



**Renewal Report**  
**Banneker Blake Academy of Arts and Sciences (357)**

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## **REPORT INTRODUCTION**

### ***Purpose of the Report***

The renewal report is a summary of findings and a resulting recommendation regarding renewal of the charter or contract for an operator-run school. In the 2017-18 school year, Baltimore Education Trust for Young Men, Inc., operator of Banneker Blake Academy of Arts and Sciences, went through the operator renewal process. As a result of that process, the Baltimore Board of School Commissioners voted to approve a one-year conditional contract. The operator has requested that their renewal recommendation go to the Board on October 23 with a vote on the recommendation on November 13.

The school's contract states that "failure to meet any requirements or goals and deliverables established pursuant to the conditions" could lead to termination of City School's contract with the operator. During the 2017-18 renewal process, concerns were noted in several areas that are fundamental responsibilities of school operators: special education practices, operational practices, financial management and acquisition of a permanent facility. Based on these concerns, conditions that could lead to termination are:

- Failure to address Office of Special Education Monitoring and Compliance (OSEMC) audit findings; new findings substantiated by OSEMC or the Office of Special Education; and/or failure to deliver and make progress on the school's plan and processes to meet the needs of students with disabilities as well as student with 504 plans based on either a review conducted by the Office of Special Education and/or by a consultant approved by the CEO/Designee;
- Failure to create a plan and/or to address challenges in the operations of the school identified and detailed in renewal and/or to meet the requirements or deadlines established in the plan as determined by the CEO/Designee with all issues requiring full resolution by October 1, 2018; the plan must include SMART goals for substantially improving the financial health of the school and/operator, and clear separation of roles and responsibilities of the operating Board, the school leader and the executive director/board liaison of the operator; and/or the school must not violate any Applicable Requirements as determined by the CEO/Designee; or
- Failure to develop approvable action plan that addresses each of the concerns by July 30, 2018; such action plan must address procurement of a permanent facility including financing, renovating/readying facility for use by the school, securing permanent leadership for the school, and providing professional development for each sector of the school – teaching staff, school leadership and the operating board; the plan must contain SMART Goals approved by the CEO/Designee and must result in changes in practices that demonstrate or show a trajectory towards effectiveness as determined by the CEO/Designee.

Preliminary – October 23, 2018 – Board will vote on this recommendation on November 13, 2018

<b>Actions</b>	<b>Timeline</b>
Schools submit renewal applications	September 6, 2018
Charter and Operator-led Advisory Board reviews renewal applications and makes recommendations to the CEO	September to October 2018
District presents recommendations to Board at public meeting	October 23, 2018 – Banneker Blake Academy of Arts and Sciences November 13, 2018 – Normal Cycle
Opportunity for operator to provide oral testimony to Board in a meeting open to the public	November 13, 2018 – Designated time for Banneker Blake Academy of Arts and Sciences November 20, 2018 – Normal Cycle
Board votes on renewal recommendations	November 13, 2018 – Banneker Blake Academy of Arts and Sciences January 8, 2019 – Normal Cycle

## ***Banneker Blake Academy of Arts and Sciences (#357)***

*Operator:* The Baltimore Education Trust for Young Men, Inc.

*Configuration:* Middle

*Type:* Charter

*Enrollment:* 208<sup>1</sup>

### **Recommendation**

*Non-renewal*

### **Renewal summary**

<b>Condition</b>	<b>Finding</b>
Special Education Practices	Did not meet
Operational Practices	Did not meet
Financial Management	Partially met
Acquisition of Permanent Facility	Partially met

### **Discussion**

Having considered progress towards renewal conditions and the recommendation of the Charter and Operator-led Schools Advisory Board, Baltimore City Public Schools' CEO recommends that the contract with Baltimore Education Trust for Young Men be non-renewed as the operator of Banneker Blake Academy of Arts and Sciences and the school be closed at the end of the 2018-19 school year.

The school was found to have not met conditions for renewal in the areas of special education and operational practices, and to have partially met conditions for acquisition of a permanent facility and financial management.

