





TO: P-12 Education Committee

FROM: James N. Baldwin 

SUBJECT: Renewal Recommendations for Charter Schools Authorized by the Board of Education of the Buffalo City School District

DATE: June 2, 2022

AUTHORIZATION(S): 

SUMMARY

Issue for Decision

Should the Board of Regents approve the renewal recommendations for the following charter schools authorized by the Board of Education of the Buffalo City School District (BPS-BOE) pursuant to Article 56 of the Education Law (the New York Charter Schools Act):

- **Enterprise Charter School** (Three-year renewal, *nunc pro tunc* to July 1, 2021)
- **Westminster Community Charter School** (Three-year renewal, *nunc pro tunc* to July 1, 2021)

Reason(s) for Consideration

Required by State statute.

Proposed Handling

This issue will come before the P-12 Education Committee and the Full Board for action at the June 2022 Board of Regents meeting.

Procedural History

The BPS-BOE made the renewal recommendations being presented to the Board of Regents for approval and issuance as required by Article 56 of the Education Law.

Background Information

The recommendation set forth in this Regents item is 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. The BPS-BOE is bound by Article 56 of the Education law regarding the criteria that can be considered in decision-making pertaining to charter school renewals and revisions.

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.
- 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:
 - 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.
 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 take no action on a 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 BPS-BOE has approved three-year renewals for both schools, nunc pro tunc to July 1, 2021, and ending June 30, 2024. These recommendations result from the settlement of litigation filed by the Enterprise Charter School and the Westminster Community Charter School challenging the BPS-BOE's original decision not to renew either school's charter.

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>

June 2019 [Sixth Renewal](#)

<https://www.regents.nysed.gov/common/regents/files/619p12a3.pdf>

Westminster Community Charter School

July 2004 [Initial Charter](#)

<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>

June 2014 [Second Renewal](#)

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

July 2016 [Third Renewal](#)

<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>

June 2019 [Fourth Renewal](#)

<https://www.regents.nysed.gov/common/regents/files/619p12a3.pdf>

Recommendation

It is recommended that the Board of Regents take the following action(s):

VOTED: That the Board of Regents finds that **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 **Enterprise Charter School** and that a renewal charter is issued, and that its charter be extended for a term nunc pro tunc from July 1, 2021 and up through and including **June 30, 2024**.

VOTED: That the Board of Regents finds that **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 **Westminster Community Charter School** and that a renewal charter is issued, and that its charter be extended for a term *nunc pro tunc* from July 1, 2021, and up through and including **June 30, 2024**.

Timetable for Implementation

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

Enterprise Charter School

Table 1: Charter School Summary

Name of Charter School	Enterprise Charter School
Board Chair	Thomas Ess
District of Location	Buffalo City School District
Initial Commencement of Instruction	Fall 2003
Charter Term(s)	<ul style="list-style-type: none"> • Initial Charter: March 25, 2003- March 24, 2008 • First Renewal: March 18, 2008- June 30, 2010 • Second Renewal: July 1, 2010- June 30, 2013 • Third Renewal: July 1, 2013 – June 30, 2014 • Fourth Renewal: July 1, 2014 – June 30, 2016 • Fifth Renewal: July 1, 2016 – June 30, 2019 • Sixth Renewal: July 1, 2019 – June 30, 2021
Comprehensive Management Service Provider	None
Facilities	275 Oak Street, Buffalo, NY 14203
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
Recommended Material Revisions	None
Link to Charter School Renewal Report	http://www.nysed.gov/common/nysed/files/programs/charter-schools/enterprise-20-21-visitation-reports.pdf

Table 2: Current Grade Levels and Approved Enrollment

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

Table 3: Recommended Renewal Term Grade Levels and Recommended Enrollment (Subject to Board of Regents Approval)

	Year 1 2021 to 2022	Year 2 2022 to 2023	Year 3 2023 to 2024
Grade Configuration	Grades K-8	Grades K-8	Grades K-8
Total Recommended Enrollment	405	405	405

Rationale for Renewal Recommendation

Based on the BoR Renewal Policy, BPS-BOE recommends that the Board of Regents grant the renewal term described above in the **Issue for Decision** section.

