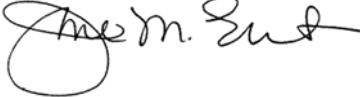




TO: P-12 Education Committee
FROM: Jhone M. Ebert 
SUBJECT: Charter Schools: Renewal of a Charter School Authorized by the Board of Education of the City School District of the City of Buffalo

DATE: June 6, 2016

AUTHORIZATION(S): 
SUMMARY

Issue for Decision

Should the Board of Regents approve the proposed renewal charter for the following charter school authorized by the Board of Education of the City School District of the City of Buffalo:

1. Westminster Community Charter School (5-year renewal recommended by Buffalo BOE)

Reason(s) for Consideration

Required by New York State law.

Proposed Handling

This issue will be before the Board of Regents P-12 Education Committee and the Full Board for action at the June 2016 Regents meeting.

Procedural History

The Board of Education (BOE) of the City School District of the City of Buffalo (Buffalo BOE) approved the renewal 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

This recommendation is for the proposed renewal charter for the following charter school as proposed by the Buffalo 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 Buffalo BOE authorized charter schools is as follows:

- Buffalo 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 (“OOL”).
- 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 Buffalo BOE.
 2. If the Board of Regents chooses not to vote in the affirmative, the recommendation is sent back to the Buffalo BOE with comments. The Buffalo BOE must reconsider its recommendation, and can choose to either resubmit the proposed charter to the Board of Regents with modifications, provided that the applicant consents in writing to such modifications, resubmit the proposed charter to the Board of Regents without modifications, or abandon the proposed charter. If the recommendation is resubmitted to the Board of Regents, the 90-day clock is reset.
 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 BOE recommendation and allow the charter renewal to go into effect by operation of law 90 days after the initial submission to the Department.

WESTMINSTER COMMUNITY CHARTER SCHOOL

Table 1: School Summary

Name of Charter School	Westminster Community Charter School (WCCS)
Board Chair	David K. Chamberlin
District of Location	Buffalo Public School District
Opening Date	September 2004
Charter Terms	Initial charter term: July 2004– June 2009 First renewal term: July 2009 – June 2014 Second renewal term: July 2014– June 2016
Facilities	24 Westminster Avenue Buffalo, NY 14215
Current Grade Levels/Number of Students	K-8 / 550 Students
Partners	M&T Bank
Mission Statement	“To challenge the status quo – to encourage people to think differently about their station in life. We do this through assuring that there are high levels of learning, by creating a safe and caring environment, and promoting community involvement in order to prepare students for a successful secondary experience.”
Proposed Renewal Term	Five years, from July 1, 2016 to June 30, 2021

In 2004, the Buffalo BOE, in its capacity as a charter school authorizer under Article 56 of the Education Law, approved the initial five-year charter for WCCS as a K-8 conversion charter school, and a charter was approved and issued by the Board of Regents. The School commenced instruction as a charter school in September 2004. It currently serves 550 students in kindergarten through grade 8. The Buffalo BOE approved a five-year renewal charter in 2009 which was approved and issued by the Board of Regents. That charter expired on June 30, 2014.

In January 2014, citing some concerns about student performance at the School, the Buffalo BOE approved a two-year renewal charter for WCCS and in May 2014, submitted that proposed renewal charter to the Board of Regents for approval and issuance of the renewal charter. The proposed renewal term for a two-year period was approved and expires on June 30, 2016. The Buffalo BOE did not approve the School’s request for permission to expand maximum enrollment from 550 students to 575 students.

In February 2016, the Buffalo BOE approved a second renewal charter for WCCS and submitted that proposed renewal charter to the Board of Regents for approval and issuance of the renewal charter. As indicated by the Buffalo BOE Renewal Recommendation Rationale, the academic performance of the school as relative to the Buffalo BOE, and subgroup performance as compared to the NYS average, the proposed renewal term is a five-year term expiring on June 30, 2021. Effective July 1, 2016, the school's accountability status improved from a Local Assistance Plan School to a School in Good Standing. Buffalo, as the charter authorizer, recognizes the need for continued growth at the school, and intends to work collaboratively with the charter school leaders during the renewal period.

During the renewal period, Buffalo will hold the school accountable for improving student outcomes and offer parents and students additional school choice options. WCCS serves students city-wide and exists in a critical area of Buffalo in relation to poverty, needs and strengths. The school provides early education; wrap around services for the neediest students and families; extended day opportunities; access to high performing high schools; and will serve as a community school. The supports are in alignment with the New Education Bargain with Students and Parents.

