



TO: P-12 Education Committee

FROM: Elizabeth R. Berlin *Elizabeth R. Berlin*

SUBJECT: Renewal Recommendations for Charter Schools
Authorized by the Buffalo Public Schools Board of
Education

DATE: May 23, 2019

AUTHORIZATION(S): *Margaret Elin*

SUMMARY

Issue for Decision

Should the Board of Regents approve the proposed renewal charters for the following charter schools authorized by the Buffalo Public Schools Board of Education pursuant to Article 56 of the Education Law (the New York Charter Schools Act):

1. **Enterprise Charter School** (short-term, two-year renewal)
2. **Westminster Community Charter School** (short-term, two-year renewal)

Reason(s) for Consideration

Required by State statute.

Proposed Handling

This issue will be before the Board of Regents P-12 Education Committee and the Full Board for action at the June 2019 Regents meeting.

Procedural History

The Buffalo Public Schools Board of Education (BPS-BOE) approved and are recommending the renewal recommendations being presented to the Board of Regents for approval and issuance of the renewal charter as required by Article 56 of the Education Law.

Background Information

The recommendation set forth in this Regents item is from the Buffalo Public Schools Board of Education (BPS-BOE) for the proposed renewal charters for two charter schools, as proposed by the BPS-BOE as a charter school authorizer under Article 56 of the Education Law.

Pursuant to Education Law §2852, the Board of Regents has the authority to issue charters to all charter schools in New York State. The process for BPS-BOE authorized charter schools is as follows:

- The BPS-BOE recommends that the Board of Regents issue a charter renewal or a revision of an existing charter.
- The recommendation is sent to the Department and the Board of Regents has 90 days to act or the recommendation goes into effect by operation of law.
- Once a charter is received by the Department, the Board of Regents has four options:
 1. Consider the recommendation and vote on it. If the vote is affirmative, the action is effective immediately, or as otherwise recommended by the BPS-BOE.
 2. If the Board of Regents chooses not to vote in the affirmative, the recommendation is sent back to the BPS-BOE with comments. The BPS-BOE must reconsider its recommendation and can choose one of the following:
 - a) resubmit the proposed charter to the Board of Regents with modifications, provided that the applicant consents in writing to such modifications;
 - b) resubmit the proposed charter to the Board of Regents without modifications; or
 - c) abandon the proposed charter.

If the recommendation is resubmitted to the Board of Regents, the Department and the Board of Regents has 90 days to act or the recommendation goes into effect by operation of law.

3. The Board of Regents can defer action to a later date. The 90-day time period continues to accrue, and the proposed charter renewal will take effect by operation of law if no action is taken by the Board within that 90-day period.
4. The Board of Regents can choose to not take action on a Buffalo Public School District BPS-BOE recommendation and allow the charter renewal to go into effect by operation of law 90 days after the initial submission to the Department.

The Board of Regents sent back the renewal recommendations for both Enterprise Charter School and Westminster Community Charter School to the BPS-BOE with comments at the April 2019 Board of Regents meeting. The BPS-BOE voted to resubmit the proposed charter to the Board of Regents with modifications for consideration.

Related Regents Items

Enterprise Charter School

March 2003 Initial Charter

<https://www.regents.nysed.gov/common/regents/files/documents/meetings/2003Meetings/March2003/0303emsca1.pdf>

June 2004 Enrollment Expansion (to add at least one grade each year, currently K-8)

<https://www.regents.nysed.gov/common/regents/files/documents/meetings/2004Meetings/June2004/0604emscvesida2.htm>

July 2005 Enrollment Expansion (to add at least one grade each year, currently K-9)

<http://www.regents.nysed.gov/common/regents/files/documents/meetings/2005Meetings/July2005/0705brca15.htm>

July 2006 Enrollment Expansion (to add at least one grade each year, currently K-10)

<http://www.regents.nysed.gov/common/regents/files/documents/meetings/2006Meetings/July2006/0706brca9.htm>