During the current charter term, the school has compiled a record of Approaching Benchmarks 1, 2, 5, 7, and 9, and at the time of the renewal analysis and has met the other five performance benchmarks in the Framework. Due to the ongoing impact of the COVID-19 pandemic, the State assessment data used to formulate the Benchmark 1 rating has not been updated since the administration of the State 3-8 math and ELA Assessments in SY 2018-2019, which was prior to the current renewal period. The fact that the only available state assessment data predates the entire renewal period; the fact that almost three-fourths of the charter term (March 2020 through June 2021) occurred during the pandemic; and the inability to obtain accurate observational data in the classroom and school environment due to distance learning were significant factors in the decision to resolve the litigation and recommend renewal for a three-year term.

Because the total enrollment of resident students attending charter schools in the district is greater than 5 percent of the total public school enrollment, pursuant to Education Law §2852(2)(d), the BPS-BOE notes that granting this renewal application at this time provides a significant educational benefit to the students attending and expected to attend this charter school.

Renewal Conditions:

Due to the inability to administer the State 3-8 ELA and Math assessments as a result of the COVID-19 pandemic, Enterprise, in consultation with BPS-BOE, has committed to utilizing the iReady diagnostic assessment platform for student performance accountability during the term of the charter renewal. As a condition of this renewal recommendation, the BPS-BOE is mandating that Enterprise may not seek renewal of its charter for the period of time after June 30, 2024, unless at least eight (8) of the twelve (12) academic measures set forth below are met:

Academic Measures for Enterprise and Westminster Charter Schools
i-Ready Accountability Measures: September 2022–January 2024
<i>In order to satisfy the academic conditions for its renewal, the charter school must meet eight out of the twelve measures.</i>

<p><u>Measure 1:</u> For the 2022-2023 school year, the charter school’s median percent progress to Annual Typical Growth of all 3rd through 8th-grade general education students¹ in Reading will be greater than the median percent progress to Annual Typical Growth of all 3rd through 8th-grade general students in Reading (taken together) enrolled in the BPS schools listed below.²</p>
<p><u>*Measure 2:</u> For the 2022-2023 school year, the charter school’s median percent progress to Annual Typical Growth for all 3rd through 8th-grade students in Reading will be equal to or greater than 110%.</p>
<p><u>Measure 3:</u> For the 2022-2023 school year, the charter school’s median percent progress of Annual Typical Growth for all 3rd through 8th-grade students, two or more grade levels below in Reading will be equal to or greater than 100%.</p>
<p><u>Measure 4:</u> For the 2022-2023 school year, 10% of all of the charter school’s 3rd through 8th-grade students will meet their annual “Stretch Growth goal” as determined by iReady for Reading.</p>
<p><u>Measure 5:</u> In the 2022-2023 school year, the charter school’s median percent progress of Annual Typical Growth for all K through 2nd grade in Reading will be equal to or greater than 100%.</p>
<p><u>Measure 6:</u> In January of 2024, 50% of all the charter school’s 3rd through 8th-grade students will show growth in Reading as measured by improvement between the fall 2023 diagnostic assessment and the winter 2024 diagnostic assessment.</p>
<p><u>Measure 7:</u> For the 2022-2023 school year, the charter school’s median percent progress to Annual Typical Growth of all 3rd through 8th-grade general education students in math will be greater than the median percent progress to Annual Typical Growth of all 3rd through 8th-grade general students in Math (taken together) enrolled in the BPS schools listed in footnote 2</p>
<p><u>*Measure 8:</u> For the 2022-2023 school year, the charter school’s median percent progress to Annual Typical Growth for all 3rd through 8th-grade students in Math will be equal to or greater than 110%.</p>
<p><u>Measure 9:</u> For the 2022-2023 school year, the charter school’s median percent progress of Annual Typical Growth for all 3rd through 8th-grade students, two or more grade levels below in Math will be equal to or greater than 100%.</p>
<p><u>Measure 10:</u> For the 2022-2023 school year, 10% of all of the charter school’s 3rd through 8th-grade students will meet their annual Stretch Growth goal for Math as determined by iReady.</p>