The more serious concerns are related to the operator not meeting the renewal conditions in the area of special education practices. The school shows an ongoing pattern of non-compliance in providing special education and 504 services to students. The school failed to fully address Office of Special Education Monitoring and Compliance (OSEMC) audit findings from May 2018 which

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<sup>1</sup>Enrollment figures are unofficial September 28 enrollment used for 2018-19 funding adjustments, excluding pre-k students (where applicable). Official enrollment numbers are expected to differ as a result of the MSDE data-cleansing process; final data anticipated by December 2018.

resulted in the need for Free Appropriate Public Education (FAPE) meetings for students. In a follow-up visit in August 2018, OSEMC substantiated new findings. As a result of these findings, the school is required to conduct FAPE meetings for all currently enrolled students with IEPs. In addition, several students were awarded hundreds of hours in compensatory services. In the 2018-19 school year, the school has continued to show an inability to meet the needs of students with disabilities and students with 504 plans. For example, the school has not had special educator service schedules in place for a significant portion of the 2018-19 school year to date. Special educator service schedules demonstrate proof of delivery of instruction to students in accordance with their IEPs. Without the schedules or other substantial proof of service delivery, the school cannot confirm that students with IEPs have been receiving services in accordance with their IEPs. In addition, teachers at the school did not receive their students' 504 plans until late October, making them unable to provide these services to their students. Because of these deficiencies and others, staff from the Office of Special Education have had to provide extensive support to the school to ensure it is correcting these problems and fulfilling its responsibilities to students with disabilities and 504 plans.

In addition, the operational practices of the school do not meet the renewal conditions. The school has violated contractual Applicable Requirements. Applicable Requirements include abiding by federal and state laws and regulations, school board policies and guidance, court orders, consent degrees and requirements relating to corrective action taken by MSBE, and MSDE requirements. The operator has violated collective bargaining agreements (CBA) by having operator staff perform roles and functions that are reserved for employees in CBA positions. These employees were not in CBA positions, and/or performed duties they were not qualified for, potentially putting the district at risk. These practices have also led to violations of the Family Educational Rights and Privacy Act (FERPA) in that unqualified operator employees have had access to confidential student and staff information. Another applicable requirement that was violated was district policy and guidance on grade reporting and MSDE requirements to keep accurate grade records. Reporting accurate grades is necessary to maintain rigorous performance and achievement standards for all students and to provide a fair process for evaluating and reporting student progress that is understandable to students and their parents and relevant for instructional purposes. As of October 23, 2018, the operator has failed to remedy grade reporting issues that arose in the 2017-18 school year when the school made several unauthorized changes to its master schedule, potentially leading to students receiving inaccurate final grades. Having a record of accurate grades is a fundamental responsibility of a school and failure to do so could have a variety of negative effects on students, such as difficulty when students transfer between schools, inaccurate composite scores to determine eligibility for entrance criteria high schools, state reporting errors, and difficulty determining impacts of FAPE violations.

The school has partially met the requirement related to its acquisition of a permanent facility. The operator has identified St. Ambrose as a potential facility for the school, has been in negotiation with the Archdiocese of Baltimore, the facility's owner, and has reported an anonymous benefactor who will assist in acquisition costs. However, the operator was required to have a renovation/construction plan for the new facility, which has not been provided. The operator was also required to set aside funds for renovation/construction of a new facility. The operator's budget

as initially submitted did not show such funds and a revised budget shows funds for “relocation costs”.

Finally, the school has partially met the renewal conditions in financial management. The operator was able to maintain three months operating budget in the bank in June and August of 2018 as required. In July 2018, the school was slightly below the three-month requirement. However, there are still some concerns regarding the fiscal viability of the school due to low enrollment. Schools are funded on a per-pupil basis, so maintaining enrollment according to their enrollment plan is essential to a school’s ability to achieve its fiscal goals. The school’s 2018-19 funded enrollment is at 208 students, 100 students below its contractual minimum and represents a loss of 48 students between FY19 budget projections and the enrollment reporting date, the equivalent of over \$400,000 in funding. The school has not been able to meet its contractual minimum enrollment level in the four years of its existence.

