect of school life; where teachers lead and collaborate with students in a culture of rigorous academics and mutual respect; where analytical thinking and creativity are prized; where children become individuals of integrity, insight, autonomy— and socially productive citizens, workers, leaders.

### **School Specific Academic Performance**

The school entered its sixth year of operation with the 2014-2015 academic year. The school was last renewed in April 2013 for a two-year charter term expiring on June 30, 2015; as a result, the New York City Department of Education (NYC DOE) has two years of New York State (NYS) assessment data and two years of other academic data, such as data obtained through internal assessments and attendance information, to evaluate the academic achievement and progress of the students at The Ethical Community Charter School over the retrospective charter term.

Over the two-year charter term, The Ethical Community Charter School consistently struggled with poor performance. Annual aggregate English Language Arts (ELA) and math proficiency rates on the NYS assessments for The Ethical Community Charter School were below those of both Community School District (CSD) 14 and New York City each year during the current charter term.

Beginning with the 2012-2013 school year, NYS assessments were aligned to the Common Core Learning Standards (CCLS). As such, proficiency rates for school years prior to the 2012-2013 are not directly comparable. However, as this school's current charter term covers only the latter half of the 2012-2013 school year through the current 2014-2015 school year, all proficiency results provided in this renewal report are aligned to the CCLS.

In 2012-2013, 15.5% of The Ethical Community Charter School students were proficient on the NYS assessments in math. The Ethical Community Charter School's math proficiency was greater than or equal to that of 27% of all elementary schools citywide. When compared to elementary schools with student populations most like its own (i.e. peer schools), The Ethical Community Charter School outperformed only 23% of similar schools. In addition, the school outperformed only 32% of CSD 14 elementary schools. In 2012-2013, 17.5% of The Ethical Community Charter School's students demonstrated proficiency on NYS assessments in ELA. With this level of proficiency, The Ethical Community Charter School outperformed just 36% of all elementary schools citywide. Additionally, The Ethical Community Charter School outperformed only 30% of its peer schools and 42% of CSD 14 elementary schools.

The following year, in 2013-2014, the percent of students at The Ethical Community Charter School who were proficient in math on the NYS assessments fell to 11.8%. For 2013-2014, The Ethical Community Charter School's math proficiency on the NYS assessments was higher than only 8% of all elementary schools citywide. When compared to peer schools, The Ethical Community Charter School did not outperform a single similar school (its peer percentile was 0%), and the school outperformed just 5% of CSD 14 elementary schools. In 2013-2014, the percent of students at The Ethical Community Charter School who demonstrated proficiency on NYS assessments in ELA also fell, to 12.6%. With this level of proficiency, The Ethical Community Charter School outperformed just 18% of all elementary schools citywide and only 10% of its peer schools and 21% of elementary schools in CSD 14.

Over the two years that data is available for the retrospective charter term, The Ethical Community Charter School has met only 15% of its applicable academic charter goals.<sup>1,2</sup> The Ethical Community Charter School met one of eight applicable academic performance goals in its most recent year. Because of the move to Common Core Learning Standards in 2012-2013, the

---

<sup>1</sup> This calculation does not include goals which have not been evaluated (not applicable) either as a result of the goal no longer being measurable (e.g. NYC DOE Progress Report grades for 2013-2014 school year and beyond) or the goal not yet measurable for the school at the time of the annual reporting (e.g. high school graduation rate for an academic year in which the school was not serving grade twelve students).

<sup>2</sup> It should be noted that because of the move to Common Core Learning Standards in 2012-2013, the NYC DOE did not evaluate goals that measure a school's actual performance relative to 75% or greater absolute proficiency on the NYS ELA and math exams or goals that measure reducing the performance gap of a cohort in ELA and math assessments in its analysis of progress towards goals for the 2012-2013 school year. Goals that compared the school to the Community School District performance were included in the analysis. In addition, beginning with the 2013-2014 school year, the NYC DOE will not evaluate goals that are related to NYC DOE Progress Report Grades or, due to a change in state regulation, goals that are related to standardized assessments for students in grades kindergarten through two in its analysis of progress towards goals.

NYC DOE did not evaluate goals that measure a school's academic performance relative to 75% or greater absolute proficiency on the NYS ELA and math exams for the 2012-2013 school year. In addition, beginning with the 2013-2014 school year, due to a change in state regulation, the NYC DOE will not evaluate goals that are related to standardized assessments for students in grades kindergarten through two; further, due to the elimination of the accountability instrument, the DOE will not evaluate goals related to NYC DOE Progress Report grades beginning with the 2013-2014 school year. The school has demonstrated a trend of declining and depressed achievement of its stated charter goals over the two years of the current charter term under review.

In 2012-2013, The Ethical Community Charter School's ELA median adjusted growth percentile on the NYS assessments was 62.0% with a City Percent of Range of 43.8%, placing the school in the 35<sup>th</sup> percentile of all elementary schools citywide.<sup>3</sup> The school's peer and CSD percentiles were 33% and 74%, respectively. This means that two-thirds of other elementary schools in The Ethical Community Charter School's peer group and one quarter of other elementary schools in CSD 14 had ELA median adjusted growth percentiles greater than The Ethical Community Charter School's ELA median adjusted growth percentile in 2012-2013.

In 2012-2013, The Ethical Community Charter School's math median adjusted growth percentile on the NYS assessments was 38.0% with a City Percent of Range of 0.0%, which placed it in the bottom 1% of all elementary schools citywide.<sup>4</sup> Similarly, the school's peer and CSD percentiles were 0% and 5%, respectively. This means that nearly all other elementary schools in The Ethical Community Charter School's peer group, in CSD 14, and across the city had math median adjusted growth percentiles greater than The Ethical Community Charter School's math median adjusted growth percentile in 2012-2013.

The following year, in 2013-2014, The Ethical Community Charter School's ELA median adjusted growth percentile on the NYS assessments fell slightly to 61.0% with a City Percent of Range of 41.6%, placing the school in only the 31<sup>st</sup> percentile of all elementary schools citywide. Similarly, the school's peer and CSD percentiles were 40% and 42%, respectively.

In 2013-2014, The Ethical Community Charter School's math median adjusted growth percentile on the NYS assessments rose to 44.0% with a City Percent of Range of 10.5%, placing the school in the 7<sup>th</sup> percentile of all elementary schools citywide. The school's peer and CSD percentiles were 10% and 5%, respectively.

The school has shown limited evidence of a developed responsive education program and supportive learning environment. Prior school visit notes by the NYC DOE pointed to the school's focus on improving student outcomes as the school instituted a strategic improvement plan for the 2013-2014 school year to address concerns regarding academic achievement. This plan, however, resulted in a loss of aggregate absolute proficiency on the NYS assessments in both ELA and math between the 2012-2013 and 2013-2014 school years. Further, NYC DOE school visit records also noted that instructional stability was a concern as more than 50% of instructional staff members did not return for the 2013-2014 school year.<sup>5</sup>

---

<sup>3</sup> A comparison range consists of all possible results within two standard deviations of the average. A percentile rank provides the percentage of schools that score the same or lower than the school under consideration. A City Percent of Range of 43.8% indicates that the school's median adjusted growth percentile was below the citywide elementary school average but less than one standard deviation below the average (that 43.8% of the range around the average represented scores lower than that of The Ethical Community Charter School), while a citywide percentile of 35% indicates that The Ethical Community Charter School's ELA median adjusted growth percentile was higher than only 35% of all elementary schools citywide.

<sup>4</sup> A City Percent of Range of 0.0% indicates that the school's math median adjusted growth percentile was two standard deviations below the average math median adjusted growth percentile on the NYS assessments for all elementary schools citywide. A percentile rank provides the percentage of schools that score lower than the school under consideration. A citywide percentile of 1% indicates that The Ethical Community Charter School's math median adjusted growth percentile was higher than only 1% of all elementary schools citywide.

<sup>5</sup> The Ethical Community Charter School Annual Comprehensive Report 2013-2014

On its 2012-2013 NYC DOE Progress Report, The Ethical Community Charter School received an overall grade of D, as well as a D grade for Student Performance. The school received grades of B and C for School Environment and Student Progress, respectively. This ranked the school in the 10<sup>th</sup> percentile of all elementary schools citywide.

NYC DOE Progress Reports graded each school with an A, B, C, D, or F and were based on student progress, student performance, and school environment. Scores were based on comparing results from one school to a peer group of 40 schools with similar student populations and to all schools citywide. The Student Progress section of the NYC DOE Progress Report was the most heavily weighted of all sections; it constituted 60% of a school's grade. The grade in this section was primarily based on median adjusted growth percentiles,<sup>6</sup> which measure students' growth on state tests relative to other students with the same prior-year score. Although the NYC DOE Progress Report was discontinued beginning with the 2013-2014 school year, individual academic performance metrics from the former NYC DOE Progress Report are included in this renewal report for all years for which data was available in the current charter term.

### **Closing the Achievement Gap**

NYC DOE-authorized charter schools are also assessed based on their ability to close the achievement gap for specific student populations. In school years prior to the 2013-2014 school year, schools received additional credit on the NYC DOE Progress Report for progress and performance of students with disabilities, English Language Learners (ELLs), and students who start in the lowest third of proficiency citywide. Beginning with the 2013-2014 school year, charter schools will be assessed on the actual performance as well as the academic growth of students in these populations compared with public school students in the CSD and throughout New York City.

On the 2013-2014 NYS assessments, 22.9% of The Ethical Community Charter School's students in the lowest third citywide experienced growth in math that, with adjustments, matched or exceeded the growth of 75% or more of other students citywide with the same starting math scores. This level places The Ethical Community Charter School in the bottom 5% of all elementary schools citywide. In the same year, 37.5% of The Ethical Community Charter School students in the lowest third citywide experienced growth in ELA that, with adjustments, matched or exceeded the growth of 75% or more of other students citywide with the same starting ELA scores; this places The Ethical Community Charter School in only the 11<sup>th</sup> percentile of all elementary schools citywide.

On the 2013-2014 NYS assessments, 41.7% of The Ethical Community Charter School's students with disabilities experienced growth in math that, with adjustments, matched or exceeded the growth of 75% or more of other students with disabilities citywide with the same starting math scores. This level places The Ethical Community Charter School in the 45<sup>th</sup> percentile of all elementary schools citywide. Similarly, 41.7% of The Ethical Community Charter School's students with disabilities experienced growth in ELA that, with adjustments, matched or exceeded the growth of 75% or more of other students with disabilities citywide with the same starting ELA scores; this places The Ethical Community Charter School in the 25<sup>th</sup> percentile of all elementary schools citywide.