¹ For purposes of the conditions, the term “general education students” shall include students with Section 504 plans, not students with Individual Education Plans. This definition was agreed upon to ensure a fair comparison between the charter schools and BPS, given the limited number of students with disabilities enrolled at each school. Other conditions designed to increase enrollment of students with disabilities were put into place.

² PS 3 – D’Youville Porter Campus School; PS 6 – Buffalo Elementary School of Technology; PS 18 – Dr. Antonia Pantoja Community School of Excellence; PS 19 – Native American Magnet School; PS 27 – Hillery Park; Elementary; PS 30 – Frank A. Sedita Academy; PS 31 – Harriet Ross Tubman School; PS 32 – Bennett Park Montessori; PS 33 – Bilingual Center; PS 37 – Marva J. Daniel Futures Preparatory School; PS 43 – Lovejoy Discovery School; PS 45 – International School; PS 53 – Community School; PS 59 – Dr. Charles R. Drew Science; PS 69 – Houghton Academy; PS 72 – Lorraine Elementary; PS 74 – Hamlin Park Claude & Ouida Clapp Academy; PS 76 – Herman Badillo Bilingual Academy; PS 79 – Pfc. William J. Grabiarz School of Excellence; PS 80 – Highgate Heights; PS 89 – Dr. Lydia T. Wright School of Excellence; PS 97 – Harvey Austin School; PS 92 – Build Community School; PS 93 – Southside Elementary; PS 94 – West Hertel Academy; PS 95 – Waterfront Elementary School.

Measure 11: In the 2022-2023 school year, the charter school's median percent progress of Annual Typical Growth for all K through 2nd grade in Math will be equal to or greater than 100%.

Measure 12: In January of 2024, 50% of all the charter school's 3rd through 8th-grade students will show growth in Math as measured by improvement between the fall 2023 diagnostic assessment and the winter 2024 diagnostic assessment.

At the time the BPS-BOE developed the above conditions, it was uncertain when and if the COVID-19 pandemic would subside sufficiently to allow 3-8 ELA and Math assessments to be given in a manner that would provide valid data. Therefore, utilization of iReady assessments should not be considered a discounting of Enterprise's performance in State ELA and Math Assessments during the renewal period. Rather, it is anticipated that, if Enterprise meets the conditions set forth above using iReady assessment data, analogous improvement will be seen in State assessment data.

Performance Framework Ratings:

At the time of the renewal visit in the 2020-2021 school year, the BPS Office of Accountability rated the charter school on each of the 10 NYSED Charter School Performance Framework Benchmarks as set forth below. These ratings reflect performance over the entire charter term and are considered when making a renewal recommendation.

