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The Regents of the University of the State of New York  
Charter School Office  
89 Washington Avenue  
Albany, NY 12234

To Whom It May Concern:

COMMUNITY Charter School and the Board of Trustees respectfully submit this application of subsequent renewal for our charter for a full five-year term to continue our service to students in grades kindergarten through sixth grade.

In the 2011-2012 school year, COMMUNITY Charter School completed our 9<sup>th</sup> year of existence. Over the past three years, while we have seen many extraordinary gains among our students, particularly in the area of youth development, we have lost ground in academic achievement. The most recent outcomes on the NYS English language arts and math assessments showed a continued decline and prompted the Board of Trustees, school leadership and representatives of the teachers' union to engage in a thorough analysis of the school's academic, organizational, fiscal and governance plans that resulted in the enclosed charter renewal application. As you will see in the application, while COMMUNITY Charter School proposes to carry forward its mission and educational philosophy, we are fundamentally changing all aspects of operations. Following is a brief summary of what you will find described in detail in the application.

#### **COMMUNITY CHARTER SCHOOL'S MISSION**

In July 2012, the Board voted to modify the mission in order to align it with the school's commitment to improving student learning in relation to the New York State Common Core Learning Standards and its focus on Asset Development and differentiated and data-driven instruction. The revision also aligns the mission statement with current instructional practices and priorities—for instance, removing mention of Project-based Learning, which has been discontinued. The new mission statement also more accurately captures the school's renewed commitment to involving families effectively to support the academic achievement and social emotional development of our students. The new statement is:

*The mission of COMMUNITY Charter School is to improve student learning and achievement, and to meet or exceed the NYS Common Core Learning Standards. COMMUNITY Charter School is committed to providing students with the knowledge they need for academic achievement and social – emotional development. We are dedicated to providing learning opportunities for all students via individualized learning plans, data driven instruction, and communication between home and school. Utilizing the Search Institute's Developmental Asset model, students will acquire the necessary characteristics in order to be well-rounded, productive citizens and able to adapt to an ever-changing global community.*

#### **COMMUNITY CHARTER SCHOOL'S EDUCATIONAL PHILOSOPHY**

CCS's educational philosophy is based most fundamentally on the premise that "all children are capable of learning." Teachers, staff and administrative leaders are both idealists as well as realists. That is, their expectations must be strongly supported by central administrative leaders, parents and community businesses, state and local governments. Furthermore, inherent in the total development of individual learner intellectual and social attributes it is imperative that a pervasive culture of respect and honesty be cultivated through visible modeling, student demonstration and total school celebration. It also is integral to CCS's educational philosophy that everyone involved in the educational enterprise shares the professional obligation to be accountable for effecting student achievement to the highest levels of educational standards.

This philosophy is clearly embedded in the proposed new practices, including an Annual Professional Performance Review (APPR) plan that was approved by leadership and the teachers' union and has been submitted to the NYSED for approval. This APPR sets out rigorous measures for teacher and school leader performance that will directly impact retention and performance-based compensation. The teachers' union affirmed their support for this approach completely when they agreed to the terms of the APPR and related human capital management elements in a signed agreement for a new four-year contract. All of these agreements are documented in the appendices.

#### **COMMUNITY CHARTER SCHOOL'S CHARACTERISTICS**

As is reflected in the positive parent evaluations and continuing improvements in youth development, COMMUNITY charter school clearly provides a warm and nurturing learning environment for our K-6 students. The proposed "Re-start" initiatives in this renewal application will build upon these assets by bringing great rigor and relevance to the academic program and increased professional opportunities and expectations for our staff. The key characteristic of COMMUNITY charter school moving forward is a shared commitment to dramatic and sustainable transformations that result in increased rapid and long-term student achievement.

#### **COMMUNITY CHARTER SCHOOL'S MAJOR CHALLENGES**

Throughout the renewal proposal, we delineate the major challenges COMMUNITY currently faces and our plans to address them. The key challenge is the three-year decline in student achievement. This issue drives all of the decisions being made for the plans to "Re-start" the school, including the selection of new formative assessments, implementing rigorous evaluations of teacher and school leader performance, and hiring of additional staff to support data-driven decision making and improve classroom instruction.