On the 2013-2014 NYS assessments, 16.7% of The Ethical Community Charter School's English Language Learner (ELL) students experienced growth in math that, with adjustments, matched or exceeded the growth of 75% or more of other ELL students citywide with the same starting math scores. This level places The Ethical Community Charter School in the bottom 6% of elementary

---

<sup>6</sup> A student's growth percentile compares his or her growth to the growth of all students in the City who started at the same level of proficiency the year before. To evaluate a school on its students' growth percentile, the NYC DOE uses an adjusted growth percentile. Growth percentile adjustments are based on students' demographic characteristics and reflect average differences in growth compared to students with the same starting proficiency level. The NYC DOE evaluates a school based on its median adjusted growth percentile, the adjusted growth percentile of the middle student when all students adjusted growth percentiles are listed from lowest to highest.

schools citywide. In the same year, however, 50.0% of The Ethical Community Charter School's ELL students experienced growth in ELA that, with adjustments, matched or exceeded the growth of 75% or more of other ELL students citywide with the same starting ELA scores; this places The Ethical Community Charter School in the 78<sup>th</sup> percentile of all elementary schools citywide.

## **B. Governance, Operations & Finances**

The Ethical Community Charter School is a partially operationally sound and fiscally viable organization. This assessment was made based on a review of the following indicators of operational and fiscal viability:

- The Ethical Community Charter School's Board of Trustee bylaws;
- The Ethical Community Charter School's Board of Trustee meeting minutes;
- The Ethical Community Charter School's self-reported staffing data;
- The Ethical Community Charter School's financial disclosure forms;
- The Ethical Community Charter School's FY13, and FY14 independent financial audits;
- The Ethical Community Charter School's 2014-2015 staff handbook;
- The Ethical Community Charter School's 2014-2015 student/family handbook; and
- The Ethical Community Charter School's FY15 budget and five-year projected budget.

Over the course of the school's current charter term, the Board of Trustees has maintained a partially developed governance structure and organizational design.

The Board has consistently had a membership size that falls within the range outlined in the school's charter and in the Board's bylaws, a minimum of five and maximum of 15 members over the course of the term. Judith Wallach served as Chair of the Board of Trustees from the school's inception to March 2011, when she resigned; she currently serves as the Board's Vice Chair. In March 2011 Jeffrey Meyer was elected Chair of the Board of Trustees and has served in the position since then.

The Board has consistently made all board minutes and agendas available upon request to the public prior to or at Board meetings by posting on the school's website during the current charter term.

The school's bylaws indicate that the Board is to hold 10 meetings a year, including an Annual Meeting in June. According to available meeting minutes, in the 2013-2014 school year, the Board held 10 meetings; the 10 meetings held did meet quorum. According to available meeting minutes, The Board held 10 meetings in the 2012-2013 school year; however, only nine meetings met quorum. The current Charter Schools Act requires that the Board hold monthly meetings over a period of 12 calendar months, per year. The Board has not updated its bylaws for this charter term to comply with this law.

The board has not consistently submitted board resignation notices or new board member credentials within the required five days of change to the Office of School Design and Charter Partnerships (OSDCP) for review and, if necessary, approval. During the charter term documents were not submitted per the required timeframe for three board member changes.

Over the course of the school's charter term, the school has not yet developed a stable school culture.

The school did not meet its goal of having an annual average student attendance rate of at least 95% in either of the two school years during the current charter term. In addition, the school has had significant challenges with retaining students. Over the retrospective two-year charter term, an average of 26% of enrolled students have left the school each year.

For the most recent period, staff turnover was 35% of instructional staff not returning, by choice or request at the start of the 2014-2015<sup>7</sup> school year. In the prior school year, instructional turnover was almost twice that rate with 17 of 27 teachers not returning, either by choice or because not asked to return, prior to the start of the 2013-2014 school year.

Based on 2013-2014 NYC School Survey results, only 50% of teachers at The Ethical Community Charter School agree or strongly agree that order and discipline are maintained at the school. This level of agreement is 30 percentage points below the citywide average of 80%, suggesting that school culture is not yet developed.

There has not been a change in school leadership during the current charter term. The current principal, Dr. Annette Keane, has been at the school since 2012.

Overall, the school is in a strong position to meet near-term financial obligations. The school has at least 103 days of unrestricted cash on hand to meet operational expenses and obligations totaling \$1,217,085.

Overall, the school is financially sustainable based on its current practices. The school generated overall positive cash flow from FY13 to FY14, but the school operated at a deficit in FY14.

There was no material weakness noted in the two independent financial audits generated during the current charter term.

### **C. Compliance with Charter, Applicable Law and Regulations**

Over the charter term, The Ethical Community Charter School has been compliant with some applicable laws and regulations, but not others.

All staff members have appropriate fingerprint clearance. The school has submitted required documentation for teacher certification and is not compliant with state requirements for teacher certification. Five teachers are not certified, and six teachers' certifications are pending.

The school has submitted its required immunization documentation and is in compliance with Department of Health standards of 99% for immunization.

The school has submitted the required safety plan. The school has the required number of staff with AED/CPR certification.

The school has submitted appropriate insurance documents to the NYC DOE.

Over the course of the charter term, the school did consistently submit complete invoicing and reconciliation documents by the associated deadlines.

Over the charter term, the Board has consistently had a membership size that falls within the range outlined in the school's charter and in the Board's bylaws, a minimum of five and maximum of 15 members.

The Board did consistently submit the Annual Report to the New York State Education Department by the deadline of August 1 (or by the NYSED granted extension date) for each year of the current charter term.

The school has posted to its website the annual audits generated during the current charter term, as required in charter law.

---

<sup>7</sup> Self-reported information from school-submitted data collection form in February 2015

All but two current Board members have submitted conflict of interest and financial disclosure forms. The documents that have been submitted do not demonstrate conflicts of interest.<sup>8</sup> The Board has not consistently submitted board resignation notices or new board member credentials within the required five days of change to OSDCP for review and, if necessary, approval. During the charter term, documents were not submitted per the required timeframe for three board member changes.

The school has provided the NYC DOE with a current and complete copy of its Student Discipline Policy for the 2014-2015 academic year. This policy was determined to be non-compliant with federal law; there is no separate policy identified for disciplining students with disabilities.

**D. Plans for Next Charter Term**

The Ethical Community Charter School has no expansion plans intended for the next charter term.

---

<sup>8</sup> Source: New York State Education Department Annual Report

## Part 2: School Overview and History

The Ethical Community Charter School is an elementary school serving 260 students<sup>9</sup> in kindergarten through fifth grade during the 2014-2015 school year. It opened in the 2009-2010 school year with kindergarten and first grades and is under the terms of its second charter. The school's authorized full grade span is for grades kindergarten through five, which it reached during the 2013-2014 school year. The school's current charter term expires on June 30, 2015.<sup>10</sup> The school does not currently offer a public universal Pre-Kindergarten program in New York City. The school is located in a New York City Department of Education-operated<sup>11</sup> facility in Community School District 14 in Brooklyn and is co-located with P.S. 297 Abraham Stockton.<sup>12</sup>

The Ethical Community Charter School is a coed elementary school located in Bedford Stuyvesant, Brooklyn. The school's mission is to provide a well-rounded, rigorous education while infusing daily academics with ethics, service, and social justice. The school strives to provide a safe and caring community for students, in which teachers lead and collaborate with students in a culture of rigorous academics and mutual respect, and where children become socially productive citizens, workers, leaders.

The Ethical Community Charter School's Board of Trustees is led by chair Jeffrey Meyer, who has been with the Board since March 2011. The school is led by Principal Dr. Annette Keane, who has been at the school since 2012.

The school typically enrolls new students in all grades, though kindergarten is considered the primary entry grade. The school does backfill students from the waitlist during the school year.<sup>13</sup> There were 255 students on the waitlist after the Spring 2014 lottery.<sup>14</sup>

Over the charter term, the school enrolled and served students as follows with average class size and section count noted for the most recently completed school year, 2013-2014.

### Enrollment

| Grade-Level Annual Enrollment * | 2012-2013 | 2013-2014 |
|---------------------------------|-----------|-----------|
| Kindergarten                    | 40        | 43        |
| Grade 1                         | 47        | 48        |
| Grade 2                         | 43        | 43        |
| Grade 3                         | 61        | 43        |
| Grade 4                         | 47        | 45        |
| Grade 5                         | -         | 40        |
| Total Enrollment                | 238       | 262       |

\* Enrollment figures reflect ATS data as of October 31 for each school year with the exception of the 2012-2013 school year, which is as of October 26, 2012.

<sup>9</sup> ATS data as of October 31, 2014

<sup>10</sup> NYC DOE internal data

<sup>11</sup> NYC DOE internal data

<sup>12</sup> NYC DOE Location Code Generation and Management System

<sup>13</sup> Self-reported information collected through the 2014-2015 DOE Annual Charter School Survey

<sup>14</sup> Self-reported information as part of the Renewal application in January 2015

### Additional Enrollment Data

| School Year 2013-2014 Information     | Section Count | Average Class Size |
|---------------------------------------|---------------|--------------------|
| Kindergarten                          | 2             | 22                 |
| Grade 1                               | 2             | 24                 |
| Grade 2                               | 2             | 22                 |
| Grade 3                               | 2             | 22                 |
| Grade 4                               | 2             | 23                 |
| Grade 5                               | 2             | 20                 |
| Students Admitted Through The Lottery | 85            |                    |

\* Lottery information is based on self-reported data from the 2013-2014 DOE Annual Charter School Survey. Section counts are based on self-reported information collected as part of the school's Renewal Application. Average Class Sizes were determined by dividing ATS enrollment as of October 31, 2013 by the appropriate grade-level section count.

Please see additional demographic data in Section 4 of this report for information regarding the enrollment of special populations at The Ethical Community Charter School. This information includes enrollment data for the percentage of students eligible for Free or Reduced Price Lunch, English Language Learners and students with disabilities as compared to the CSD and citywide averages, as well as targets recently finalized by the New York State Education Department.<sup>15</sup>

---

<sup>15</sup> Beginning with the 2014-2015 school year, Board of Regents authorized charter schools, including those authorized by NYC DOE, will be held accountable to enrollment targets established by NYSED for students with disabilities, English Language Learner students, and students qualifying for Free or Reduced Price Lunch. Please note that the recently finalized targets are currently based on enrollment in the 2010-2011 school year and may be updated in the future.