**New York State Education Department
Charter School Performance Framework Rating**

Performance Benchmark		Level
Educational Success	Benchmark 1: Student Performance: The school has met or exceeded achievement indicators for academic trends toward proficiency, proficiency and high school graduation. At all grade levels and all assessments, scoring proficiently means achieving a performance level of 3 or higher (high school Regents and Common Core Regents exam score of 65 or higher).	Approaches
	Benchmark 2: Teaching and Learning: School leaders have systems in place designed to cultivate shared accountability and high expectations and that lead to students' well-being, improved academic outcomes, and educational success. The school has rigorous and coherent curriculum and assessments that are aligned to the New York State Learning Standards (NYSLS) for all students. Teachers engage in strategic practices and decision-making in order to address the gap between what students know and need to learn so that all students experience consistent high levels of engagement, thinking and achievement.	Approaches
	Benchmark 3: Culture, Climate, and Family Engagement: The school has systems in place to support students' social and emotional health and to provide for a safe and respectful learning environment. Families, community members and school staff work together to share in the responsibility for student academic progress and social-emotional growth and well-being. Families and students are satisfied with the school's academics and the overall leadership and management of the school.	Meets
Organizational Soundness	Benchmark 4: Financial Condition: The school is in sound and stable financial condition as evidenced by performance on key financial indicators.	Meets
	Benchmark 5: Financial Management: The school operates in a fiscally sound manner with realistic budgets pursuant to a long-range financial plan, appropriate internal controls and procedures, and in accordance with state law and generally accepted accounting practices.	Approaches
	Benchmark 6: Board Oversight and Governance: The board of trustees provides competent stewardship and oversight of the school while maintaining policies, establishing performance goals, and implementing systems to ensure academic success, organizational viability, board effectiveness and faithfulness to the terms of its charter.	Meets
	Benchmark 7: Organizational Capacity: The school has established a well-functioning organizational structure, clearly delineated roles for staff, management, and board members. The school has systems and protocols that allow for the successful implementation, evaluation, and improvement of its academic program and operations.	Approaches
Faithfulness to Charter & Law	Benchmark 8: Mission and Key Design Elements: The school is faithful to its mission and has implemented the key design elements included in its charter.	Meets
	Benchmark 9: Enrollment, Recruitment, and Retention: 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.	Approaches
	Benchmark 10: Legal Compliance: The school complies with applicable laws, regulations, and the provisions of its charter.	Meets

Monitoring and Oversight:

- During the school's current charter term, the BPS Office of Accountability conducted the following site visits:
 - Year 1: February 11, 2020
 - Year 2: January 12 and 26, 2022

Summary of Evidence for Renewal
Based on NYSED Performance Framework Standards

Key Performance Area: Educational Success

BM 1 - Approaches: As the trajectory of this school’s academic achievement on State assessments is unknown due to the pandemic, an Approaches rating was made using 2018-2019 State assessment data. Internal assessment results were not considered in the original non-renewal recommendation due to concerns with the non-predictive nature of such assessments.

Elementary/Middle School Trending Toward Proficiency - Minimum Expectation = 80%

Enterprise CS	ELA				Math			
	All Students	SWD	ELL	ED	All Students	SWD	ELL	ED
2015-2016	32%	26%	15%	31%	18%	20%	4%	18%
2016-2017	21%	24%	29%	21%	26%	23%	18%	26%
2017-2018	39%	29%	38%	41%	14%	11%	13%	13%
2018-2019	27%	22%	25%	26%	19%	12%	6%	19%

BM 2 - Approaches: It is recommended that the leadership of Enterprise work with teachers to strengthen and improve their craft in the areas of student engagement, higher-order thinking questions, and differentiation – specifically as it relates to subgroup populations, and employ strategies that align to the science, ELA and mathematics content, including the use of academic/content language.

BM 3 - Meets: Enterprise has systems in place to support students’ social and emotional health and to provide for a safe and respectful learning environment. Families, community members, and school staff work together to share in the responsibility for student academic progress and social-emotional growth, and well-being. Families and students are satisfied with the school’s academics and the overall leadership and management of the school.

Key Performance Area: Organizational Soundness

BM 4 - Meets: Charter School Fiscal Accountability Summary. Enterprise’s financial composite score rating for the 2019-2020 school year—the year prior to the charter term renewal—was 2.36, up from 2.32 the year prior. Unless otherwise indicated, financial data is derived from the school’s annual independently audited financial statements, which are publicly available on NYSED’s website at (<http://www.nysed.gov/charter-schools/charter-schools-directory>).

BM 5 - Approaches: Enterprise has an accounting system that includes monthly and annual budgets that are regularly analyzed in relation to school objectives and student and social and academic needs. The school needs to ensure that a request for proposal process is utilized when retaining contracted professional services.