## ***Appendix: 2017-18 Renewal Report: Banneker Blake Academy of Arts and Sciences (357)***

### **REPORT INTRODUCTION**

#### ***Purpose of the Report***

The renewal report is a summary of findings and a resulting recommendation regarding renewal of the charter or contract for an operator-run school. To inform this recommendation Baltimore City Public Schools collects and analyzes documentation, including the School Effectiveness Review (SER) performed on site at each school and the school's renewal application, along with an evaluation of the school's performance based on the renewal rubric and consideration of all other relevant information.

City Schools' renewal criteria are based on state law (§ 9-101, *et seq.*, MD. CODE ANN., EDUC.) and Baltimore City Board of School Commissioners' policy IHB and associated administrative regulations (IHB-RA and JFA-RA). The Board's policy requires that schools up for renewal be evaluated on multiple measures including, but not limited to, the following:

- **Student achievement**, constituting at least 50 percent of the renewal score and including measures such as schoolwide performance on state assessments, College and Career Readiness (for schools with high school grades), highly effective instruction (from the SER), academic programming for special student populations, and a school's fidelity to its charter
- **School climate** (chronic absence, suspensions, enrollment trends, school choice data, and school survey results from parents, teachers, and students)
- **Financial management and governance** (annual audits, school budget submissions, grants management, and relevant documentation provided by the school's board)
- **Effective management** (school compliance with laws, rules, policies, and regulations)

The renewal process is a component of City Schools' annual review of its school portfolio, designed to ensure that students and families across the district have access to school options that meet their interests and needs. In 2011, City Schools formed the Renewal Stakeholders Working Group (composed of school operators from a range of school types, Supporting Public Schools of Choice, and the Maryland Charter School Network) to develop a methodology for evaluating the performance of operator-run schools. The result: a fair, transparent, and rigorous renewal framework that reflects schools' unique nature and innovative contributions to student achievement, used for the first time in the 2012-13 school year.

At the conclusion of each year's renewal cycle, staff engages key stakeholders in a review of the process to identify areas for improvement that could be addressed while still maintaining a level of predictability for schools up for renewal in the following year. The most recent round of review considered implications for the renewal process of including results from statewide PARCC assessments for the first time, given that, to date, a significant portion of the weight in the student achievement portion of the renewal decision has been based on assessment data. Changes made to the framework as a result of this most recent review include the following:

- Used PARCC mean scale scores from the 2014-15 to 2016-17 school years for trend measure
- Recognizing the correlation between relative wealth and PARCC absolute results, compared schools against other schools with similar levels of economic disadvantage (in previous years, comparison groups were based only on tested grade band)
- Aligned College and Career Readiness measure to Maryland State Department of Education (MSDE) standards.

## ***The Process***

The review process has the following components:

- Renewal rubric (includes data from standardized assessments and school surveys)
- Application for renewal
- Data tables prepared by City Schools
- School Effectiveness Review

The Charter and Operator-led Advisory Board (also known as the New and Charter School Advisory Board), a cross-representational group made up of members representing foundations, nonprofit organizations, school choice advocates, school operators, and district representatives, reviews each of these components and makes recommendations to City Schools' CEO on whether charters or contracts should be renewed. The CEO considers the recommendation, and then makes her own recommendation to the Board for vote. According to Board policy, City Schools may determine that a public charter school is eligible for a five-year contract term, three-year contract term, or nonrenewal.

<b>Actions</b>	<b>Timeline</b>
Schools submit renewal applications	September 7, 2017
Charter and Operator-led Advisory Board reviews renewal applications and makes recommendations to the CEO	September to October 2017
District presents recommendations to Board at public meeting	November 14, 2017
Board conducts public work session for operators	November 28, 2017
Board votes on renewal recommendations	December 19, 2017

## ***Banneker Blake Academy of Arts and Sciences (#357)***

*Operator:* The Baltimore Education Trust for Young Men, Inc.