## Part 3: Renewal Report Overview

### Renewal Report

This report contains the findings and recommendations of the NYC DOE regarding the charter school's application for charter renewal. This report is based on a cumulative record of the school's progress during the current charter term, including but not limited to oversight visits, annual reports, and formal correspondence between the school and its authorizer, the NYC DOE, all of which are conducted in order to evaluate and monitor the charter school's academic, fiscal, and operational performance. Additionally, the NYC DOE incorporates into this report its findings from the renewal application process, which includes a written application, a report on student achievement data and a school visit by the Office of School Design and Charter Partnerships (OSDCP) and other staff from the NYC DOE.

Upon review of all the relevant materials, a recommendation is made to the NYC DOE Chancellor. The Chancellor's determination, and the findings on which that decision is based, is then submitted to the New York State Board of Regents.

### Is the school an academic success?

To assess whether a school is an academic success, the NYC DOE considers performance measures, including, but not limited to the following (as appropriate for grades served):

- New York State ELA and math assessment absolute results;
- New York State Regents exams passage rates;
- Comparative proficiency for elementary and middle schools, including growth rates for ELA and math proficiency;
- Comparative graduation rates and Regents completion rates for high schools;
- Closing the achievement gap performance relative to CSD or New York City public schools;
- New York State Alternate Assessment (NYSAA) or other approved alternate assessments; and
- Performance data pertaining to college and career readiness.

Academic success is rated as **Demonstrated, Partially Demonstrated, or Not Yet Demonstrated.**

### Is the school a fiscally and operationally sound, viable organization?

To assess whether a school is a fiscally and operationally sound, viable organization, OSDCP focuses on three areas: Governance Structure & Organizational Design, School Climate & Community Engagement, and Financial Health. This includes an analysis of the school's audited financial statements, based on the National Association of Charter School Authorizer's Core Performance Framework.<sup>16</sup>

The NYC DOE considers a variety of supporting materials and data, including but not limited to the following:

- Board of Trustee bylaws;
- Board of Trustee meeting minutes;
- Annual Reports submitted by schools to New York State Education Department;
- NYC DOE School Surveys;
- Data collection sheets provided by schools;
- Student, staff, and Board turnover rates;
- Audits of authorized enrollment numbers; and
- Annual financial audits.

A school's Governance Structure & Organizational Design and Climate & Community Engagement are rated as **Developed, Partially Developed, or Not Yet Developed.** A school's Financial Health is rated to

---

<sup>16</sup> Please refer to the following website for more information:  
[http://nacsa.mycrowdwisdom.com/diweb/catalog/item/id/126547/q/%20q=performance\\*20framework&c=82](http://nacsa.mycrowdwisdom.com/diweb/catalog/item/id/126547/q/%20q=performance*20framework&c=82)

indicate whether there are concerns about the near-term financial obligations and the financial sustainability of the school.

**Is the school compliant with its charter and all applicable law and regulations?**

As it pertains to compliance, the NYC DOE identifies areas of compliance and noncompliance with relevant laws and regulations as identified in the NYC DOE OSDCP Accountability Framework.

**Staff Representatives**

The following experts participated in the review of this school, including the renewal visit to the school conducted over two non-consecutive days (due to inclement weather) on January 26 and February 10, 2015.

- Julian Cohen, Senior Executive Director, NYC DOE Office of School Design and Charter Partnerships
- DawnLynne Kacer, Executive Director, Charter Evaluation and Policy, NYC DOE Office of School Design and Charter Partnerships
- Sonya Hooks, Senior Director, Charter Evaluation and Policy, NYC DOE Office of School Design and Charter Partnerships
- Meera Jain, Director of Evaluation and Policy, NYC DOE Office of School Design and Charter Partnerships
- Kim Wong, Director of Operations, NYC DOE Office of School Design and Charter Partnerships
- Caitlin Robisch, Director of Analytics, NYC DOE Office of School Design and Charter Partnerships
- Paul Yen, Data Analyst, NYC DOE Office of School Design and Charter Partnerships
- Jamal Young, Independent Consultant

## Part 4: Findings

### Essential Question 1: Is the School an Academic Success?

At the time of this school's renewal The Ethical Community Charter School has not yet demonstrated academic achievement and progress.

#### High Academic Attainment and Improvement

- The school has two years of academic performance data and two years of NYS assessment data at the time of this report for the retrospective charter term. For detailed information on grade-level data on NYS assessments, please see Appendix A.

NOTE: The 2012-2013 and 2013-2014 ELA and math proficiency percentages should not be compared directly with prior-year results. Unlike prior years, proficiency on the NYS assessments for ELA and math in 2012-2013 and 2013-2014 were based on the Common Core Learning Standards – a more demanding set of knowledge and skills necessary for 21<sup>st</sup> century college and career readiness.

#### ES/MS students scoring at or above Level 3 on NYS assessments, compared to CSD, NYC and State averages

| % Proficient in English Language Arts       |           |           |
|---|-----------|-----------|
|   | 2012-2013 | 2013-2014 |
| <b>The Ethical Community Charter School</b> | 17.5%     | 12.6%     |
| CSD 14                                      | 25.8%     | 29.4%     |
| Difference from CSD 14 *                    | -8.3      | -16.8     |
| NYC   | 27.7%     | 29.8%     |
| Difference from NYC *                       | -10.2     | -17.2     |
| New York State **                           | 31.1%     | 30.6%     |
| Difference from New York State              | -13.6     | -18.0     |

| % Proficient in Mathematics                 |           |           |
|---|-----------|-----------|
|   | 2012-2013 | 2013-2014 |
| <b>The Ethical Community Charter School</b> | 15.5%     | 11.8%     |
| CSD 14                                      | 29.7%     | 37.1%     |
| Difference from CSD 14 *                    | -14.2     | -25.3     |
| NYC   | 34.2%     | 39.1%     |
| Difference from NYC *                       | -18.7     | -27.3     |
| New York State **                           | 31.1%     | 36.2%     |
| Difference from New York State              | -15.6     | -24.4     |

\* All comparisons to either the CSD or NYC take into account only grades the school itself served. CSD comparisons are particular to the CSD in which the school was sited each year.

\*\* New York State proficiency rates were taken from data.nysed.gov.

### Performance on the NYC Progress Report

| Elementary School Progress Report Grades | 2012-2013 | 2013-2014  |
|--|-----------|--|
| Overall Grade                            | D         | Progress Reports were discontinued beginning with the 2013-2014 school year. |
| Student Progress                         | C         |  |
| Student Performance                      | D         |  |
| School Environment                       | B         |  |

### Mission and Academic Goals

According to the Renewal Application submitted to the NYC DOE by The Ethical Community Charter School, as well as annual reports submitted to the NYSED, over each of the two years in the current charter term, the school achieved/met academic goals as follows:

- 1 of 5 applicable charter goals in the first year of the charter term,<sup>17</sup>
- 1 of 8 in the second and last year.

### Progress Towards Academic Charter Goals \*

| Academic Goals  | 2012-2013 | 2013-2014 |
|---|-----------|-----------|
| 1. Each year, 75% of third through fifth grade students will perform at or above Level 3 on the New York State ELA exam. This analysis will only include those students in the two year cohort (students enrolled on the day of the current exam and on BEDS day the prior school year).  | N/A       | Not Met   |
| 2. Each year, those students in the two year cohort will reduce by one-half the gap between the percent at or above Level 3 on the previous year's State ELA exam and 75% at or above Level 3 on the current year's State ELA exam.   | N/A       | Not Met   |
| 3. Each year, the percent of students performing at or above Level 3 on the State ELA exam in each tested grade will place the school in the top quartile of all similar schools.   | Not Met   | Not Met   |
| 4. Each year, 75% of third through fifth grade students will perform at or above Level 3 on the New York State math exam. This analysis will only include those students in the two year cohort (students enrolled on the day of the current exam and on BEDS day the prior school year). | N/A       | Not Met   |
| 5. Each year, those students in the two year cohort will reduce by one-half the gap between the percent at or above Level 3 on the previous year's State math exam and 75% at or above Level 3 on the current year's State math exam.   | N/A       | Not Met   |

<sup>17</sup> It should be noted that because of the move to Common Core Learning Standards in 2012-2013, the NYC DOE did not evaluate goals that measure a school's actual performance relative to 75% or greater absolute proficiency on the NYS ELA and math exams or goals that measure reducing the performance gap of a cohort in ELA and math assessments in its analysis of progress towards goals for the 2012-2013 school year. Goals that refer to comparative academic performance of the school (e.g. to the Community School District) were included in the analysis. In addition, beginning with the 2013-2014 school year, the NYC DOE will not evaluate goals that are related to NYC DOE Progress Report Grades or, due to a change in state regulation, goals that are related to standardized assessments for students in grades kindergarten through two in its analysis of progress towards goals.

| Academic Goals |  | 2012-2013 | 2013-2014 |
|----------------|--|-----------|-----------|
| 6.             | Each year, the percent of students performing at or above Level 3 on the State math exam in each tested grade will place the school in the top quartile of all similar schools.  | Not Met   | Not Met   |
| 7.             | Each year, 75% of fourth grade students will perform at or above Level 3 on the New York State Science exam. This analysis will only include those students in the two year cohort (students enrolled on the day of the current exam and on BEDS day the prior school year). | Met       | Met       |
| 8.             | Each year, the percent of students performing at or above Level 3 on the State Science exam will place the school in the top quartile of all similar schools.  | N/A       | N/A       |
| 9.             | Each year, the school will achieve a grade of C or better on the Overall and Progress sections of the Progress Report in all years of the charter term.  | Not Met   | N/A       |
| 10.            | Each year, the school will have an average student attendance rate of at least 95%.  | Not Met   | Not Met   |

\* Goals were self-reported by the school in the school's Renewal Application submitted to NYC DOE and 2013-2014 Annual Report documentation submitted to NYSED.

## Responsive Education Program

The school administers math and ELA interim assessments through a partnership with Achievement Network. The use of Achievement Network assessments provides The Ethical Community Charter School with a snapshot of how the school's students are performing in comparison with peer schools in the network. The following data was found:

- Overall, between fall 2013 and fall 2014 interim assessment administration, The Ethical Community Charter School students made a gain of 10% in ELA but had no change in math.