BM 6 - Meets: The Board of Trustees recruits and selects board members with the skills and expertise that meet and support the school’s needs. The Board of Trustees works in collaboration with school administrators, parents, and community members to seek input and make necessary changes, as needed. The Board of Trustees provides oversight into curricular, logistical, legal, and fiscal matters as it pertains to the school.

BM 7 - Approaches: During the charter term, the roles of leadership were not clear due to changes in school leadership. The review team noted concerns regarding the change in leadership and lack of transparency. Leadership change is a condition of the charter renewal.

Key Performance Area: Faithfulness to the Charter and Law

BM 8 - Meets: The mission of the Enterprise Charter School is Engaging Young Minds Through Projects and Partnerships. Most stakeholders share a common and consistent understanding of the school’s mission and key design elements as outlined in the charter.

BM 9 - Approaches: See Attachment 1: 2021 NYSED Charter School Information Dashboard. The school maintains sufficient enrollment demand for the school to meet or come close to meeting the enrollment plan outlined in the charter. The school’s enrollment of economically disadvantaged students was 94% in the 2020-2021 school year. The percentage of English language learners and students with disabilities continues to fall behind that of BPS. Creation of a plan to increase enrollment of these subgroups and a target of increasing enrollment by 15% are conditions of renewal.

BM 10 - Meets: The school maintains a record of compliance and has undertaken any corrective action, as needed.

Summary of Public Comment

The required public hearing was held remotely by the Buffalo City School District on March 3, 2021. There were 69 participants in the virtual hearing. Fifty-six participants identified themselves as affiliated with Enterprise; 10 identified as affiliated with the District, and 3 did not identify an affiliation. There were no public speakers, i.e., those not speaking as representatives from the BPS-BOE or Westminster.

Westminster Community Charter School

Table 1: Charter School Summary

Name of Charter School	Westminster Community Charter School
Board Chair	Rita Eisenbeis
District of Location	Buffalo City School District
Initial Commencement of Instruction	Fall 2004
Charter Term(s)	<ul style="list-style-type: none"> • Initial Charter: August 23, 2004 – August 22, 2009 • First renewal term: July 1, 2009 – June 30, 2014 • Second renewal term: July 1, 2014 – June 30, 2016 • Third renewal term: July 1, 2016 – June 30, 2019 • Fourth renewal term: July 1, 2019 – June 30, 2021
Comprehensive Management Service Provider	M&T Bank and Buffalo Promise Neighborhood
Facilities	24 Westminster Avenue, Buffalo, NY 14215
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
Recommended Material Revisions	None
Link to Charter School Renewal Report	http://www.nysed.gov/common/nysed/files/programs/charter-schools/westminster-20-21-visitation-reports.pdf

Table 2: Current Grade Levels and Approved Enrollment

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

Table 3: Recommended Renewal Term Grade Levels and Recommended Enrollment

	Year 1 2021 to 2022	Year 2 2022 to 2023	Year 3 2023 to 2024
Grade Configuration	Grades K – 8	Grades K – 8	Grades K – 8
Total Recommended Enrollment	550	550	550

Rationale for Renewal Recommendation

Based on the BoR Renewal Policy, BPS-BOE recommends that the Board of Regents grant the renewal term described above in the **Issue for Decision** section.

During the current charter term, the school has compiled a record of Approaching Benchmarks 1, 2, and 9, and at the time of the renewal analysis and has met the other seven performance benchmarks in the Framework. Due to the ongoing impact of the COVID-19 pandemic, the State assessment data used to formulate the Benchmark 1 rating has not been updated since the administration of the State 3-8 math and ELA Assessments in SY 2018-2019, which was prior to the current renewal period. The fact that the only available state assessment data predates the entire renewal period; the fact that almost three-fourths of the charter term (March 2020 through June 2021) occurred during the pandemic; and the inability to obtain accurate observational data in the classroom and school environment due to distance learning were significant factors in the decision to resolve the litigation and recommend renewal for a three-year term.