March 2008 First Renewal and Enrollment Decrease (remove grades 9-12, serve K-8)

<https://www.regents.nysed.gov/meetings/2008Meetings/March2008/0308emsca4.htm>

January 2010 Second Renewal

<https://www.regents.nysed.gov/meetings/2010Meetings/January2010/0110emsca12.htm>

July 2013 Third Renewal

<http://www.regents.nysed.gov/common/regents/files/913bra2.pdf>

March 2014 Fourth Renewal

http://www.regents.nysed.gov/common/regents/files/413bra2_1.pdf

April 2016 Fifth Renewal

<http://www.regents.nysed.gov/common/regents/files/416p12a8-revised.pdf>

April 2019 Initial BPS-BOE Recommendation for the Sixth Renewal – Returned to BPS-BOE by the Board of Regents

<https://www.regents.nysed.gov/common/regents/files/419p12a6REVISED.pdf>

Westminster Community Charter School

[July 2004 Initial Charter](http://www.regents.nysed.gov/common/regents/files/documents/meetings/2004Meetings/July2004/0704bra5.htm)

<http://www.regents.nysed.gov/common/regents/files/documents/meetings/2004Meetings/July2004/0704bra5.htm>

[January 2009 First Renewal](http://www.regents.nysed.gov/meetings/2009Meetings/January2009/0109emsca7.htm)

<http://www.regents.nysed.gov/meetings/2009Meetings/January2009/0109emsca7.htm>

[June 2014 Second Renewal](http://www.regents.nysed.gov/common/regents/files/514p12a1.pdf)

<http://www.regents.nysed.gov/common/regents/files/514p12a1.pdf>

[June 2016 Third Renewal](http://www.regents.nysed.gov/common/regents/files/616p12a4revised.pdf)

<http://www.regents.nysed.gov/common/regents/files/616p12a4revised.pdf>

[April 2019 Initial BPS-BOE Recommendation for the Fourth Renewal – Returned to BPS-BOE by the Board of Regents](https://www.regents.nysed.gov/common/regents/files/419p12a6REVISED.pdf)

<https://www.regents.nysed.gov/common/regents/files/419p12a6REVISED.pdf>

Recommendation

VOTED: That the Board of Regents finds that, the **Enterprise Charter School**: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Enterprise Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2021.

VOTED: That the Board of Regents finds that, the **Westminster Community Charter School**: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Westminster Community Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2021.

Timetable for Implementation

The Regents action for the above-named charter schools will become effective immediately.

Enterprise Charter School

In accordance with Education Law §§2851(4) and 2852(2), the Buffalo Public Schools Board of Education (BPS-BOE) recommends a short-term renewal for a period of two years for Enterprise Charter School. The charter term would begin on July 1, 2019 and expire on June 30, 2021.

Enterprise Charter School (ECS) is meeting most benchmarks set forth in the Board of Regents Charter School Performance Framework. The school is implementing the mission, key design elements, education program and organizational plan set forth in the charter.

Enterprise Charter School Summary

Name of Charter School	Enterprise Charter School
Board Chair	Thomas Ess
District of location	Buffalo Public Schools Board of Education
Opening Date	August 2003
Charter Terms	Initial: March 25, 2003 - March 24, 2008 1 st Renewal: March 18, 2008 - June 30, 2010 2 nd Renewal: July 1, 2010-June 30, 2013 3 rd Renewal: July 1, 2013-June 30, 2014 4 th Renewal: July 1, 2014- June 30, 2016 5 th Renewal: July 1, 2016 – June 30, 2019
Current Term Authorized Grades/ Approved Enrollment	K – Grade 8/ 405 students
Proposed Renewal Term Authorized Grades/ Proposed Approved Enrollment	K – Grade 8/ 405 students
Comprehensive Management Service Provider	N/A
Facilities	275 Oak Street, Buffalo, New York 14203
Mission Statement	<i>“Engaging Young Minds Through Projects and Partnerships”</i>
Key Design Elements	<ul style="list-style-type: none"> ● Differentiated and individualized instruction ● Departmentalized instruction, beginning in Grade 4 ● Constructivism ● Classroom structure ● Universal art, music, physical education, research and investigations, and foreign language (kindergarten-Grade 8) ● Commitment to staff development
Requested Revisions	None