### The Ethical Community Charter School Interim Assessment (IA) Progress from September 2013 to September 2014:<sup>18</sup>

| Grade          | IA Average (FALL 2013) | IA Average (FALL 2014) | % Points Difference in one year |
|----------------|------------------------|------------------------|---------------------------------|
| 2 ELA          | 40%                    | 45%                    | +5                              |
| 3 ELA          | 38%                    | 43%                    | +5                              |
| 4 ELA          | 36%                    | 57%                    | +21                             |
| 5 ELA          | 38%                    | 47%                    | +9                              |
| Aggregate ELA  | 38%                    | 48%                    | +10                             |
| 2 MATH         | 43%                    | 52%                    | +9                              |
| 3 MATH         | 36%                    | 40%                    | +4                              |
| 4 MATH         | 50%                    | 43%                    | -7                              |
| 5 MATH         | 35%                    | 30%                    | -5                              |
| Aggregate MATH | 41%                    | 41%                    | 0                               |

<sup>18</sup> Self-reported information as part of the Renewal application in January 2015

As part of the renewal review process, representatives for the NYC DOE visited the school on January 26, 2015 and February 10, 2015. Based on discussion, document review, and observation, the following was noted:

- **Alignment with Common Core:**

- School leadership reported that curriculum and professional development has been focused on Common Core Learning Standards alignment. Over the last two years, the school has been working to revise its curriculum to better align with the Common Core Learning Standards.
- The Ethical Community Charter School has partnered with Achievement Network to administer interim assessments in ELA and math to students in grades two through five on a quarterly basis.
  - These assessments help administrators, instructional coaches, and teachers determine trends in student performance and they identify which standards require re-teaching.
  - Teachers use this data to design instruction that ensures that all students are demonstrating mastery of the CCLS.

- **Addressing the Needs of All Learners:**

- Beginning with the 2014-2015 school year, The Ethical Community Charter School began offering an Integrated Co-Teaching Classroom (ICT) at each grade level kindergarten through two, with plans to expand this model and also offer it in grades three through five in future school years.
  - Currently, Special Education Teacher Support Services (SETSS) are provided by a certified teacher in grades three through five.
- The school has a Child Study Team which helps to ensure that all students are meeting academic and behavioral standards. The team:
  - Collaborates in creating intervention plans to address challenges that significantly affect a students' ability to be successful in school;
  - Holds all concerned adults accountable for following through on their responsibilities in creating the best learning environment for each student;
  - Ensures that all interventions are based on measurable data; and
  - When necessary, initiates a referral for evaluation for special education services.
- School leadership reported that the co-teaching model at The Ethical Community Charter School gives the teachers the flexibility to meet their students' diverse needs, including challenging and extending, as well as providing intervention and support.
- The Ethical Community Charter School offers Saturday Academy and after school programming for targeted interventions.

- **Instructional Model and Classroom Instruction:**

- During the renewal visit, 22 classrooms across grades kindergarten through five were observed with the school's Principal and Assistant Principal.
- In all observed classes, teachers were following one of the school's models of co-teaching, including ICT, team teaching, parallel teaching, one teach and one assist, and alternative teaching.
- Class-sizes observed ranged from 12 to 18 students, with two teachers in all observed classrooms.
- Forms of questioning identified during the classroom observations included some basic fact recall, but most forms of questioning challenged students to demonstrate understanding or to analyze and apply.
- In a few classrooms, the observed checks for understanding including questioning, polling, class work and turn and talk.

- In a few observed classrooms, differentiation of materials, tasks, and products, through small group instruction or independent practice, was observed. These methods of differentiation were consistent with the school model.
- In all observed classes, students were responsive to teacher directions and instruction.
- In most observed classes, students were either fully on task or mostly on task. Off-task students were off task for a short duration.
- Based on debriefs with the school's leadership team members after classroom visits, some classrooms had instruction that aligned with the instructional model and current academic goals of the school.

## Learning Environment

NYC DOE representatives conducted one-on-one interviews with 11 teachers. The following was noted:

- Some interviewed teachers reported that they received professional development both in school from the school leadership team and through Metamorphosis Learning Communities. Some teachers interviewed said there was a greater need to increase the quality of their instruction.
- All of the interviewed teachers mentioned the use of the Danielson Teacher Evaluation framework for formal teacher evaluations conducted by the school's Principal and Assistant Principal. Teachers reported being reviewed formally twice a year and informally very frequently. Most interviewed teachers reported feeling supported.
- Many interviewed teachers reported the use of data to inform instruction through both formal and informal assessments. However, a few teachers mentioned that the analysis of the collected data could be more systematic.

NYC DOE representatives also conducted interviews with students across all grades at The Ethical Community Charter School. The following was noted:

- Most interviewed students reported that they felt the work was challenging and that they felt safe in their school.
- All students interviewed mentioned the ethical values taught at the school as being a key component to their learning.

According to the 2013-2014 NYC School Survey, 96% of parents agree or strongly agree "that the school has teachers who are interested and attentive when they discuss [their] child" and 99% of parents who responded to the survey agree or strongly agree "that the school has high expectations for [their] child."<sup>19</sup>

According to the 2013-2014 NYC School Survey only 50% of teachers agree or strongly agree that "order and discipline are maintained at the school" and only 67% disagree or strongly disagree with the statement that "at my school students are often harassed or bullied in school."<sup>20</sup>

---

<sup>19</sup> According to the 2013-2014 NYC School Survey, 70% of parent respondents strongly agree that The Ethical Community Charter School has teachers who are interested and attentive when they discuss their child; another 26% agree with the statement. Similarly, 67% of parent respondents strongly agree that The Ethical Community Charter School has high expectations for their child; another 32% agree with the statement.

<sup>20</sup> According to the 2013-2014 NYC School Survey, 17% of teacher respondents strongly agree that order and discipline are maintained at The Ethical Community Charter School; another 33% agree with the statement. Of teacher respondents, 30% strongly disagree that students are often harassed or bullied in the school; 37% of teacher respondents disagree with the statement; 30% agree with the statement; and 3% strongly agree with the statement.

## **Essential Question 2: Is the School a Fiscally and Operationally Sound, Viable Organization?**

### **Governance Structure & Organizational Design**

Over the course of the school's current charter term, the Board of Trustees has partially developed its governance structure and organizational design.

On February 10, 2015, as part of the renewal review process, representatives from the NYC DOE met with a representation of the school's Board of Trustees and the school leadership team. Based on document review and observation, the following was noted:

- The Board currently has 10 active members. This level of membership is consistent within the minimum of five members and maximum of 15 members established in the Board's bylaws.
- The Board's bylaws require that officers must include a Chair, Vice Chair, Treasurer, and Secretary. According to the Board's roster, the Chair, Vice Chair, and Treasurer positions are filled; however, the Secretary position is currently vacant.
- The Board has consistently achieved quorum, as recorded in 19 meeting minutes reviewed from the 2012-2013 and 2013-2014 school years.
- The Principal updates the Board on academic progress and school operations and the Director of Finance updates the Board on financial standing at the school, as recorded in the meeting minutes reviewed.
- There are not clear lines of accountability between the Board and school leadership, as reported by the Board and evidenced by the absence of clear, documented performance expectations for the Principal. The Board indicated that performance goals and benchmarks to evaluate the Principal's performance were to have been developed prior to the start of the 2014-2015 school year, but this has not yet occurred to date.
- The Board's bylaws require the following committees: an Executive Committee, a Finance Committee, an Education Committee, and a Nominating and Governance Committee. The Board roster suggests that these committees currently exist; however, meeting minutes reviewed from the current charter term do not indicate that these committees are consistently active.
- The school's Board Chair, Jeffrey Meyer, has served in this position since March 2011. The school leader is Dr. Annette Keane, who has been at the school since 2012. There has not been a change in Board or school leadership during the retrospective charter term.

### **School Climate & Community Engagement**

Over the course of the school's charter term, the school has not developed a stable school culture.

- The school did not meet its charter goal of having an annual average student attendance rate of at least 95% in either of the two school years under review in the current charter term. Average daily attendance for students over the course of the charter term is 93.4% according to the data in the table below.<sup>21</sup>

---

<sup>21</sup> The table reflects attendance data taken from the NYC DOE's Automate the Schools (ATS) system for school years 2012-2013 and 2013-2014. Please note that the school self-reported different attendance rates in its Renewal Application than those recorded in ATS for the 2012-2013 and 2013-2014 school years, though the differences are not significant. The school self-reported attendance rates of 93.0% for both school years.

## Average Attendance

| Elementary and Middle School Attendance      |              |              |
|--|--------------|--------------|
|  | 2012-2013    | 2013-2014    |
| <b>The Ethical Community Charter School*</b> | <b>93.1%</b> | <b>93.6%</b> |
| NYC**  | 93.6%        | 93.2%        |
| Difference from NYC                          | -0.5         | 0.4          |

\* Attendance figures reflect average attendance as reflected in ATS.

\*\* NYC attendance figures reflect average attendance across all general education district schools as reflected in ATS.

- Staff turnover has been inconsistent over the charter term. For the most recent period, staff turnover was 35% of instructional staff not returning, by choice or request at the start of the 2014-2015<sup>22</sup> school year. This is less than the rate of the year prior in which 17 of 27 instructional staff members did not return for the 2013-2014 school year, either by choice or request.
- Student mobility is presented below for the charter term without comparison to other schools, the CSD, or NYC as final student retention goals were not yet finalized by the New York State Education Department for the retrospective charter term at the time of the writing of this report. Based on the NYC DOE's evaluation and not in comparison to any other school, the CSD, or NYC averages, the school has had significant challenges with retaining students.

## Mobility

| Student Mobility out of The Ethical Community Charter School (TECCS) * |           |           |
|--|-----------|-----------|
|  | 2012-2013 | 2013-2014 |
| Number of Students who Left the School                                 | 67        | 50        |
| Percent of Students who Left the School                                | 28.2%     | 23.8%     |

\* Figures are based on student enrollment as of October 31 for each respective school year with the exception of the 2012-2013 school year, which is as of October 26, 2012. Students in terminal grades are not included.

- The NYC DOE has made changes to the NYC School Survey during the entirety of the retrospective charter term. Questions asked have been altered, added, or deleted from year to year. Also, beginning with the 2013-2014 NYC School Survey, survey categories will not be measured in total points out of 10 possible points. To allow for consistency during the evaluated charter term, selected questions, consistent with the NYC DOE OSDCP Accountability Framework were identified as relevant for charter schools. These are presented below for the duration of the retrospective charter term. In the most recent year of survey results, 2013-2014, the percentage of teachers agreeing or strongly agreeing was not above citywide averages for any of the four selected questions. The percentage of parents agreeing or strongly agreeing was above citywide averages for one of the three selected questions, and equal to the citywide average for the other two questions.
- NYC School Survey Response Rates should be comparable over time, however, as the measurement of these has remained consistent. Response rates for each parents, teachers, and students (if participating) are presented below for each year of the charter term. The response rates for The Ethical Community Charter School parents and teachers have been above NYC averages in each of the two years in the retrospective charter term.