Because the total enrollment of resident students attending charter schools in the district is greater than 5 percent of the total public-school enrollment, pursuant to Education Law §2852(2)(d), the BPS-BOE notes that granting this renewal application at this time provides a significant educational benefit to the students attending and expected to attend this charter school.

Renewal Conditions:

Due to the inability to administer the State 3-8 ELA and Math assessments as a result of the COVID-19 pandemic, Westminster has committed to utilizing the iReady diagnostic assessment platform for student performance accountability during the term of the Charter Renewal. Westminster may not seek renewal of its charter for the period of time after June 30, 2024, unless at least eight (8) of the twelve (12) academic measures set forth below are met:

Academic Measures for Enterprise and Westminster Charter Schools
i-Ready Accountability Measures: September 2022–January 2024
<i>In order to satisfy the academic conditions for its renewal, the charter school must meet eight out of the twelve measures.</i>

<p><u>Measure 1:</u> For the 2022-2023 school year, the charter school’s median percent progress to Annual Typical Growth of all 3rd through 8th-grade general education students³ in Reading will be greater than the median percent progress to Annual Typical Growth of all 3rd through 8th-grade general students in Reading (taken together) enrolled in the BPS schools listed in footnote 2.</p>
<p><u>*Measure 2:</u> For the 2022-2023 school year, the charter school’s median percent progress to Annual Typical Growth for all 3rd through 8th-grade students in Reading will be equal to or greater than 110%.</p>
<p><u>Measure 3:</u> For the 2022-2023 school year, the charter school’s median percent progress of Annual Typical Growth for all 3rd through 8th-grade students, two or more grade levels below in Reading will be equal to or greater than 100%.</p>
<p><u>Measure 4:</u> For the 2022-2023 school year, 10% of all of the charter school’s 3rd through 8th-grade students will meet their annual Stretch Growth goal for Reading as determined by iReady.</p>
<p><u>Measure 5:</u> In the 2022-2023 school year, the charter school’s median percent progress of Annual Typical Growth for all K through 2nd grade in Reading will be equal to or greater than 100%.</p>
<p><u>Measure 6:</u> In January of 2024, 50% of all the charter school’s 3rd through 8th-grade students will show growth in Reading as measured by improvement between the fall 2023 diagnostic assessment and the winter 2024 diagnostic assessment.</p>
<p><u>Measure 7:</u> For the 2022-2023 school year, the charter school’s median percent progress to Annual Typical Growth of all 3rd through 8th-grade general education students in math will be greater than the median percent progress to Annual Typical Growth of all 3rd through 8th-grade general students in Math (taken together) enrolled in the BPS schools listed in footnote 2.</p>
<p><u>*Measure 8:</u> For the 2022-2023 school year, the charter school’s median percent progress to Annual Typical Growth for all 3rd through 8th-grade students in Math will be equal to or greater than 110%.</p>
<p><u>Measure 9:</u> For the 2022-2023 school year, the charter school’s median percent progress of Annual Typical Growth for all 3rd through 8th-grade students, two or more grade levels below in Math will be equal to or greater than 100%.</p>
<p><u>Measure 10:</u> For the 2022-2023 school year, 10% of all of the charter school’s 3rd through 8th-grade students will meet their annual Stretch Growth goal for Math as determined by iReady.</p>
<p><u>Measure 11:</u> In the 2022-2023 school year, the charter school’s median percent progress of Annual Typical Growth for all K through 2nd grade in Math will be equal to or greater than 100%.</p>
<p><u>Measure 12:</u> In January of 2024, 50% of all the charter school’s 3rd through 8th-grade students will show growth in Math as measured by improvement between the fall 2023 diagnostic assessment and the winter 2024 diagnostic assessment.</p>

³ For purposes of the conditions, the term “general education students” shall include students with Section 504 plans, not students with Individual Education Plans. This definition was agreed upon to ensure a fair comparison between the charter schools and BPS, given the limited number of students with disabilities enrolled at each school. Other conditions designed to increase enrollment of students with disabilities were put into place.