In addition, Buffalo BOE also considered the school's proficiency, progress toward meeting goals, Culture, Climate and Family Engagement, Organizational and Fiscal Soundness, Board Oversight and Governance, Organizational Capacity, Mission and Key Design Elements, Enrollment, Recruitment and Retention, and Legal Compliance, as set forth on the following pages.

In April 2016, the Buffalo BOE renewal application was considered by the Board of Regents, which voted to return the proposed renewal charter to the Board of Education of the City of Buffalo Public Schools for reconsideration, with the following comments and recommendation: A charter term no longer than three years should be considered for WCCS based on the insufficient evidence of academic success by the applicant, the Board of Education's determination that the school should be placed on academic corrective action, and the school's failure to meet the percentage of students with disabilities and English language learners when compared to the district of location.

The Buffalo BOE has resubmitted the proposed application for a five year renewal to the Board of Regents. The Buffalo BOE provided the following rationale for the full-term renewal recommendation:

- 94% attendance rate last year;
- WCCS outperforms the Buffalo Public Schools (BPS) District average in academic achievement;
- WCCS subgroups (Black, Students with Disabilities, and Economically Disadvantaged students) outperform the State and BPS averages (see attached data charts);
- A robust school-wide data-driven instruction and support system;

- Multi-tiered student supports provided to improve academic and behavioral outcomes;
- After-school enrichment programs and a student leadership initiative are offered; and
- Parent surveys indicate high parent satisfaction (overall 90.5%).

Table 2: Enrollment

School Year	Chartered Enrollment	Actual Enrollment	Grades Served
2015-2016	550	542	K-8
2014-2015	550	545	K-8
2013-2014	550	549	K-8
2012-2013	550	553	K-8
Maximum enrollment: 550			

Table 3: Current Board of Trustees

Board Member Name	Term	Position/Committees
Ronald E. Banks	Elected August 2004 Current term expires June 2016	Member/HR/Personnel
Terenda Brown	Elected October 2004 Current term expires June 2016	Parent/Parent Representative
Dianne Cozzo	Elected October 2014 Current term expires June 2016	Member/Education; HR/Personnel
Mark J. Czarnecki	Elected August 2004 Current term expires June 2016	Board Chair/Finance
Rita Eisenbeis	Elected December 2005 Current term expires June 2016	Member/Education, HR/Personnel
Yvonne S. Minor-Ragan	Elected August 2004 Current term expires June 2016	Member/Education, HR/Personnel
Rosalyn Taylor	Elected October 2014 Current term expires June 2016	Member/Education, HR/Personnel

Robert G. Wilmers	Elected August 2004 Current term expires June 2016	Member/Finance
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Table 4: School Leader(s)

School Year	School Leader(s) Name and Title
January 2015-Present	Robert Ross, Principal
2013-January 2015	Dr. Ayindé Rudolph, Principal

Table 5: Westminster Community Charter School Academic Achievement

All Students	ELA					Math				
	WCCS	Buffalo CSD	Variance to District	NYS	Variance to NYS	WCCS	Buffalo CSD	Variance to District	NYS	Variance to NYS
2013-2014	10%	12%	-2%	31%	-21%	14%	14%	0%	39%	-25%
2014-2015	16%	12%	+4%	32%	-16%	17%	15%	+2%	39%	-22%

Table 6: Westminster Community Charter School Demographics Compared to District of Location

	2013-2014			2014-2015		
	School Enrollment	Buffalo CSD Enrollment	Variance	School Enrollment	Buffalo CSD Enrollment	Variance
Students with Disabilities	12%	21%	-9%	12%	21%	-9%
Limited English Proficient	0%	13%	-13%	0%	13%	-13%
Economically Disadvantaged	89%	75%	+14%	90%	75%	+15%

WCCS Reported an 80% retention rate for the 2014-2015 academic year.

Summary of Public Comment

The Buffalo BOE directly provided notice to public and private schools in the region of the charter school regarding the renewal. The Public Hearing was held on January 20, 2016, to solicit comments from the community. Fifty-three members of the community were present and seven individuals commented during the hearing. Thirty-four written comments were submitted on behalf of the attendees. All fifty-three of the comments were in favor of the proposal and zero comments were in opposition. Comments in favor focused on various academic and ancillary course offerings as well as strong parent and family connection in the community. WCCS is supported by M & T bank.

See Attachment A for additional information regarding the school's performance in the following categories:

- Teaching and Learning
- Progress Towards Goals
- Culture, Climate and Family Engagement
- Organizational Soundness
- Organizational Capacity
- Faithfulness to the Charter and Law

Recommendation

VOTED: That the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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 Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of **Westminster Community Charter School** as proposed by the Board of Education of the City School District of the City of Buffalo, and that its provisional charter be extended for a term up through and including June 30, 2021.