<sup>22</sup> Self-reported information from school-submitted data collection form January 2015

## NYC School Survey Results

| Percent of Respondents that Agree or Strongly Agree |  |                                      |           |                  |
|---|--|--------------------------------------|-----------|------------------|
| Survey Question                                     |  | The Ethical Community Charter School |           | Citywide Average |
|   |  | 2012-2013                            | 2013-2014 | 2013-2014        |
| Students*   | Most of my teachers make me excited about learning.**                      | -                                    | -         | -                |
|   | Most students at my school treat each other with respect.                  | -                                    | -         | -                |
|   | I feel safe in the hallways, bathrooms, locker room, cafeteria, etc.       | -                                    | -         | -                |
| Parents   | I feel satisfied with the education my child has received this year.       | 95%                                  | 98%       | 95%              |
|   | My child's school makes it easy for parents to attend meetings.            | 95%                                  | 94%       | 94%              |
|   | I feel satisfied with the response I get when I contact my child's school. | 97%                                  | 95%       | 95%              |
| Teachers  | Order and discipline are maintained at my school.                          | 41%                                  | 50%       | 80%              |
|   | The principal at my school communicates a clear vision for our school.     | 89%                                  | 86%       | 88%              |
|   | School leaders place a high priority on the quality of teaching.           | 97%                                  | 77%       | 92%              |
|   | I would recommend my school to parents.***                                 | 63%                                  | 55%       | 81%              |

\* Students in grades kindergarten through five do not participate in the NYC School Survey.

\*\* This question was phrased as "My teachers inspire me to learn" in the 2009-2010 through 2012-2013 School Surveys.

## NYC School Survey Results

| Response Rates |                                      |           |           |
|----------------|--------------------------------------|-----------|-----------|
|                |                                      | 2012-2013 | 2013-2014 |
| Students*      | The Ethical Community Charter School | -         | -         |
|                | NYC                                  | -         | -         |
| Parents        | The Ethical Community Charter School | 79%       | 54%       |
|                | NYC                                  | 54%       | 53%       |
| Teachers       | The Ethical Community Charter School | 96%       | 94%       |
|                | NYC                                  | 83%       | 81%       |

\* Students in grades kindergarten through five do not participate in the NYC School Survey.

- The school’s charter goals include, “each year, parents will express satisfaction with the school’s program, based on the NYC School Survey in which the school receives scores of 7.5 or higher in each of the four survey domains: Academic Expectations, Communication, Engagement and Safety and Respect; this goal will only be met if at least 80% of all parents respond to the survey.” The school partially met this goal in the 2012-2013 school year.<sup>23</sup> This goal was not applicable for the 2013-2014 school year.
- The school’s charter goals include, “each year, teachers will express satisfaction with school leadership and professional development opportunities as determined by the NYC School Survey in which the school receives scores of 7.5 or higher in each of the four survey domains: Academic Expectations, Communication, Engagement and Safety and Respect; this goal will only be met if at least 80% of all teachers respond to the survey.” The school did not meet this goal in the 2012-2013 school year.<sup>24</sup> This goal was not applicable for the 2013-2014 school year.

As part of the renewal process, representatives for the NYC DOE have collected evidence relevant to the school’s climate and community engagement over the school’s retrospective two-year charter term. Based on discussion, document collection and review, and observation, the following was noted:

- Over the course of the current charter term, the school has increased its support of parents by adding a Director of Family Engagement to the staff. Since joining the staff in September 2014, the Director of Family Engagement has established two additional parent organizations, Mothers of The Ethical Community Charter School and Fathers of The Ethical Community Charter School.
- The NYC DOE conducted a public renewal hearing on February 10, 2015 at The Ethical Community Charter School located at 700 Park Avenue, Brooklyn, NY 11206 in an effort to elicit public comments. Approximately 190 participants attended the hearing with 34 speaking in support of the school’s renewal and none speaking in opposition.
- The NYC DOE made randomized phone calls to parents/guardians from a roster provided by the school for students of all grades. Calls to parents/guardians of The Ethical Community Charter School students were made during February 2015 until 20 phone calls were completed. Of these calls, 95% provided positive feedback regarding the school.

---

<sup>23</sup> The school fully met the goal if the parent response rate was greater than or equal to 80% and the school received at least 7.5 points based on parent responses in each of the four NYC School Survey categories (Safety and Respect, Communication, Engagement, and Academic Expectations). If either the response rate did not meet the benchmark and/or the school received less than 7.5 points in one or more of the Survey categories, the goal was considered ‘partially met.’ In 2012-2013 the school received a score greater than or equal to 7.5 in all four categories, however, the parent response rate was 79%.

<sup>24</sup> While the teacher response rate was above 80% in 2012-2013, the school did not earn a score of 7.5 or higher in any of the four domains based on teacher feedback for the 2012-2013 school year.

## **Financial Health**

**Overall, the school is in a strong position to meet near-term financial obligations.**

- Based on the FY14 financial audit, the school's current ratio of 5.79 indicated a strong ability to meet its current liabilities.
- Based on the FY14 financial audit, the school had sufficient cash to cover its operating expenses with 103 days of unrestricted cash on hand, or \$1,217,085, for at least two months without an infusion of cash.
- A comparison of the enrollment projections for the 2014-2015 budget to the actual enrollment as of October 31, 2014 revealed that the school had met its enrollment target, supporting its projected revenue.
- As of the FY14 financial audit, the school had no debt obligations.

## **Financial Sustainability**

**Overall, the school is financially sustainable based on its current practices.**

- Based on the FY14 financial audit, the school's debt-to-asset ratio of 0.16 indicated that the school had more total assets than it had total liabilities.
- Based on the financial audits from FY13 and FY14, the school generated overall positive cash flow from FY13 to FY14, and the school had positive cash flow from FY13 to FY14.
- However, based on the financial audits from FY13 and FY14, the school operated at an aggregate deficit over the past two fiscal years, and in FY14, the school operated at a deficit.

There was no material weakness noted in the independent financial audits generated during the current charter term for FY 13 and FY14.

### **Essential Question 3: Is the School Compliant with its Charter and All Applicable Law and Regulations?**

As of the review in February 2015, the Board of Trustees for The Ethical Community Charter School is in compliance with:

- **Membership size.** Over the charter term, the Board has consistently had a membership size that falls within the range outlined in the school's charter and in the Board's bylaws, a minimum of five and maximum of 15 members. The Board currently has 10 members.
- **Posting of minutes and agendas.** The Board has consistently made all board minutes and agendas available upon request to the public prior to or at Board meetings by posting on the school's website.
- **Timely submission of documents.** The Board did consistently submit the Annual Report to the New York State Education Department by the deadline of August 1 (or by the NYSED granted extension date) for each year of the current charter term. The school has posted to its website its annual audit for each year of the charter term, as required in charter law.

As of the review in February 2015, the Board of Trustees for The Ethical Community Charter School is out of compliance with:

- **Submission of all required documents.** All but two current Board members have submitted conflict of interest and financial disclosure forms. The documents submitted do not demonstrate conflicts of interest.<sup>25</sup>
- **Required number of monthly meetings.** The school's bylaws indicate that the Board is to hold 10 meetings a year, including an Annual Meeting in June. According to available meeting minutes, the Board held 10 meetings in the 2013-2014 school year; these 10 meetings met quorum. According to available meeting minutes, The Board held 10 meetings in the 2012-2013 school year; however, only nine of the ten meetings met quorum. The current Charter Schools Act requires that the Board hold monthly meetings over a period of 12 calendar months, per year. The Board has not updated its bylaws to comply with this law.
- **Notification of Board Member Resignations/Submission of New Board Members for Approval.** The board has not consistently submitted board resignation notices or new board member credentials within the required five days of change to OSDCP for review and, if necessary, approval. During the charter term, documents were not submitted per the required timeframe for three board members.

As of the review in February 2015, the charter school is in compliance with:

- **Application and Lottery.** For the 2014-2015 school year, the school had an application deadline of April 1, 2014 and lottery date of April 10, 2014 adhering to charter law's requirement of accepting applications up to at least April 1. Over the course of the charter term, the school did consistently adhere to this requirement.
- **Fingerprint clearance.** All staff members have appropriate fingerprint clearance.
- **Safety Documents.** The school has submitted the required safety plan. The school has the required number of staff with AED/CPR certification.
- **Immunization.** The school has submitted its required immunization documentation and is in compliance with Department of Health standards of 99% for immunization.
- **Insurance.** The school has submitted appropriate insurance documents to the NYC DOE.
- **Fire Emergency.** One or more of the school leaders were trained in General Response Protocols/Fire Emergency Drill Conductor for NYC, as mandated by the NYC Fire Department.
- **Timely Submission of Invoicing and Reconciliation Documents.** Over the course of the charter term, the school did consistently submit complete invoicing and reconciliation documents by the associated deadlines.

---

<sup>25</sup> Source: New York State Education Department Annual Report

As of the review in February 2015, the charter school is out of compliance with:

- **Student Discipline Plan.** The school has provided the NYC DOE with a current and complete copy of its Student Discipline Policy for the 2014-2015 academic year. This policy was determined to be non-compliant with federal law; there is not a separate and clearly outlined policy for disciplining students with disabilities.
- **Teacher certification.** The school has submitted required documentation for teacher certification and is not compliant with state requirements for teacher certification. The Charter Schools Act prohibits more than five staff members or more than 30% of the teaching staff from not being certified in accordance with requirements applicable to other public schools. Five teachers are not certified and six teachers' certifications are pending.