Current Grade Levels and Approved Enrollment

	Year 1 2016 to 2017	Year 2 2017 to 2018	Year 3 2018 to 2019
Grade Configuration	K – Grade 8	K – Grade 8	K – Grade 8
Total Approved Enrollment	405	405	405

Proposed Renewal Term Grade Levels and Approved Enrollment

	Year 1 2019 to 2020	Year 2 2020 to 2021
Grade Configuration	K – Grade 8	K – Grade 8
Total Approved Enrollment	405	405

Background

The Board of Regents granted an initial charter to ECS in March 2003. Enterprise Charter School opened for instruction in fall 2003, initially serving 405 students in kindergarten (K) through Grade 8. ECS’s charter was subsequently renewed by the Board of Regents in 2008, 2010, 2013, 2014 and 2016.

Summary of Evidence for Renewal

Student Performance – Elementary/Middle School Outcomes

See Tables 1 and 2 below regarding 3-8 ELA and math exam aggregate and subgroup student performance compared to the district of location and state average which serve as two indicators in Benchmark 1 of the Charter School Performance Framework.

**Table 1: Elementary/Middle School Assessment Proficiency Outcomes for All Students:
School, District & State Level Aggregates**

All Students	ELA					Math				
	Enterprise CS	Buffalo Public Schools	Variance to Buffalo Public Schools	NYS	Variance to NYS	Enterprise CS	Buffalo Public Schools	Variance to Buffalo Public Schools	NYS	Variance to NYS
2015-2016	12%	16%	-4	38%	-26	8%	16%	-8	39%	-31
2016-2017	10%	18%	-8	40%	-30	14%	17%	-3	40%	-26
2017-2018	22%	23%	-1	45%	-23	12%	21%	-9	45%	-33

Note: Data in Table 1 represents tested students in grades 3-8 at the ECS, the Buffalo Public Schools and the state average who scored proficiently (level 3 or above) on each state assessment. This table was created using grade level data to generate the comparative values, the percent difference between the school's performance and the district of location or state averages. All values were calculated to the nearest whole number; therefore, the percent differences may show a rounded value.

ECS continues to fall below the district of location and State averages for both ELA and Math for all students. Student performance for subgroup populations (students with disabilities, English language learners/Multilingual learners, and economically disadvantaged) is also generally below district outcomes for school years 2015-2016 through 2017-2018. In ELA, sub-groups have made gains toward proficiency, with the largest gain occurring between SY 2016-2017 and 2017-2018. In math, sub-group performance has declined over the last three years, with 0% proficiency for English Language Learners/Multilingual learners (ELL/MLL) for all three years.

Table 2: Elementary/Middle School Assessment Proficiency Outcomes for Special Populations

Subject	School Year	<i>Students with Disabilities (Variance to the district of location)</i>	<i>ELL/MLL (Variance to the district of location)</i>	<i>Economically Disadvantaged (Variance to the district of location)</i>
ELA	2015-2016	4% (+1)	0% (-1)	12% (0)
	2016-2017	5% (+1)	0% (-2)	10% (-3)
	2017-2018	12% (+4)	6% (+2)	23% (+4)
Mathematics	2015-2016	4% (-1)	0% (-3)	9% (-3)
	2016-2017	5% (-1)	0% (-4)	15% (+2)
	2017-2018	3% (-5)	0% (-5)	12% (-4)

According to the 2017-2018 school year ESEA accountability designations, ECS is *In Good Standing*.

