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Evaluative Comments:
BUGS NYSED renewal site visit report 2022

Benchmark 1

The BUGS board would like to provide further information on BUGS progress with Benchmark 1. BUGS interim assessment data is not in comparison to the home district or state, but shows **encouraging growth by special populations in almost all grades and subjects** from baseline (August 2021) to midline (December 2021).

Based on the areas of concern identified in the 2018-19 SY corrective action plan for all students, students who have been identified as economically disadvantaged, and students with disabilities, BUGS 2021-22 interim assessment data for ELA indicates that more students are trending towards grade level proficiency as indicated by baseline to midline data in tables 1 & 2 below.

2021 22 Writing Interim Assessment Proficiency								
Grade	Baseline				Midline			
	Total Students tested/% Proficient	IEP Students Proficient	ED Students Proficient	ELL Students Proficient	Total Students Proficient	IEP Students Proficient	ED Students Proficient	ELL Students Proficient
6th Grade (2024)	98	13	15	1	110	17	18	1
	26%	8%	13%	0%	53%	24%	39%	0%
7th Grade (2023)	81	16	15	5	92	16	18	5
	25%	25%	13%	0%	71%	50%	44%	20%
8th Grade (2022)	95	26	31	3	95	23	29	3
	14%	0%	6%	0%	51%	13%	34%	0%
Whole School	274	55	61	9	297	56	65	9
	21%	11%	11%	0%	58%	29%	39%	7%

Table 1. The data in the above table compares the % of students proficient out of all students taking the writing baseline and midline in 2021-2022. **Growth is highlighted.**

All students are showing considerable growth from baseline (August 2021) to midline (December 2021), including special populations, with the exception of one 6th grade ELL student, and 3 ELL students in 8th grade who did not become proficient during Semester 1.

Overall 58% of BUGS students demonstrated grade level proficiency on the Writing midline interim assessment in December 2021, a 37% increase from the Writing baseline completed in August, 2021.

39% of BUGS ED students demonstrated grade level proficiency on the Writing midline interim assessment completed in December 2021, a 28% increase from the Writing baseline completed in August, 2021.

29% of BUGS students with IEPs demonstrated grade level proficiency on the Writing midline interim assessment completed in December 2021, a 18% increase from the Writing baseline completed in August, 2021.

2021 22 STAR Reading Interim Assessment Proficiency								
Grade	Baseline				Midline			
	Total Students tested/ % Proficient	IEP Students Proficient	ED Students Proficient	ELL Students Proficient	Total Students tested/ % Proficient	IEP Students Proficient	ED Students Proficient	ELL Students Proficient
6th Grade (2024)	114	17	17	1	112	18	18	1
	60%	47%	36%	0%	66%	50%	50%	0%
7th Grade (2023)	91	17	18	5	92	16	18	5
	67%	53%	22%	0%	66%	56%	22%	0%
8th Grade (2022)	99	26	32	3	96	26	32	3
	49%	16%	16%	0%	49%	12%	9%	0%
Whole School	304	60	67	9	300	60	68	9
	59%	39%	25%	0%	60%	39%	27%	0%

Table 2. The data in the above table compares the % of students proficient (at or above grade level) on the STAR Reading assessment from baseline to midline in December 2022. Growth is highlighted.

Overall 60% of BUGS students demonstrated grade level proficiency on the STAR Reading interim assessment in December 2021. Of note is that Economically Disadvantaged students experienced growth in Reading proficiency schoolwide.

27% of BUGS ED students demonstrated grade level proficiency on the STAR Reading midline interim assessment completed in December 2021, a 2% increase from the STAR Reading baseline completed in August, 2021.

Students with disabilities demonstrated growth from baseline to midline in the 6th and 7th Grade but not in 8th Grade.

Based on the areas of concern identified in the 2018-19 SY corrective action plan for all students, students who have been identified as economically disadvantaged, and students with disabilities, BUGS interim assessment data for Math indicates that more students are trending towards grade level proficiency as indicated from baseline to midline in table 3 below. This data is not in comparison to the home district or state, but show encouraging growth in all special populations.

2021 22 Math Common Assessment Proficiency								
Grade	Baseline				Midline			
	Total Students tested/ % Proficient	IEP Students Proficient	ED Students Proficient	ELL Students Proficient	Total Students Proficient	IEP Students Proficient	ED Students Proficient	ELL Students Proficient
6th Grade (2024)	73	14	8	0	105	18	18	2
	44%	14%	14%	0%	52%	28%	28%	50%
7th Grade (2023)	90	17	17	5	90	16	18	5
	49%	41%	6%	0%	68%	50%	17%	20%
8th Grade (2022)	95	24	31	3	94	24	31	3
	39%	8%	8%	0%	50%	17%	23%	33%
Whole School	258	55	56	8	289	58	67	10
	44%	21%	10%	0%	57%	31%	22%	34%

Table 3: The data in the above table shows the % of all students proficient (at or above grade level) on STAR Math from baseline to midline in 2021-2022. Growth is highlighted.