### **Enrollment and Retention Targets**

- Amendments to Article 56 of the New York State Consolidated Laws: Education, which relates to Charter Schools, call for charter schools, as a consideration of renewal, "to meet or exceed enrollment and retention targets" for students with disabilities, English Language Learners, and students who are eligible for the Free and Reduced Price Lunch program. The amendments further indicate "Repeated failure to comply with the requirement" as a cause for revocation or termination of the charter.
  - The law directs schools to demonstrate "that it has made extensive efforts to recruit and retain such students" in the event it has not yet met its targets.
  - The NYC DOE, as authorizer, will annually monitor the school's performance against these targets and the efforts it makes to meet this state requirement.
  - As of the writing of this report, charter school enrollment and retention targets as required by the NYS Charter Schools Act were still in a proposed status; these targets have since been finalized. The information presented below for enrollment is compared to NYC CSD and NYC averages, as well as the recently finalized current enrollment targets developed by NYSED. It should be noted that these targets were developed using a different methodology than that used to develop the school-specific enrollment rates for each special population as presented below.<sup>26</sup>
- In all years of the retrospective charter term, including the most recently completed school year 2013-2014, The Ethical Community Charter School:
  - served a lower percentage of students qualifying for Free or Reduced Price Lunch compared to the CSD 14 rate but a higher percentage compared to the citywide rate;
  - served a lower percentage of students with disabilities compared to both the CSD 14 and citywide percentages; and
  - served a lower percentage of English Language Learner students compared to both the CSD 14 and citywide percentages.

---

<sup>26</sup> Please see the following website for more information: <http://www.p12.nysed.gov/psc/enrollment-retention-targets.html>

## Enrollment of Special Populations<sup>27</sup>

| Special Population                  |   | 2012-2013    | 2013-2014    | 2013-2014 State Enrollment Target (Current) |
|-------------------------------------|---|--------------|--------------|---|
| Free and Reduced Price Lunch (FRPL) | <b>The Ethical Community Charter School</b> | <b>87.8%</b> | <b>90.5%</b> | <b>84.9%</b>                                |
|                                     | CSD 14                                      | 95.0%        | 94.8%        |   |
|                                     | NYC   | 82.8%        | 82.5%        |   |
| Students with Disabilities (SWD)    | <b>The Ethical Community Charter School</b> | <b>12.2%</b> | <b>11.8%</b> | <b>15.5%</b>                                |
|                                     | CSD 14                                      | 17.5%        | 20.9%        |   |
|                                     | NYC   | 17.4%        | 19.7%        |   |
| English Language Learners (ELL)     | <b>The Ethical Community Charter School</b> | <b>8.0%</b>  | <b>6.1%</b>  | <b>17.0%</b>                                |
|                                     | CSD 14                                      | 15.5%        | 14.2%        |   |
|                                     | NYC   | 17.0%        | 16.0%        |   |

| Additional Enrollment Information |           |           |
|-----------------------------------|-----------|-----------|
|                                   | 2012-2013 | 2013-2014 |
| Grades Served                     | K-4       | K-5       |
| CSD(s)                            | 14        | 14        |

<sup>27</sup> Comparisons of a charter school's special populations to the CSD and City are made relative only to the grades served by the school. For example, if a charter school serves grades kindergarten through five, comparisons of that school's special populations will only be made relative to grades kindergarten through five in the CSD and citywide. CSD comparisons are particular to the grades served in each CSD each year. Enrollment rates reflect demographic characteristics as of June 1 and enrollment as of October 31 for each given school year, with the exception of enrollment in the 2012-2013 school year, which is as of October 26, 2012.

State enrollment targets were generated by a calculator developed by the State Education Department (SED). Once a school's CSD, total enrollment and grade span are entered, the calculator generates a school-specific enrollment target. The CSD for a multi-district school is the primary CSD as determined by each school. The enrollment is determined by the total number of students enrolled as of October 31, 2013. Any school with an unusual grade configuration (i.e. K, 6-9) should use an available grade configuration provided by SED that is most aligned as determined by the DOE, otherwise a school's actual grade span is used. For more information regarding SED's methodology behind the calculation of charter school enrollment and retention targets, please refer to the memo at <http://www.regents.nysed.gov/meetings/2012Meetings/July2012/712brca11.pdf>.

#### **Essential Question 4: What are the School's Plans for the Next Charter Term?**

As reported by school leadership and the school's Board, the following was noted:  
The Ethical Community Charter School has no expansion plans intended for the next charter term.

## Part 5: Background on the Charter Renewal Process

### Renewal Process

In the final year of its charter, a NYC DOE Chancellor-authorized charter school seeking renewal must demonstrate its success during the current 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 prior term, to make a compelling, evidence-based case that it has earned the privilege of an additional charter term, and, if renewed, to carry out an ambitious plan for the future.

The NYC DOE does not automatically grant charter renewal, and no charter operator is entitled to renewal. Rather, a school must prove that it has earned renewal and is worthy of continuing the privilege of educating New York City public school students. To make such determinations, the NYC DOE Office of School Design and Charter Partnerships (OSDCP) renewal team performs a comprehensive review of the school's academic, operational and fiscal performance over the course of the charter which includes an analysis of the school's renewal application. This application is built around the four essential questions of the NYC DOE OSDCP Accountability Framework and includes a retrospective analysis of the school's prior track record as well as a prospective plan for the school. In reviewing this information, a school must be able to demonstrate that it can satisfy the four essential questions of the NYC DOE OSDCP Accountability Framework:

1. Is the school an academic success?
2. Is the school a fiscally and operationally sound, viable organization?
3. Is the school compliant with its charter and all applicable laws and regulations?
4. What are the school's plans for its next charter term?

The school presents evidence to support its application for renewal by providing a compelling response to these overarching questions that demonstrates its students have made significant academic progress, is serving students equitably, has sustainable operations to be successful in the next charter term, and that the school has met the goals and objectives pledged in its current 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.

While the academic performance of students is the foremost determining factor of a school's success, a school's ability to demonstrate an effective educational program, a financially and operationally viable organization, and a strong learning community with support from stakeholders are also important factors that inform a renewal decision. For more information on how OSDCP makes renewal recommendations to the Chancellor, please see the NYC DOE OSDCP Accountability Framework overview in Part 6 of this report.

### Statutory Basis for Renewal

The New York State Charter Schools Act ("the Act") authorizes the creation of a system 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:

#### **§2850:**

- (a) Improve student learning and achievement;
- (b) Increase learning opportunities for all students, with special emphasis on expanded learning experiences for students who are at-risk of academic failure;
- (c) Encourage the use of different and innovative teaching methods;
- (d) Create new professional opportunities for teachers, school administrators and other school personnel;
- (e) Provide parents and students with expanded choices in the types of educational opportunities that are available within the public school system; and

- (f) Provide schools with a method to change from rule-based to performance based accountability systems by holding the schools established under this article accountable for meeting measurable student achievement results.

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.<sup>28</sup>

The Act states the following regarding the renewal of a school's charter:

**§2851.4:**

Charters may be renewed, upon application, for a term of up to five years in accordance with the provisions of this article for the issuance of such charters pursuant to section twenty-eight hundred fifty-two of this article; provided, however, that a renewal application shall [also] include:

(a) A report of the progress of the charter school in achieving the educational objectives set forth in the charter.

(b) 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. Such statement shall be in a form prescribed by the board of regents.

(c) Copies of each of the annual reports of the charter school required by subdivision two of section twenty-eight hundred fifty-seven of this article, including the charter school report cards and the certified financial statements.

(d) Indications of parent and student satisfaction.

(e) The means by which the charter school will meet or exceed enrollment and retention targets as prescribed by the board of regents or the board of trustees of the state university of New York, as applicable, of students with disabilities, English Language Learners, and students who are eligible applicants for the free and reduced price lunch program which shall be considered by the charter entity prior to approving such charter school's application for renewal. When developing such targets, the board of regents and the board of trustees of the state university of New York shall ensure (1) that such enrollment targets are comparable to the enrollment figures of such categories of students attending the public schools within the school district, or in a city school district in a city having a population of one million or more inhabitants, the community school district, in which the charter school is located; and (2) that such retention targets are comparable to the rate of retention of such categories of students attending the public schools within the school district, or in a city school district in a city having a population of one million or more inhabitants, the community school district, in which the proposed charter school would be located.

Such renewal application shall be submitted to the charter entity no later than six months prior to the expiration of the charter; provided, however, that the charter entity may waive such deadline for good cause shown.

The determination of whether to approve a renewal application rests in the sole discretion of a charter school's authorizer.

A school seeking renewal of its charter must submit a renewal application to the charter entity to which the original charter application was submitted.<sup>29</sup> As one such charter entity, the New York City Department of Education ("NYC DOE") 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;

---

<sup>28</sup> See §§ 2851(4) and 2852 of the Act.

<sup>29</sup> See generally §§ 2851(3) and 2851(4).

- 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;
- Indications of parent and student satisfaction; and
- The means by which the charter school will meet or exceed enrollment and retention targets as prescribed by the board of regents of students with disabilities, English Language Learners, and students who are eligible applicants for the free and reduced price lunch program which shall be considered by the charter entity prior to approving such charter school's application for renewal.<sup>30</sup>

Where the NYC DOE 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.<sup>31</sup>

---

<sup>30</sup> § 2851(4)(e) added with the 2010 amendments to the Act.

<sup>31</sup> See § 2852(5).

## Part 6: NYC DOE OSDCP Accountability Framework

The Office of School Design and Charter Partnerships (OSDCP) team may recommend to the Chancellor three potential outcomes for charter schools applying for renewal: full-term renewal (with or without conditions), short-term renewal (with or without conditions), or non-renewal.

After the OSDCP renewal site visit, the OSDCP team incorporates its findings from the visit into this renewal report. The evidence and findings align to the four essential questions of the NYC DOE accountability framework and may include classroom observations, leadership interviews, assessment results, School Survey results, public hearings and other community feedback, as well as a variety of other data. Schools will be given the opportunity to correct factual errors in this report. If the OSDCP renewal team determines that renewal is not warranted, the school will be informed in writing of the reasons for the non-renewal. If OSDCP approves the renewal application and the Chancellor recommends renewal for the school, prior to the school's charter expiration date, OSDCP will send the renewal report and recommendation along with the school's renewal application and other supporting evidence to the Board of Regents for its approval.

### ***Full-Term Renewal, With or Without Conditions***

In cases where a school has demonstrated exceptional results with its students, a five-year renewal will be granted. A school must show that its program has clearly and consistently demonstrated high academic attainment and/or consistent and significant student academic progress, has met the majority of its charter goals, has demonstrated financial stability, has demonstrated operational viability, has attained sufficient board capacity, and has an educationally sound learning environment in order to gain this type of renewal.

### ***Short Term Renewal, With or Without Conditions***

In cases where a school is up for renewal of its initial charter and has two years or fewer of state-assessment results, or where any school has demonstrated mixed academic results or has uncertain organizational or financial viability, a short-term renewal with conditions may be considered.

### ***Non-Renewal***

Renewal is not automatic. Schools that have not demonstrated significant progress or high levels of student achievement and/or are in violation of their charter will not be renewed.