Key Performance Area: Organizational Viability

Financial Condition and Financial Management

Enterprise Charter School is in sound financial condition as evidenced by performance on key indicators derived from the school’s independently audited financial statements. Enterprise continues to operate on a surplus budget. The Board of Trustees has a strategic plan to place \$150,000 per year in reserve to ensure that debts can be paid off along with a plan to pay down the school’s mortgage early. The Board of Trustees meets monthly to discuss and monitor the school’s financial condition. Lastly, according to the school’s renewal application and focus group interviews, an outside certified public accountant firm was hired to analyze and reconcile the school’s budget. ECS operates in a fiscally sound manner. According to the school’s renewal application and Board of Trustees’ focus group interview, the school has a strategic and long-term financial plan. This plan includes the regular analysis of the schools’ State Aid reimbursement, employee salaries, retirement and benefits. In order to ensure that the school adheres to best financial practices, laws, charter regulations, and operates within a balanced budget, the school uses an independent outside provider to act as its Chief Financial Officer (CFO). This CFO ensures the appropriate tracking and recording of all school transactions, as well as the maintenance of the school’s financial records. Lastly, the school adheres to the banking practices instituted by its Board of Trustees.

The BPS-BOE reviews the financial performance and management of charter schools using quantitative and qualitative methods. Near-term indicators, such as the current ratio and unrestricted days cash, are measures of liquidity and of the charter school’s capacity to maintain operations. Long-term indicators, such as total margin and debt-to asset ratio, are measures of the charter school’s capacity to remain viable and to meet financial obligations.¹.

¹ These rigorous indicators of fiscal soundness are aligned with those recommended by the National Association of Charter School Authorizers.

A *composite score* is an overall measure of financial health calculated by the Department’s Office of Audit Services. This score is based on a weighting of primary reserves, equity, and net income. A charter school with a score between 1.5 and 3.0 is considered to be in strong financial health. ECS’s composite score for 2016-2017 is 2.8. The table below shows the school’s composite scores from 2014-2015 to 2016-2017.

**Table 3: Enterprise Charter School’s Composite Scores
2014-2015 to 2016-2017**

<i>Year</i>	<i>Composite Score</i>
2014-2015	2.60
2015-2016	2.70
2016-2017	2.80

Source: NYSED Office of Audit Services

Financial Management

The BPS-BOE reviewed ECS’s 2015-2016 audited financial statements to determine whether the independent auditor observed sufficient internal controls over financial reporting. The auditor did not identify any deficiencies in internal controls that could be considered material weaknesses.

Key Performance Area: Faithfulness to the Charter and Law

Enrollment, Recruitment and Retention

ECS’s currently has an enrollment of 405 students in K through grade 8 with approximately 95% of their student population residing in the district of location. These enrollment figures are reflective of their approved Charter enrollment. ECS’s has maintained steady enrollment between school years 2016-17 and 2018-19.

Recruitment efforts have served to support and maintain current enrollment figures. Efforts to do so were evident in that the school seeks to academically support students and subgroup populations.

Through efforts toward increasing the percentage of at-risk students enrolled, the school is coming close to, but not yet meeting, its targets for all of the special population subgroups – economically disadvantaged (ED), students with disabilities (SWDs), or English language learners/Multilingual learners (ELLs/MLLs). The school is making good faith efforts to recruit, serve, and retain at-risk students².