*Configuration:* Middle

*Type:* Charter

*Enrollment:* 260<sup>2</sup>

### **Recommendation**

*One year conditional renewal with benchmarks set and reviewed by CEO/designee*

### **Renewal summary**

<b>Category</b>	<b>Finding</b>
Is the school an academic success? (min. 50% weight)	Effective
Does the school have a strong school climate?	Developing
Has the school followed sufficient governance management and governance practices?	Not effective
Has the school followed sufficient financial management practices? <sup>3</sup>	

### **Discussion**

On February 13, 2018, the Baltimore City Board of School Commissioners voted to renew the contract with the Baltimore Education Trust for Young Men, Inc. to operate Banneker Blake Academy of Arts and Sciences for one year, with conditions in the areas of special education services, facility, finance and operations set by the CEO/designee.

The school was rated effective in Academics, developing in Climate and not effective in Governance/Financial Management.

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<sup>2</sup> Total enrollment counts reflect the MSDE official enrollment file for grades k-12, which includes students enrolled on September 30 each year. This file is verified by MSDE prior to becoming the official enrollment count for the year.

<sup>3</sup> Financial management considers a review of the operator's audits over the contract term. In the original report (November 14), the Financial Management/Governance section was noted as pending to wait for additional audited financials. This report reflects that updated information.

The operator was rated does not meet expectations in Financial Management based on a review of the school’s audits. This rating was based on the two years of audits showing negative net assets, as well as insufficient cash reserves, with only \$35,459 on hand as of June 30, 2017. These results raise questions about the school’s long-term financial viability. Additionally, the operator was rated not effective in Operator Capacity based in part on ineffectively managing federal grants, as evidenced by violation of Title I spending rules, potentially putting Title I funding for the district at risk. In addition, the school did not fully spend Title I and Title II grants, which required the district to take back unspent funds. The Operator Capacity rating is also based on the operator not meeting key district requirements, including contractual obligations, and adherence to Human Capital and Special Education policies.

The school was rated effective for its absolute PARCC performance in math 6-8 (69th percentile of its economic disadvantage [ED] comparison group, which compares schools based on similar levels of wealth, with a mean scale score of 705), and English language arts (ELA) 6-8 (69th percentile of its ED group, with a mean scale score of 710). It was rated highly effective in PARCC achievement growth, which assesses changes in individual student scores over time, in math 6-8 (81st percentile) and ELA 6-8 (84th percentile). The school was rated developing in the area of Highly Effective Instruction based on the School Effectiveness Review (SER), which considers how teachers plan and deliver instruction, adjust instruction based on data, and create a positive classroom environment, and how school leaders support the instructional program at the school. The school was rated effective in the Talented People measure of the SER, which measures how a school selects, evaluates, and retains effective teachers. However, the school was rated not effective in effective programming for students with disabilities, a measure that evaluates whether the school is exhibiting a trajectory for growth for students with disabilities, is aware of its data for this subgroup, and has effectively and consistently implemented processes, interventions, and strategies to support student outcomes in this area.

## Findings (middle school rubric)

### *Category 1, Academics: Is the school an academic success?*

Subcategory	Renewal Metric	City Schools Rating
<b>1.1 Absolute Student Achievement</b>	Mean scale score PARCC math (grades 6-8)	Effective
	Mean scale score PARCC ELA (grades 6-8)	Effective
<b>1.2 Student Achievement Trend<sup>4</sup></b>	Trend in mean scale score PARCC math (grades 6-8)	N/A
	Trend in mean scale score PARCC ELA (grades 6-8)	N/A
<b>1.3 Student Achievement Growth</b>	Median student growth percentile PARCC math (grades 6-8)	Highly effective
	Median student growth percentile PARCC ELA (grades 6-8)	Highly effective

<sup>4</sup> School does not have sufficient years of data for this measure.