Overall, 57% of BUGS students demonstrated grade level proficiency on the STAR Math midline interim assessment completed in December 2021, a 13% increase from the Math baselines completed in August, 2021.

34% of BUGS ELL students demonstrated grade level proficiency on the STAR Math midline interim assessment completed in December 2021, a 34% increase from the Math baseline completed in August, 2021.

22% of BUGS ED students demonstrated grade level proficiency on the STAR Math midline interim assessment completed in December 2021, a 12% increase from the Math baseline completed in August, 2021.

31% of BUGS students with IEPs demonstrated grade level proficiency on the STAR Math midline interim assessment completed in December 2021, a 10% increase from the Math baseline completed in August, 2021.

Professional Development

Based on staff feedback, BUGS now offers professional development focusing on differentiated instruction and project-based learning as part of the on-going monthly PD Day menu. BUGS also has a standing monthly Inclusion Meeting by grade level, focusing on differentiated instruction and providing accommodations and modifications for students with IEPs.

Benchmark 9: Enrollment, Recruitment, and Retention

Benchmark 9 reads as follows: “The school is meeting or making annual progress toward meeting the enrollment plan outlined in its charter and its enrollment and retention targets for students with disabilities, English language learners, and students who are eligible applicants for the free and reduced priced lunch program; **or has demonstrated that it has made extensive good faith efforts to attract, recruit, and retain such students.**” (Emphasis added.)

The Board believes that over the course of the current charter term, the school has demonstrated that it has made extensive good faith efforts to attract, recruit, and retain students with disabilities, English language learners, and students who are eligible applicants for the free and reduced priced lunch program, and therefore that the trajectory with regard to Benchmark 9 has been consistent as a Meets.

Over the course of this charter term, the school has been experiencing a change in its student demographic that to a large extent is beyond its control. Community School District (CSD) 15 – where the school is located – instituted and is finding success with its highly promoted middle school diversity initiative; and as a result, the school is finding itself increasingly unable to compete with CSD 15 in the recruitment of ELLs and students who are eligible for free and reduced price lunch **without a preference in place that is similar to the district’s**. This district challenge should be noted in the renewal report, and is by far the most limiting factor to BUGS intentional and extensive recruitment efforts.

In response to new conditions in CSD 15, the school has implemented extensive recruitment strategies and program services to attract and retain SWDs, ELLs, and students who are eligible for free and reduced priced lunch over the course of this charter term. These extensive good faith efforts consisted of the following: producing bi-lingual emails and brochures that were mailed to targeted lists of ELL and ED families (approximately 2,500) with emphasis on support for all learners with increased chances of admission in the lottery and made available through grassroots distribution in communities with high concentration of ELL and ED families. BUGS student recruitment materials were also provided to relevant community service organizations, including a special partnership created with Mixteca, a service organization focused on services for immigrant families. BUGS also consistently provided information about our program and information sessions to parent coordinators at elementary schools with high percentages of ELL/MLL students, launched recruitment social media campaigns in Spanish and English,

and made sure our website could be translated into different languages. Our team also offered Spanish language information sessions that are promoted through extensive outreach and with support from current and former ELL/MLL families. Before the pandemic, BUGS also engaged a community outreach consultant who was able to also reach target special populations with extensive flyering and phone call follow up to families. We conducted outreach to parents and families in the surrounding communities, widely publicizing the lottery for the school, and engaged in efforts to academically support these students, such as expanded staff development efforts through our Title III ELL consortium participation. Additionally, in advance of the lottery for the 20-21 school year, the school revised its admissions and enrollment policy, expanding its previously established lottery weighting of 3x for ELL students to 10x (and adding a 10x weighting for ED students as well).

Unfortunately because of COVID, BUGS was not able to implement several high impact recruitment initiatives such as arranging for school visits from target elementary schools, hosting parent coordinators for special events, holding tabling programs at elementary schools and speaking to families in-person at district middle school fairs. Concerns for their children taking public transportation during the pandemic also affected ELL/MLL enrollment as most of the high concentration ELL/MLL and ED elementary schools are not within walking distance of BUGS.