Table 4: Student Demographics – Enterprise Charter School Compared to District of Location

² Education Law §2854(2)(a) requires that schools demonstrate good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities, FRPL eligible students and English language learners/Multilingual learners when compared to the enrollment figures for such students in the school district in which the charter is located. SUNY and the Regents were charged with setting specific enrollment and retention targets for each charter school, and have done so. Education Law §2852(9-a)(b)(i). All charter schools that were initially chartered after August 2010 or renewed after January 1, 2011, are expected to meet or exceed the enrollment and retention targets set by the Regents and SUNY. When submitting an application for renewal of the charter, schools are required to provide information detailing the means by which they will meet the enrollment and retention targets (Education Law §2851(4)(e)), and this information is considered by the Regents in the review of the school’s performance over the charter term. A school’s plan to change its enrollment practices, whether by weighting the lottery or preferencing, may also be considered when determining whether the school will meet the targets in the upcoming charter term. A school’s repeated failure to meet or exceed its enrollment and retention targets, when combined with a failure to show that

Student Population	2016-2017			2017-2018		
	Enterprise CS	Buffalo City School District	Variance	Enterprise CS	Buffalo Public School District	Variance
Students with Disabilities	18%	24%	-6	16%	25%	-9
ELL/MLL	7%	17%	-10	7%	22%	-15
Economically Disadvantaged	89%	82%	+7	91%	84%	+7

Student Retention

According to ECS data, in the 2018-19 school year, 92% of students were retained.

Legal Compliance

ECS operates in accordance with applicable law, regulations, rules and other policies, including the terms of its charter, its by-laws and other school-specific policies. It is also in compliance with federally mandated disciplinary procedures for students with disabilities, and the Dignity for All Students Act. The board holds meetings in accordance with the Open Meetings Law.

Summary of Public Comment

The required public hearing was held by Buffalo Public Schools on December 5, 2018. Seventy-eight people attended and eight spoke. All were in favor of the school’s renewal and none were opposed.

Westminster Community Charter School

In accordance with Education Law §§2851(4) and 2852(2), the Buffalo Public Schools Board of Education (BPS-BOE) recommends a short-term renewal for a period of two years for Westminster Community Charter School. The charter term would begin on July 1, 2019 and expire on June 30, 2021.

Westminster Community Charter School (WCCS) is meeting most benchmarks set forth in the Board of Regents Charter School Performance Framework. The school is implementing the mission, key design elements, education program and organizational plan set forth in the charter.

Westminster Community Charter School Summary

Name of Charter School	Westminster Community Charter School
Board Chair	Rita Eisenbies
District of location	Buffalo Public Schools Board of Education
Opening Date	September 2004
Charter Terms	Initial Charter: August 23, 2004 – August 22, 2009 1st renewal term: July 1, 2009 – June 20, 2014 2nd renewal term: July 1, 2014 - June 30, 2016 3rd renewal term: July 1, 2016 – June 30, 2019
Current Term Authorized Grades/ Approved Enrollment	K – Grade 8/ 550 students
Proposed Renewal Term Authorized Grades/ Proposed Approved Enrollment	K – Grade 8/ 550 students
Comprehensive Management Service Provider	M & T Bank and Buffalo Promise Neighborhood
Educational Partners	Buffalo Public Schools
Facilities	24 Westminster Avenue Buffalo, New York 14215
Mission Statement	<i>It is the mission of Westminster Community Charter School that all students will graduate with the necessary foundation to be successful in high school and/or higher educational institutions and to become productive and contributing citizens in our society and community.</i>
Key Design Elements	<ul style="list-style-type: none"> ● Balanced Literacy ● Extended Day Opportunity ● Healthy Living ● Technology ● Special (area) Classes ● Academic & Instructional Support (AIS) ● Staff Development ● Community Partnerships
Requested Revisions	None

WCCS has established an integral partnership with families and community agencies to support students and create a safe school environment. These efforts have led to an increase in the school’s retention rate, with approximately 93% of students re-enrolled for the 2018-2019 school year.