At the time the BPS-BOE developed the above conditions, it was uncertain when and if the COVID-19 pandemic would subside sufficiently to allow 3-8 ELA and Math assessments to be given in a manner that would provide valid data. Therefore, utilization of iReady assessments should not be considered a discounting of Enterprise’s performance in State ELA and Math Assessments during the renewal period. Rather, it is anticipated that, if Westminster meets the conditions set forth above, using iReady assessment data, analogous improvement will be seen in State assessment data.

Performance Framework Ratings:

At the time of the renewal visit in the 2020-2021 school year, the BPS Office of Accountability rated the charter school on each of the 10 NYSED Charter School Performance Framework Benchmarks as set forth below. These ratings reflect performance over the entire charter term and are considered when making a renewal recommendation, pursuant to the Board of Regents Renewal Policy.

	Performance Benchmark	Level
Educational Success	Benchmark 1: Student Performance: The school has met or exceeded achievement indicators for academic trends toward proficiency, proficiency and high school graduation. At all grade levels and all assessments, scoring proficiently means achieving a performance level of 3 or higher (high school Regents and Common Core Regents exam score of 65 or higher).	Approaches
	Benchmark 2: Teaching and Learning: School leaders have systems in place designed to cultivate shared accountability and high expectations and that lead to students’ well-being, improved academic outcomes, and educational success. The school has rigorous and coherent curriculum and assessments that are aligned to the New York State Learning Standards (NYSL) for all students. Teachers engage in strategic practices and decision-making in order to address the gap between what students know and need to learn so that all students experience consistent high levels of engagement, thinking and achievement.	Approaches
	Benchmark 3: Culture, Climate, and Family Engagement: The school has systems in place to support students’ social and emotional health and to provide for a safe and respectful learning environment. Families, community members and school staff work together to share in the responsibility for student academic progress and social-emotional growth and well-being. Families and students are satisfied with the school’s academics and the overall leadership and management of the school.	Meets
Organizational Soundness	Benchmark 4: Financial Condition: The school is in sound and stable financial condition as evidenced by performance on key financial indicators.	Meets
	Benchmark 5: Financial Management: The school operates in a fiscally sound manner with realistic budgets pursuant to a long-range financial plan, appropriate internal controls and procedures, and in accordance with state law and generally accepted accounting practices.	Meets
	Benchmark 6: Board Oversight and Governance: The board of trustees provides competent stewardship and oversight of the school while maintaining policies, establishing performance goals, and implementing systems to ensure academic success, organizational viability, board effectiveness and faithfulness to the terms of its charter.	Meets
	Benchmark 7: Organizational Capacity: The school has established a well-functioning organizational structure, clearly delineated roles for staff, management, and board members. The school has systems and protocols that allow for the successful implementation, evaluation, and improvement of its academic program and operations.	Meets
Faithfulness to Charter & Law	Benchmark 8: Mission and Key Design Elements: The school is faithful to its mission and has implemented the key design elements included in its charter.	Meets
	Benchmark 9: Enrollment, Recruitment, and Retention: 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.	Approaches
	Benchmark 10: Legal Compliance: The school complies with applicable laws, regulations, and the provisions of its charter.	Meets

Monitoring and Oversight:

- During the school’s current charter term, the BPS Office of Accountability conducted the following site visits:
 - Year 1: February 13, 2020
 - Year 2: January 5, 2021

Summary of Evidence for Renewal
Based on NYSED Performance Framework Standards

Key Performance Area: Educational Success

BM 1 - Approaches: As the trajectory of this school’s academic achievement on State assessments is unknown due to the pandemic, an approaches rating was made using 2018-2019 State assessment data. Internal assessment results were not considered in the original non-renewal recommendation due to concerns with the non-predictive nature of such assessments.