Note that ELL/MLL is not evenly distributed across the district with the closest district schools to BUGS showing similar ELL/MLL percentage enrollment. (BUGS currently enrolls a similar percentage of ELLs/MLLs as the district school renting within the same facility.) In the fall of 2020, after receipt of the February 2020 Notice of Deficiency with Request for a CAP relating to the enrollment of ELLs, the school engaged NYSED CSO in an extensive dialogue around making more significant enrollment policy revisions to increase the proportion of enrolled ELL students at the school and proactively address ED student enrollment, which the school realized was trending down. At the recommendation of CSO staff, the board pursued a KDE revision that would have allowed the school to implement a lottery preference for ED students, but the revision request was not approved by the CSO. Using the tools it had at its immediate disposal, the school revised its admissions and enrollment policy to more heavily weight for ELLs (from 3x to 10x) and to add a weighting for ED students (10x) to increase their chances of admission. With the approval of NYSED CSO, this revised policy was in place for the 2021-2022 school year.

Our recruiting efforts and efforts to weigh enrollment towards these populations clearly show a deep commitment to enrollment of ELL, ED and FRPL students. Given the fact that BUGS is unable to offer the same preference to these populations as the district, and had put forth good faith efforts to do so, we do not believe the side-by-side comparison of our population to the districts' should be the main indicator used to inform our rating for this benchmark

A history of low ELL and ED enrollment as compared to NYC CSD 15, the district of location, is just one of four indicators for Benchmark 9. While the Board recognizes the significance of these numbers and agrees that the school must continue in its efforts to recruit, enroll, and retain special populations, the Board respectfully submits that the school has met the other three indicators for this Benchmark and

that this one indicator should not be used as the basis for a finding of Approaches for the school, during this charter term.

Benchmark 10: Legal Compliance

The Board respectfully submits that the school has compiled a record of substantial compliance with applicable state and federal laws and the provisions of its charter over the course of this charter term, supporting a finding of Meets for Benchmark 10. The Board believes that NYSED CSO's finding of Approaches is not supported by the instances of what was referred to as non-compliance noted under indicator "a".

The Board takes issue with NYSED CSO's characterization of the summative evidence under Benchmark 10 as instances of non-compliance by the school with state laws and the provisions of its charter. This terminology evokes willfulness or reckless disregard on the part of the school, which NYSED CSO has not justified and to which the Board strongly objects.

The Board takes full responsibility for the fingerprint clearance matter noted under Indicator "a". However, the Board wishes to provide some context. The issue in question involved three employees (one teacher and 2 staff) who were subsequently cleared and who were working at a time when the school was operating fully remotely. As all schools faced pandemic circumstances, BUGS made every effort to support incoming staff to get timely fingerprinting done in the face of COVID challenges, such as getting fingerprinting appointments.

The Board agrees that some of the school's policies required updates to be in compliance with the law and/or recently enacted CSO policy, but respectfully submits that this alone does not support a finding that the school was not in substantial compliance with state laws and the provisions of its charter over the course of the charter term.

The Board believes that the summative evidence for indicator "b" - that in response to the February 2020 CSO-issued Notices of Deficiency, the school submitted a CAP and a subsequent addendum with goals, progress made, and action steps - explicitly supports a finding that the school has undertaken appropriate corrective action when needed. The school notes that it provided proactive updates to the CAPs to its liaison, as well.

Additionally, the Board disagrees with CSO's methodology, which allows the school to be penalized for the same evidence – issuance of the Notices of Deficiency for academic performance and the recruitment of ELLs – under more than one Benchmark (1, 9, and repeated in 10).

Finally, the Board wishes to address the summative evidence provided by the CSO under indicator "c". The Board submits that the school has a history of always seeking input from the CSO around charter revisions, has maintained constant communication with our CSO liaisons, consistently informed our CSO liaisons of any changes at the school, and immediately complying with the directions it is given by the

CSO. The Board believes that it is not factually accurate to characterize what happened over the course of this charter term relating to significant revisions as non-compliance by the school. Rather, it is accurate to characterize what happened as evidence of the school's continued compliance with the CSO's requests around charter revisions, this time involving the CSO's recent enforcement of policies and procedural changes relating to revision requests. When the CSO advised the school that formal revision requests needed to be submitted for (a) an organizational chart change previously implemented by the school with the knowledge and approval of the school's CSO liaison, (b) a change to the school's KDEs due to an administrative error by the CSO, and (c) a change to the school's mission statement, the school quickly and effectively complied with the CSO's directions and submitted the formal revision requests.

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We thank the CSO for considering these Evaluative Comments.