Current Grade Levels and Approved Enrollment

	Year 1 2016 to 2017	Year 2 2017 to 2018	Year 3 2018 to 2019
Grade Configuration	K – Grade 8	K – Grade 8	K – Grade 8
Total Approved Enrollment	550	550	550

Proposed Renewal Term Grade Levels and Approved Enrollment

	Year 1 2019 to 2020	Year 2 2020 to 2021
Grade Configuration	K – Grade 8	K – Grade 8
Total Approved Enrollment	550	550

Background

The Board of Regents granted an initial charter to WCCS in July 2004. WCCS opened for instruction in the fall of 2004 initially serving 550 students in K through grade 8 and was subsequently renewed by the Board of Regents in 2009, 2014 and 2016.

Summary of Evidence for Renewal

Student Performance – Elementary/Middle School Outcomes

See Tables 1 and 2 below regarding 3-8 ELA and math exam aggregate and subgroup student performance compared to the district of location and state average which serve as two indicators in Benchmark 1 of the Charter School Performance Framework.

**Table 1: Elementary/Middle School Assessment Proficiency Outcomes for All Students:
School, District & State Level Aggregates**

All Students	ELA					Math				
	Westminster Community CS	Buffalo Public School District	Variance to Buffalo City School District	NYS	Variance to NYS	Westminster Community CS	Buffalo Public School District	Variance to Buffalo Public School District	NYS	Variance to NYS
2015-2016	22%	16%	+6	38%	-16	19%	16%	+3	39%	-20
2016-2017	18%	18%	0	40%	-22	9%	17%	-8	40%	-31
2017-2018	19%	23%	-4	45%	-26	16%	21%	-5	45%	-29

Note: Data in Table 1 represents tested students in grades 3-8 at the Westminster Community CS, the Buffalo Public Schools and the state average who scored proficiently (level 3 or above) on each state assessment. This table was created using grade level data to generate the comparative values, the percent difference between the school's performance and the district of location or state averages. All values were calculated to the nearest whole number; therefore, the percent differences may show a rounded value.

WCCS proficiency rates, for all grade levels, are below the district of location. WCCS also continues to underperform in comparison to the State. Approximately less than 50% of students in the school maintain a proficient testing level or trending toward proficiency from one year's test administration to the next. For ELA, proficiency levels of students across all subgroups have declined between 2015-2016 and 2017-2018 school years. In mathematics, the school experienced gains among students with disabilities and a slight decrease for economically disadvantaged students.

Table 2: Elementary/Middle School Assessment Proficiency Outcomes for Special Populations

Subject	School Year	<i>Students with Disabilities (Variance to the district of location)</i>	<i>ELL/MLL (Variance to the district of location)</i>	<i>Economically Disadvantaged (Variance to the district of location)</i>
ELA	2015-2016	9% (+6)	0% (-1)	21% (+9)
	2016-2017	3% (-1)	0% (-2)	17% (+4)
	2017-2018	8% (0)	0% (-4)	18% (-1)
Mathematics	2015-2016	7% (+2)	- (-3)	17% (5)
	2016-2017	0% (-6)	- (-4)	10% (-3)
	2017-2018	13% (+5)	- (-5)	15% (-1)

According to the 2017-2018 school year ESEA accountability designations, Westminster Community Charter School is *In Good Standing*.

Key Performance Area: Organizational Viability

Financial Condition and Financial Management

According to submitted Board and school documents, WCCS’s finances are managed by M&T Bank. While the school develops the school budget based on per pupil allocation, the Finance Committee develops the annual budget based on the financial capacity and academic priorities. The Board of Trustees and WCCS has reported that they are operating in a sound and stable financial condition. WCCS operates in a fiscally sound manner in accordance with state laws and regulations and continues to operate in a surplus budget. The school and Board utilize the services of an independent certified public accounting firm to assist in audits to ensure fiscal responsibility. The Board and school follow fiscal policies relating to account reconciliation, contracts, payroll, and banking procedures. WCCS appears to be in good or sound financial condition as evidenced by performance on key indicators derived from the school’s independently audited financial statements.