### ***Grade Expansions or Enrollment Changes***

A school may seek material charter revisions as part of the renewal process. In the case of a grade expansion or change in authorized enrollment, these material charter revisions are considered separately from the charter renewal. Charter renewal, with or without conditions, is not a guarantee of approval for a proposed material charter revision.

## The NYC DOE OSDCP Accountability Framework

To help Chancellor-authorized charter schools better understand what we mean by success for charter schools, the OSDCP team has developed an Accountability Framework built around four essential questions for charter school renewal:

1. Is the school an academic success?
2. Is the school a fiscally and operationally sound, viable organization?
3. Is the school compliant with its charter and all applicable laws and regulations?
4. What are the school's plans for its next charter term?

Although academic performance is primary, the NYC DOE takes into account a wide variety of factors (as indicated by the framework strands and available evidence detail) when evaluating a school. These factors include academic, fiscal, operational and environmental indicators of a charter school's performance. Additionally, some of the indicators we evaluate relate to expected performance as defined in the New York State Charter Schools Act including evidence of improved student learning and achievement, special emphasis on expanded learning experiences for students who are at-risk of academic failure, use of different and innovative teaching methods, parent and student satisfaction, and enrollment and retention of special student populations. Further detail about the application of the framework to school reflection and evaluation is provided beginning on page 17 of the NYC DOE Chancellor-Authorized Schools Accountability Handbook for 2014-2015.

What follows is a framework that outlines strands, indicators, and potential evidence for each of the four essential questions. The framework identifies what OSDCP looks at in determining whether a school is successful enough to earn a new charter term, with or without conditions, and the duration of the charter term recommended by NYC DOE. As schools use the NYC DOE OSDCP Accountability Framework, they should remember that charter schools exist to deliver improved student achievement for the students they serve, particularly at-risk students, so the schools are high-quality choices for families. This reminder should help a school apply this framework to its own performance analysis, underscoring the state and city's commitment to superior academic performance as the most important factor in a school's performance, while also recognizing the importance of closing the achievement gap and offering high-quality learning opportunities for all students.

### 1. Is the School an Academic Success?

#### 1a. High Academic Attainment and Improvement

Schools that are academic successes have many of the characteristics below:

- Meet absolute performance goals established in school charter
- Meet student progress goals established in school charter
- Meet other rigorous academic goals as stated on school charter
- Demonstrate increasing student achievement/growth
- Are closing the achievement gap for at risk students, including special needs and ELL students
- Are surpassing academic performance measures of DOE identified peer-schools
- Are surpassing academic performance measures compared with district/city proficiency averages

Evidence for success might include, but not be limited to, the following depending on school configurations:

- Grades 3-8 NYS ELA Results (absolute and comparative performance, individual student progress, progress for at-risk populations, etc.)
- Grades 3-8 NYS Math Results (absolute and comparative performance, individual student progress, progress for at-risk populations, etc.)
- Grades 4 and 8 NYS Science Results (absolute and comparative performance, individual student progress, progress for at-risk populations, etc.)
- HS 4- and 6-Year Graduation Rates
- Grades 8-12 NYS Regent Exam Results
- Grades 8-12 College Readiness Credit Accumulation
- Percentage of Students Applying to and Being Admitted to College
- Percentage of Students Taking AP Courses and/or Percentage of Students Passing AP Courses
- When applicable, NYSAA or other approved alternate assessments results
- Results on state accountability measures
- Charter School Academic Goals
- School-reported internal assessments
- NYC DOE Progress Reports or School Quality Reports<sup>32</sup>

### **1b. Instructionally Sound and Responsive Education Program**

Schools with successful education programs have many of the characteristics below:

- Are self-reflective and examine practice based on outcomes against goals
- Have well-thought out curricular programs that are aligned with NYS learning outcomes as described by state and Common Core Learning Standards
- Use instructional models and resources that are consistent with school mission and flexible in addressing the needs of all learners
- Have defined strategies that they can measure and monitor for closing the achievement gap
- Offer defined opportunities for remediation and acceleration
- Utilizes a coherent and effective interim assessment system (e.g., use of formative, interim, and summative assessment data) for monitoring progress, predicting performance, and adjusting instruction
- Have an effective process for supporting improved classroom instruction, including frequent observation and feedback
- Have effective strategies and quality instructional programs for addressing students with special needs and ELLs
- Use a defined process for evaluating and supporting curricular tasks, programs and resources for effectiveness and fit with school mission and goals

<sup>32</sup> Beginning with the 2013-2014 school year, the NYC DOE replaced the DOE Progress Report with the DOE School Quality Report. The 2012-2013 school year is the last year NYC public schools will have a Progress Report score. The Progress Report and School Quality Report contain similar indicators of performance.

Evidence for successful education programs, in addition to positive results, may include, but not be limited to, many of the following:

- Classroom observations
- Instructional planning documents (alignments, scope and sequences, curriculum maps, unit and lesson plans, etc.)
- Instructional leader and staff interviews
- Special Education/ELL progress monitoring documentation
- Professional development plans and resources
- Student/teacher schedules
- Student Intervention / Response to Intervention program description and resources
- Interim assessment results
- Data findings; adjusted lesson plans
- Self-assessment documentation

### 1c. Learning Environment

Schools with successful learning environments have many of the characteristics below:

- Provide a safe, respectful, and stable academic environment conducive to student learning (one with efficient transitions and safe hallways, cafeteria, yard, etc.)
- Have a strong academic culture that creates high academic and behavioral expectations in a way that motivates students to consistently give their best effort academically and to actively engage in their own learning and the life of the school
- Use a comprehensive approach to student management, including positive behavioral expectations and a clear discipline policy to build and sustain a safe, orderly, and supportive classroom environment
- Have classrooms where academic risk-taking and student participation is encouraged and supported
- Have formal or informal structures or programs in place that provide students opportunities to develop as individuals and citizens (for example: a character education, citizenship, or community involvement or service program)

Evidence for successful learning environments may include, but not be limited to, many of the following:

- Classroom observations
- NYC DOE School Survey results (students, parents and teachers)
- School mission and articulated values
- Student management plan (code of conduct, school values, discipline policy, positive incentive system, etc.)
- Student attendance and retention rates
- Student discipline data (referral, suspension, expulsion)
- Parent complaint/concern information
- Self-administered satisfaction survey results
- Interviews with school leadership, staff, and, if appropriate, students
- Scheduled student engagement opportunities (e.g., student advisory, internships, student government, student led conferences, peer tutoring, peer mediation, etc.)
- School calendar and class schedules

## 2. Is the School a Fiscally and Operationally Sound, Viable Organization?

### 2a. Mission and Goals

Schools with a successful mission and goals have many of the characteristics below:

- Have an animated mission statement and clearly articulated goals (both academic and non-academic) that staff, students and community embrace
- Demonstrate an active self-evaluation process that involves regular monitoring, an examination of practices based on outcomes against goals, and reporting on progress towards school goals
- Have processes for adjusting strategies in support of goals as appropriate in response to monitoring data

Evidence for a successful mission and goals might include, but not be limited to, the following:

- Mission Statement
- School charter and external documents (student/family handbooks, school website, etc.)
- Annual Reports, school improvement plans, leadership/Board reports
- Board agendas and minutes
- Parent, student, and teacher satisfaction surveys
- Participation at parent-teacher conferences, school advocacy events, participation in academic goal related programs
- Stakeholder interviews (board, parents, staff, students, etc.)

## 2b. Leadership and Governance Structure

Schools with successful leadership and governance structures have many of the characteristics below:

- Have a clearly articulated governance structure, compliant with its charter and all applicable laws and regulations, with clear lines of accountability for the Board, school leadership and all staff
- Have a capable Board of Trustees with appropriate officers, committees, and a purposeful blend of skills and experiences to provide oversight and strategic direction to fulfill the mission and goals of its charter
- Have a Board that is fully compliant with all applicable laws and regulations, particularly, but not limited to, Open-Meeting Law and conflict of interest laws, and is fully compliant with its Board approved by-laws (number of meetings, quorum, posting of calendar, agenda and minutes)
- Have a defined process for Board reflection on effectiveness, assessing developing needs, and plan for professional growth
- Have developed a succession plan for board and school leadership, consistent with the charter and Board by-laws, to ensure continuity of direction and leadership over time
- Implements a school leadership structure that is aligned with charter and that is sufficient to fulfill school's mission and achieve its accountability goals and, if and when necessary, makes timely adjustments to that structure with proper notice to and approval by its authorizer
- Have timely and appropriate access to legal counsel
- Have instructional leadership staffing and support structures that holds staff accountable for student learning outcomes and provides regular feedback on instruction to teachers, including both formal and informal observations

Evidence for school governance and organizational design may include, but are not limited to, the following:

- School charter
- Board by-laws, roster, trustee resumes, calendar of meetings, meeting agenda and minutes
- Annual conflict of interest forms
- Board resources for evaluating school leadership and staff, including rubric/performance metrics
- Board resources for self-reflection and professional growth
- Board development plan
- Board interviews
- Staff roster, job descriptions, staff handbook and core operational policies
- School calendar
- Professional development plans
- Stakeholder interviews (board, school leadership and staff)

## 2c. School Climate and Community Engagement

Schools with a sustaining school climate and engaged parent and community support have many of the characteristics below:

- A healthy professional school climate that is collaborative, student-centered, and open to parents and community support
- Employ an effective means of measuring and monitoring core constituency satisfaction (parent, staff, and, when age appropriate, student), including, but not limited to, the NYC DOE School Survey
- Have effective home-school communication practices and engagement strategies to ensure meaningful parent involvement in the learning of their children
- Strong community-based partnerships that support and advocate for the school
- Engage families actively in the life of the school, including advocacy, community engagement, and feedback on school policies and initiatives
- Have a clear procedure for parents and staff to express concerns to school leadership and the Board, as appropriate, including a clearly articulated escalation path to authorizer
- Share instructional and operational practices with the larger NYC school community and actively seek opportunities for partnering and collaboration
- Encourage professional conversations about effective performance and quality instruction among staff, through, for example, such means as regular and periodic teaming (grade level teams, data days, etc.) and peer observations
- Have systems in place to evaluate professional development effectiveness and provide ongoing support for school-wide and individual initiatives

Evidence for school climate and community engagement may include, but not be limited to, the following:

- NYC DOE School Survey satisfaction parent, teacher, and, if appropriate student results
- Student retention and wait list data
- Staff retention data
- Leadership, staff, parent, student interviews
- Student and staff attendance rates
- Parent attendance at parent-teacher conferences
- Parent association meeting calendar and minutes
- Community partnerships and sponsored programs
- Participation in NYC DOE initiatives and efforts to collaborate/partner with other NYC schools
- Parent and community feedback via public hearings, renewal calls to parents, etc.
- Community outreach documents (newsletters, announcements, invitations, etc.)
- School Professional Development Plan and staff feedback on professional development events
- Resources for evaluations and observations, scheduled opportunities for professional collaboration, staff feedback on professional development events
- Student/Family and Staff Handbooks

## 2d. Operational Health

Schools that are effective, sustainable organizations have many of the characteristics below:

- A safe, clean and appropriately resourced educational facility with all appropriate services specified in charter and mandated by appropriate law and regulations
- Demonstrate efficient and orderly daily operations
- Have appropriate insurance coverage and insurance and facility documents
- An effective process for recruiting, hiring, compensating, monitoring, supporting, and evaluating school leadership and staff
- A flexible, data-driven approach to professional development for all staff
- Consistently meet student enrollment and retention targets as established by SED (applicable to schools renewed after 2010)
- Communications with NYC DOE are timely, comprehensive, and appropriate
- If applicable, school relationship with a charter management organization identified in charter and supported by a management agreement that spells out services, responsibilities, accountability reporting, performance expectations, and fees

Evidence of an operationally viable organization may include, but not be limited to, the following:

- Required facility documents (lease, certificate of occupancy, fire and safety inspections, etc.)
- Appropriate insurance documents
- Operational policies and procedures
- Operational organizational chart
- Secure storage areas for student and staff records
- Policies/protocols for maintaining secure records
- School safety plan
- Immunization completion rate information
- Appropriate AED/CPR certifications

## 2e. Financial Sustainability

Schools that are responsible stewards of public funds and are effective, sustainable organizations have many of the characteristics below:

- Maintain annual budgets that meet all short- and long-term financial responsibilities with available revenues
- Provide rigorous oversight of financial and operational responsibilities, at school leadership and Board levels, in a manner that keeps the school's mission and academic goals central to short- and long-term decision-making
- Consistently clean financial audits and compliant escrow accounts
- If applicable, strong, accountable partnerships with management organizations and other partners and significant vendors to support delivery of charter school's design and academic program
- School leadership and Board maintain effective internal controls of finances to ensure integrity of financial management and a proactive approach to mitigating risk
- School leadership and Board oversee financial and operational responsibilities in a manner that keeps the school's mission and academic goals central to decision-making
- Demonstrate financial planning for future school years, including per-pupil and space-related cost projections

Evidence for a financially sound, viable organization may include, but not be limited to, the following:

- School budget, P&Ls, and monthly/quarterly cash-flow reports
- Financial audits, escrow accounts and other fiscal reporting documents
- Financial leader(s) resume and accountability documents
- Financial and operational organizational chart
- Contracts or Memos of Understanding (MOUs) for significant partnerships and vendor relationships

### **3. Is the School in Compliance with its Charter and All Applicable Laws and Regulations?**

#### **3a. Approved Charter and Agreement**

Schools in substantial compliance with the school's charter and charter agreement have the characteristics below:

- Implement the key features of their charter as described in the original charter and, if appropriate, as modified in approved revisions to their charter, including but not limited to mission, academic program, school organization, grade configuration, enrollment, goals, etc.
- Ensure that up-to-date charter is available on request to staff, parents, and school community
- Implement comprehensive academic, behavioral, oversight, management, and operational policies and procedures that are substantially aligned with the charter and the school's stated mission and vision

Evidence for a school's compliance with the terms of its charter and charter agreement may include, but not be limited to, the following:

- Authorized charter and signed agreement
- Charter revision request approval and documentation
- School mission
- School policies and procedures
- Annual Comprehensive Review reports
- Board meetings, agendas and minutes
- Leadership/Board and staff interviews
- Public hearings (renewal or material revision hearings)

#### **3b. Applicable Federal and State Law**

Schools in substantial compliance with federal and state law have the characteristics below:

- Meet all legal requirements for Title I and IDEA regulations and reporting
- Meet or exceed enrollment and retention targets for Free and Reduced Price Lunch, ELL and Special Education students to those of their community school district of location<sup>33</sup> or are making documented good faith efforts to reach comparable percentages for enrollment and retention
- Implement school policies related to student discipline and promotion and retention that are fully compliant with laws and regulations related to students with disabilities and due process regulations
- Conduct an independently verified fair and open lottery and manage enrollment process and annual waiting lists with integrity
- Employ instructional staff with appropriate security clearances and meet all certification requirements

<sup>33</sup> School-specific targets for enrollment and retention were developed by the NY State Education Department. This requirement of the New York State Charter Schools Act applies to schools renewed after 2010.

Evidence for compliance with applicable federal and state law may include, but not be limited to, the following:

- School reporting documents
- School's NYSED Annual Report
- Student recruitment plan and resources
- Student management policies and promotion and retention policies
- Student/Family Handbook
- Student discipline policy and records
- Parent complaint/grievance records
- Lottery policy, resources, and records; enrollment procedures and records
- Demographic data (school, district, and other as appropriate)
- Staff roster, fingerprint clearance for all staff, certification status of all instructional staff

### **3c. Applicable Regulations**

Schools in substantial compliance with applicable regulations have the characteristics below:

- Safe and secure facilities with no significant compliance concerns
- Consistently clean annual audits, up-to-date escrow accounts, and complete all other financial reporting as required
- Boards that meet requirements for size, meeting frequency, public notice, applicable open-meeting and conflict of interest regulations, as well as comply with NYC DOE OSDCP's requirements for reporting changes in board membership and securing approval for new board members
- Inform NYC DOE OSDCP, and where required, receive OSDCP approval for changes in significant partnerships, such as dropping/replacing a management organization
- Effectively engaged parent associations

Evidence for compliance with applicable regulations may include, but not be limited to, the following:

- School or building safety plan; appropriate inspection documents
- Annual audits, escrow accounts, other financial reporting documents
- Board roster, calendar, agenda and minutes, conflict of interest documents, notification of changes/approval of new member request documents
- Charter revision requests
- Revised or new contracts
- Parent association calendar of meetings, identified officers, parent association agenda and minutes, parent satisfaction survey results
- Stakeholder interviews

## 4. What Are the School's Plans for its Next Charter Term?

### 4a. School Expansion or Model Replication

In anticipation of a new charter term, a school may consider various growth options: replication, expansion to new grades or increased enrollment, or alteration of its model in some significant way. Successful schools generally have processes for:

- Conducting needs/opportunity assessments
- Forming Board and leadership committees or subcommittees to investigate options, develop action plans, ensure capacity and resources are aligned, etc.
- Engaging school community in articulating charter revisions (or a new charter in cases of replication) to determine community needs and to communicate regarding the school's proposed growth plans
- Ensuring that the final proposal is ambitious but realistic in its plans
- Creating a well-reasoned and documented prospective for the school's new charter term and, if applicable, a new charter proposal (for replication)

Evidence for likely success in planning for school growth in a new charter term may include, but not be limited to, the following:

- Renewal application narrative, including performance results and analyses of the current charter term
- Renewal application revised charter submission, including mission, program description, governance, organization, budget, etc. for new term
- Charter revision or merger applications
- Leadership and Board interviews

### 4b. Organizational Sustainability

Successful schools consistently perform despite change. While there is no single path for ensuring sustainability, successful schools often have the following features:

- School anticipates organizational opportunities/needs and plans for resource development (for example, human resource policies for growing your own talent, or fundraising or budget management to take care of anticipated capital needs and to mitigate risks for the unexpected, or board development to bring new talent or specific needs-based expertise to the school)
- School develops contingency plans especially for facilities or financial scenarios

Evidence for organizational sustainability may include, but not be limited to, the following:

- Charter renewal application
- Board roster and resumes
- Board committees and minutes
- School organizational chart
- Staff rosters
- Staff handbook
- Leadership and staff interviews
- Budget

#### **4c. School or Model Improvements**

Successful schools are thoughtful about the continued appropriateness of school design features and elements of their models. They:

- Review performance carefully and even without major changes through expansion or replication, are careful to adjust elements to ensure continued and improved success
- Develop plans to improve the school learning environment, including improving their facilities to expand program offerings and/or developing new partnerships to further the school's mission

Evidence for successful improvements to a school's program or model may include, but not be limited to, the following:

- Renewal application narrative, including performance results and analyses of the current charter term
- Renewal application revised charter including mission, program description, governance, organization, budget, etc. for new term
- Leadership and Board interviews
- Contracts or Memos of Understanding (MOUs) with partners or important vendors

## Appendix A: School Performance Data

### Students scoring at or above Level 3

| Grade-Level Proficiency in English Language Arts |           |           |
|--|-----------|-----------|
|  | 2012-2013 | 2013-2014 |
| <b>The Ethical Community Charter School</b>      |           |           |
| Grade 3  | 19.0%     | 15.0%     |
| Grade 4  | 15.6%     | 4.9%      |
| Grade 5  | -         | 18.4%     |
| <b>DIFFERENCE FROM CSD 14 *</b>                  |           |           |
| Grade 3  | -7.8      | -18.2     |
| Grade 4  | -9.4      | -23.8     |
| Grade 5  | -         | -8.1      |
| <b>DIFFERENCE FROM NYC</b>                       |           |           |
| Grade 3  | -9.1      | -14.9     |
| Grade 4  | -11.6     | -26.2     |
| Grade 5  | -         | -10.0     |

| Grade-Level Proficiency in Mathematics      |           |           |
|---|-----------|-----------|
|   | 2012-2013 | 2013-2014 |
| <b>The Ethical Community Charter School</b> |           |           |
| Grade 3                                     | 22.4%     | 20.0%     |
| Grade 4                                     | 6.7%      | 9.8%      |
| Grade 5                                     | -         | 5.3%      |
| <b>DIFFERENCE FROM CSD 14 *</b>             |           |           |
| Grade 3                                     | -8.3      | -18.7     |
| Grade 4                                     | -22.0     | -27.4     |
| Grade 5                                     | -         | -30.3     |
| <b>DIFFERENCE FROM NYC</b>                  |           |           |
| Grade 3                                     | -10.7     | -18.6     |
| Grade 4                                     | -28.6     | -30.2     |
| Grade 5                                     | -         | -33.5     |

\* CSD comparisons are particular to the CSD in which the school was sited each year.

## Appendix B: Additional Accountability Data

### NYC DOE Accountability Reports

[Annual Comprehensive Report 2013-2014](#)