<b>1.4 SER, Highly Effective Instruction</b>	Extent to which school leadership supports highly effective instruction and teachers plan and deliver highly effective instruction and establish a classroom environment where teaching and learning can occur	Developing
<b>1.5 Fidelity to Charter/Application Overall</b>	Extent to which the school <ul style="list-style-type: none"> <li>• Has fully implemented the mission expressed in its charter application and this mission is clear to all stakeholders</li> <li>• Has delivered high-quality programming for all student subgroups</li> <li>• Is gathering data to assess its efficacy and has effectively addressed any challenges evident in the data, particularly in the areas of subgroup performance, enrollment, student attendance, dropout rates, attrition, and student choice data/school demand</li> </ul>	Developing
<b>Overall rating for Category 1, Academics</b>		<b>Effective</b>

***Category 2, Climate: Does the school have a strong climate?***

Subcategory	Renewal Metric	City Schools Rating
<b>2.1 SER, Talented People</b>	Extent to which the school implements systems to select, develop, evaluate, and retain skilled teachers and staff	Effective
<b>2.2 SER, Vision and Engagement</b>	Extent to which the school provides a safe and supportive learning environment, cultivates open communication and decision-making with the school community, and establishes a school culture that embraces community diversity	Developing
<b>2.3 Staff, Student, and Parent Satisfaction</b>	School survey, staff: 5-year average	Developing
	School survey, students: 5-year average	Effective
	School survey, parents: 5-year average	Not effective
<b>2.4 Cohort Retention<sup>5</sup></b>	Percentage of students who remain at the school at least two years after initial enrollment, over time	N/A
<b>2.5 Student Attendance, Chronic Absence</b>	Extent to which the school has implemented effective strategies that have kept student attendance high and chronic absences low over the course of the contract	Effective
<b>2.6 Suspensions</b>	Extent to which the school has implemented effective strategies that have kept suspensions low over the course of the contract	Effective

<sup>5</sup> School does not have sufficient years of data for this measure.

<p><b>2.7 Effective Programming for Students with Disabilities</b></p>	<p>Extent to which the school has demonstrated a strong trajectory of growth, is aware of its data and responsibilities to students with disabilities, does not have any gaps or has decreased gaps in the data as they relate to performance and climate metrics for students with disabilities over time, and has effectively and consistently implemented processes, interventions, and strategies to support student outcomes over the course of the contract</p>	<p>Not effective</p>
<p><b>Overall rating for Category 2, Climate</b></p>		<p><b>Developing</b></p>

**Category 3, Finance and Governance: Has the school followed sufficient financial management and governance practices?**

Subcategory	Renewal Metric	City Schools Rating
<b>3.1 Audit Content, Internal Controls<sup>6</sup></b>	Extent to which <ul style="list-style-type: none"> <li>• The school’s Independent Auditor’s Reports offer unqualified opinions and no management points in each of the years of the charter term</li> <li>• Statements of cash flow and ratio of assets to liabilities indicate that the operator has strong performance on its short-term liquidity measure</li> </ul>	Does not meet expectations
<b>3.2 Operator Capacity</b>	Extent to which the school has operated effectively and the operator has consistently met all state and federal reporting requirements and critical district or federal obligations and has not received any Notices of Concern or Notices of Reprimand during the contract period (evidence that may be considered includes compliance with state or federal reporting requirements; budget submissions and monitoring reports; quarterly reports; and the relative number, frequency, and severity of Notices of Concern or Notices of Reprimand)	Not effective
<b>3.3 SER, Strategic Leadership/ Governance</b>	Extent to which the school establishes goals that guide practices to meet student needs, allocates resources to address student achievement, and has an operator that provides stewardship and oversight of the school	Developing
<b>Overall rating for Category 3, Governance/Financial Management</b>		<b>Not effective</b>

<sup>6</sup> Financial management considers a review of the operator’s audits over the contract term. In the original report (November 14, 2017), the Financial Management/Governance section was noted as pending to wait for additional audited financials. This report reflects that updated information.