Timetable for Implementation

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

Attachments

**WESTMINSTER COMMUNITY CHARTER SCHOOL RENEWAL SUMMARY AS
PROVIDED BY THE BUFFALO PUBLIC SCHOOL DISTRICT**

Teaching and Learning

Throughout the charter term, WCCS has employed Reader's and Writer's Workshop as well Eureka Math Program (Eureka Math is founded on the EngageNY Math modules). It was noted during the September 28-29, 2015 Renewal visit that BPS staff evaluations found that questioning techniques for instruction was not high quality or rigorous. The BPS team brought this to the attention of the Leadership team. The Leadership team stated that professional development for teachers on higher order thinking skill questions would occur later in the school year.

Formative and summative assessments are purposefully administered at WCCS. Teachers review data, but student performance on state education tests have been inconsistent during the course of the current charter. The 2014-2015 data did demonstrate student achievement growth in ELA in all grades except 4, while in Math, students in grades 3, 5, 7, and 8 demonstrated growth, grade 4 remained stagnant, and grade 6 showed decline.

School leaders acknowledge that WCCS data does not meet or exceed overall state averages for ELA and Math. WCCS does demonstrate some of the sub-groups making progress towards the goals.

During this charter term, the school has begun to put systems and procedures in place to monitor the academic program with emphasis on using data. School leaders were able to discuss how data is collected and displayed on the data wall for teacher use. A technology specialist for the school provides teachers with data within 24-48 hours after students have been tested.

The goals and outcomes are listed below and include self-reported data from the 2016 Renewal Application.

Culture, Climate and Family Engagement

The school fully recognizes the Common Core Learning Standards has enhanced testing rigor and that WCCS needs to continue making progress to meet or exceed NYSED average scores. The school has established a climate and culture that encourages student learning. The majority of classroom visits demonstrated clear and consistent evidence that classroom procedures and routines were in place.

Based on school visits conducted by BPS staff, the school environment appears physically and emotionally safe. The school employs a Positive Behavioral Intervention Support (PBIS) team that consists of 8-10 individuals with representation from Special Education, General Education, Special areas, Guidance, and related services in place to

address the social, emotional, and health needs of its students. Through a partnership with Kaleida Health, a clinic is housed at the school employing a full time social worker and nurse.

Organizational Soundness

Financial Condition

WCCS has a sound financial condition as evidenced in the school's financial statements. The school is determined to have a strong financial condition.

Overall Financial Outlook

Overall, the financial outlook for WCCS is positive and the charter school is fiscally sound. The composite score which is an overall measure of the financial health of the charter school calculated by the NYSED Office of Audit Services for WCCS in 2014 was 1.8 and for 2013 was 1.8. The 2015 composite score calculated by the NYSED office of Audit Services has not been released. Based on a review of financial information from the year ended June 30, 2015 financial statements, data indicates the 2015 composite score will be comparable or higher than the 2014 composite score. Charter schools are measured on three financial ratios that are blended to produce a single composite score. The financial ratios used to calculate the composite score are the primary reserve ratio, equity ratio and net income ratio. A composite score between 1.5 and 3.0 is considered to be in strong financial health.

Overall, based on short and long term indications of fiscal health, WCCS is fiscally sound.

Financial Management

The WCCS Board of Trustees is responsible for the financial oversight of the School. The President, Principal, Treasurer, and Fiscal Officer serve as the Finance Committee to monitor the school's finances and review all expenditures. Financial statements are prepared by the Fiscal Officer and are reviewed monthly by the Finance Committee. These financial reports are presented to and reviewed by the Board of Trustees at every monthly board meeting.

In partnership with the Board and the Principal, the Charter School's finances are managed by M&T Bank personnel including the President, the Treasurer, and the Fiscal Officer under the M&T/WCCS Agreement.

Audited Financial Statements

An annual audit of the school's financial statements is conducted by an independent certified public accountant in accordance with Government Auditing Standards. The independent auditor's opinion for the years ending June 30, 2015 and 2014 is unqualified. Further, the audit for year-end June 30, 2015 and 2014, did not identify any deficiencies in internal control that would be considered to be a material weakness.

Board Oversight and Governance

The WCCS Board of Trustees (BOT) provides adequate stewardship and/or oversight of the school. The BOT maintains minutes and financial statements that are sent to BPS on a monthly basis. The BOT sends a survey to parents, staff members and students on a bi-annual basis regarding school culture and climate. The BOT reviews the results with the Principal.

According to WCCS's 2016 renewal application, five of the eight Board of Trustees (BOT) have served since 2004. One BOT member joined the Board in 2005 and two others joined in 2014. Board membership is maintained according to bylaws. The Board members who joined in 2014 had specific skills in either Special Education or Early Childhood as these areas were identified by the BOT as areas of need. The school leader is evaluated annually by the Board of Trustees.