The BPS-BOE reviews the financial performance and management of charter schools using quantitative and qualitative methods. Near-term indicators, such as the current ratio and unrestricted days cash, are measures of liquidity and of the charter school’s capacity to maintain operations. Long-term indicators, such as total margin and debt-to asset ratio, are measures of the charter school’s capacity to remain viable and to meet financial obligations.³

A *composite score* is an overall measure of financial health calculated by the Department’s Office of Audit Services. This score is based on a weighting of primary reserves, equity, and net income. A charter school

³ These rigorous indicators of fiscal soundness are aligned with those recommended by the National Association of Charter School Authorizers.

with a score between 1.5 and 3.0 is considered to be in strong financial health. WCCS’s composite score for 2016-2017 is 2.8. The table below shows the school’s composite scores from 2014-15 to 2016-17.

**Table 3: Westminster Community Charter School’s Composite Scores
2014-2015 to 2016-2017**

<i>Year</i>	<i>Composite Score</i>
2014-2015	2.80
2015-2016	3.00
2016-2017	2.80

Source: NYSED Office of Audit Services

Financial Management

The BPS-BOE reviewed WCCS’s 2015-16 audited financial statements to determine whether the independent auditor observed sufficient internal controls over financial reporting. The auditor did not identify any deficiencies in internal controls that could be considered material weaknesses.

Key Performance Area: Faithfulness to the Charter and Law

Enrollment, Recruitment and Retention

WCCS currently has an enrollment of 405 students in K through grade 8 with approximately 95% of their student population residing in the district of location. These enrollment figures are reflective of their approved Charter enrollment. WCCS has maintained steady enrollment between school years 2016-17 and 2018-19.

Recruitment efforts have served to support and maintain current enrollment figures. Efforts to do so were evident in that the school seeks to academically support students and subgroup populations.

Through efforts towards increasing the percentage of at-risk students enrolled, the school is not meeting its targets for students with disabilities, or English language learners/multilingual learners. The school is making good faith efforts to recruit, serve, and retain at-risk students⁴.

Table 4: Student Demographics – Westminster Community Charter School Compared to the District of Location

⁴ Education Law §2854(2)(a) requires that schools demonstrate good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities, FRPL eligible students and English language learners/Multilingual learners when compared to the enrollment figures for such students in the school district in which the charter is located. SUNY and the Regents were charged with setting specific enrollment and retention targets for each charter school, and have done so. Education Law §2852(9-a)(b)(i). All charter schools that were initially chartered after August 2010 or renewed after January 1, 2011, are expected to meet or exceed the enrollment and retention targets set by the Regents and SUNY. When submitting an application for renewal of the charter, schools are required to provide information detailing the means by which they will meet the enrollment and retention targets (Education Law §2851(4)(e)), and this information is considered by the Regents in the review of the school’s performance over the charter term. A school’s plan to change its enrollment practices, whether by weighting the lottery or preferencing, may also be considered when determining whether the school will meet the targets in the upcoming charter term. A school’s repeated failure to meet or exceed its enrollment and retention targets, when combined with a failure to show that

Student Population	2016-2017			2017-2018		
	Westminster Community CS	Buffalo City School District	Variance	Westminster Community CS	Buffalo City School District	Variance
Students with Disabilities	14%	24%	-10	10%	25%	-15
ELL/MLL	1%	17%	-16	1%	22%	-21
Economically Disadvantaged	94%	82%	+12	93%	84%	+9

Student Retention

According to WCCS data, in the 2018-2019 school year, 87% of students were retained in WCCS.

Legal Compliance

WCCS operates in accordance with applicable law, regulations, rules and other policies, including the terms of its charter, its by-laws and other school-specific policies. It is also in compliance with federally mandated disciplinary procedures for students with disabilities, and the Dignity for All Students Act. The board holds meetings in accordance with the Open Meetings Law.

Summary of Public Comment

The required public hearing was held by Buffalo Public Schools on December 12, 2018. Sixty-four people attended, and 5 spoke. All were in favor of the school’s renewal and none were opposed.