Elementary/Middle School Trending Toward Proficiency - Minimum Expectation = 80%

Westminster Community CS	ELA				Math			
	All Students	SWD	ELL	ED	All Students	SWD	ELL	ED
2015-2016	35%	16%	-	35%	27%	13%	-	25%
2016-2017	29%	18%	-	29%	12%	0%	-	12%
2017-2018	30%	24%	-	30%	15%	7%	-	14%
2018-2019	33%	-	-	26%	31%	-	-	31%

BM 2 - Approaches: Westminster shared that they were piloting a new ELA curriculum designed to engage students in higher levels of learning. Math curriculum was both horizontally and vertically aligned. Virtual observation and a review of the curriculum generally showed minimal differentiation or systematic review of curriculum materials. Lesson planning was effective and collaborative.

BM 3 - Meets: Students reported feeling safe to ask for help or join with teachers for additional help. School behavior management was not problematic, and the school was then addressing student attendance concerns. Parents noted greater communication, although no active parent-teacher organization was in place. The school implemented tiered social-emotional support systems.

Key Performance Area: Organizational Soundness

BM 4 - Meets: Over the charter term, the trajectory for this benchmark was consistent with a 2.40 rating, showing a strong financial condition. Unless otherwise indicated, financial data is derived from the school's annual independently audited financial statements, which are publicly available on NYSED's website at (<http://www.nysed.gov/charter-schools/charter-schools-directory>).

BM 5 - Meets: Westminster operates in a fiscally sound manner and maintains appropriate internal controls and procedures in accordance with state law and acceptable accounting procedures.

BM 6 - Meets: The Board of Trustees recruits and selects board members with the skills and expertise to meet and support the school's needs. The Board of Trustees works in collaboration with school administrators, parents, and community members to seek input and make necessary changes, as needed. The Board of Trustees provides oversight into curricular, logistical, legal, and fiscal matters as it pertains to the school.

BM 7 - Meets: The roles and responsibilities of the members of the school community are clearly defined. The Board of Trustees is divided into committees for clearly defined roles. The school leadership teams' roles and responsibilities are clearly defined and utilize the strengths of each team member.

Key Performance Area: Faithfulness to the Charter and Law

BM 8 - Meets: The mission of the Westminster Community Charter School is that all students will graduate with the necessary foundation to be successful in high school and/or higher education institutions and to become productive and contributing citizens in our society and community.

During the focus groups of school and teacher leaders, members were able to speak to aspects of the instructional program and socio-emotional learning and how both the academic and socio-emotional learning tied back to the school's mission and key design elements. More specifically, even in a virtual setting, the school successfully provided wrap-around services to students and their families amid the pandemic by connecting the school community to vital community linkages, as deemed necessary and appropriate.

BM 9 - Approaches: See Attachment 1: 2021 NYSED Charter School Information Dashboard. The school maintains sufficient enrollment demand for the school to meet or come close to meeting the enrollment plan outlined in the charter. The school's enrollment of economically disadvantaged students was 95% in the 2020-2021 school year. The percentage of English language learners and students with disabilities continues to fall behind that of BPS but increased from 1% to 6% (ELL) and from 1% to 7% (SWD) between 2019-2019 and 2020-2021. Creation of a plan to increase enrollment of these subgroups and a target of increasing enrollment by 15% are conditions of renewal.

BM 10 - Meets: The school continues to maintain a record of substantial compliance and has undertaken any corrective action, as needed.

Summary of Public Comment

The required public hearing was held by the Buffalo City School District on March 10, 2022. There were 14 participants in the virtual hearing. Six identified as affiliated with Westminster and 8 identified as affiliated with the District. There were no public speakers, i.e. those not speaking as representatives from the BPS-BOE or Westminster.