The board evaluated its collective effectiveness, and there is evidence of board governance training or development over the course of the charter period. On the most recent BPS site visit, board members were able to describe the school's current academic performance and progress. Further, BOT members described informal classroom visits and meetings with the Principal occur on a regular basis.

Organizational Capacity

The school's organizational chart is clear and accurately reflects school structure. The leadership team consists of the principal, one assistant principal, a dean of students, a special education coordinator, a curriculum and instruction coordinator consult, and four Math and ELA coaches. WCCS experienced a change in school leadership in January 2015. The current Principal has been an employee of the school for over seventeen years. Teacher turnover for the 2014-2015 school year demonstrated that four teachers out of fifty – six left during the school year and seven more teachers left at the end of the school year. WCCS reports in the 2016 renewal application that the turnovers occurred as a result of resignations, position eliminations, and terminations. New teachers are onboard with the following support: a full day orientation to the school, a meeting with the principal who provides clear direction on the school's vision and goals, a mentor is then assigned to the new teacher, and professional development provided by an Instructional Coach as well as veteran teachers is ongoing throughout the year.

Faithfulness to the Charter and Law

Mission and Key Design Elements

The mission of WCCS is to *"To challenge the status quo – to encourage people to think differently about their station in life. We do this through assuring that there are high levels of learning, by creating a safe and caring environment, and promoting community involvement in order to prepare students for a successful secondary experience."* While the school continues to meet its commitment to meeting or exceeding State Academic

averages, it has established a climate and culture that, for the most part, encourages student achievement in Math and Literacy with technology integration. A healthy lifestyle is encouraged at the school for all students.

During the course of this Renewal, key design elements have been implemented.

<ul style="list-style-type: none"> • Balanced Literacy: For the development of strong readers through the use of multiple literary texts as evidenced in classroom visits during the current Charter term.
<ul style="list-style-type: none"> • Extended learning day and summer enrichment program: Programs include a four week summer program focusing on Math and ELA and after school activities such as AmeriCorps Tutoring, Boys and Girls Club, and various clubs and sports as evidenced during the preliminary meeting discussion with the Principal.
<ul style="list-style-type: none"> • 1:1 iPad Initiative: All students in grades 3 through 8 have been provided with an iPad and a keyboard to develop technology skills and help prepare students for the work environment after WCCS. Students were observed using the iPads for multiple applications during classroom observations. Kindergarten through second grade students have a shared iPad cart that travels between the grades as evidenced during the Renewal visit on September 28-29 of 2015.
<ul style="list-style-type: none"> • Healthy Living: Emphasis on healthy living through physical fitness and nutrition which was supported by a federal PEP grant as evidenced by the Cafeteria manager food choices for students' lunches.

Enrollment, Recruitment and Retention

In the 2014-15, as well as 2015-16, the school's population of students with disabilities and students with limited English proficiency were below the Buffalo Public School district, while its percentage of economically disadvantaged students were above the district location (2014-15: +15%, 2015-16: +11%).

During the 2015 school visit for charter renewal, a school's BOT Focus Group member stated, "In the recruitment bulletins, both students with disabilities (SWD) and English as a New Language (ENLs) students are invited to come to our schools. We hired a director of special education to work with our inclusion teachers." According to the 2016 Application for Charter Renewal, WCCS implemented the following enrollment, recruitment, and retention strategies:

- Advertisements and notifications were created for the Buffalo Promise Neighborhood mailer and flyer (January-February, 2015) as well as placement of the notifications in community newspapers.
- Advertisements for applications for enrollment were placed in local community centers and churches.
- All printed materials, where applicable, (applications, flyers, website) and advertisements (newspapers, ads, posters) clearly indicate that enrollment is open

without regard to ethnicity, national origin, gender, disability and or limited English proficiency.

- Open Houses are held at the school.
- Flyers are distributed to neighborhood homes via direct mail.

Legal Compliance

Per the 2014 Charter Application, the school has adhered to all relevant laws, rules and regulations. An annual report has been submitted to the Buffalo BOE and the New York Department of Education on time during the charter term. All policies are reviewed with staff. All staff members receive written copies of the policies as evidenced by the Focus Group meeting with Leadership Team.

The board's attorney reviewed the school's discipline policy to assure that the policy includes disciplinary procedures for students with disabilities that address section 300.519-300.529 of the Code of Federal Regulations, as well as New York State Dignity for All Students Act regulations. The policies are found to be current and in compliance with applicable laws and regulations, and no recommendations for revisions were made.