#### **COMMUNITY CHARTER SCHOOL'S MAJOR ACCOMPLISHMENTS**

Collaboration and cooperation across grade levels and the instructional staff has been most encouraging, particularly during the latter half of the 2011-2012 academic year. Significantly, the school leadership and teachers' union worked tirelessly to develop and come to formal agreement on the transformational practices proposed in this renewal application. At the same time, teachers have worked arduously to strengthen their data analysis, instructional practices and classroom management skills to markedly reduce lost instruction/learning time.

This past year, we implemented several strategies to better inform COMMUNITY parents of the academic performance measures of their children and the school as a whole. As well, weekly newsletters containing informational updates, school activities, parent involvement opportunities, etc., are published and distributed to parents and community leaders. In addition, a newly installed electronic display sign located on the school's front lawn has provided an excellent vehicle for sharing a range of school information and postings for parents and the neighborhood communities. To further support initiatives, CCS completed a major expansion of its physical facilities which included new and fully equipped classrooms, renovated teaching and administrative areas, reception and secretarial offices, food services, student cafeteria and a faculty/staff room/cafeteria.

Finally, we have welcomed on board a dynamic and highly effective Head of School, Ann Marie Wiesinger, who has led our staff through an intensive review process that resulted in the proposed renewal application, a collaboratively-designed APPR plan approved by leadership and our teachers' union, as well as an agreement for a new four-year contract between leadership and our teachers' union. Under her leadership, we are confident that the proposed charter renewal plan will be a success.

Sincerely,



Carmen J. Iannaccone

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**1. Is the school an academic success and able to operate in an educationally sound manner?**

**a. Academic Performance Goals**

**Standard: Throughout the charter term, the school has met or come close to meeting the academic goals laid out in its performance goals and charter contract, including absolute performance and value-added student growth.**

- *The data or other evidence may be provided in Appendix B (Evidence on Performance Goals) as a clearly labeled attachment.*

Please see Appendix B for data and evidence that supports the descriptions and overviews provided in the responses below.

- *Provide evidence that students at the school demonstrate proficiency or progress toward meeting proficiency targets on state standards as measured by the New York State Testing Program (NYSTP) exams in all subject areas and at all grade levels tested for accountability purposes.*

Since COMMUNITY Charter School’s inception in 2003, student achievement has gone from extremely low levels (only 7% of the original 4<sup>th</sup> grade students scored at levels 3 or 4 on ELA state assessments at the end of the first year of operation while a mere 13% met proficiency in math and 38% in science) to sufficiently higher levels (63% of 4<sup>th</sup> graders scored proficient in ELA during the 2008-2009 school year with a whopping 93% proficiency in math and 98% in science) to a recent decline in performance (27% of 4<sup>th</sup> graders at proficiency in ELA during the 2011-2012 school year, 33% proficient in math and 67% in science). As depicted in Table 1, the foremost challenge for COMMUNITY Charter School during the next few years is to rapidly turn around the declining student performance. (Note data for all tested grades is provided in Table 2; the reason for presenting 4<sup>th</sup> grade data in one table is to highlight the school’s performance over the entire life of its charter, which started with only grade 4 for the first two years of operation.)

**Table 1: Fourth Grade Performance on NYS Assessments**

School Year	Percentage Scoring 3 or 4 on NYS Assessment		
	ELA	Math	Science
2003-2004	7%	13%	38%
2004-2005	33%	57%	41%
2005-2006	41%	65%	90%
2006-2007	64%	80%	100%
2007-2008	51%	86%	90%
2008-2009	63%	93%	98%
2009-2010	16%	49%	88%
2010-2011	8%	45%	93%
2011-2012	27%	33%	57%

**Table 2: COMMUNITY CS Performance on NYS Assessments  
All Grades; All Years of Operation**

Grade Level	Percentage Scoring 3 or 4 on NYS Assessment		
	ELA	Math	Science
<b>2003-2004 School Year</b>			
4	7%	13%	38%
<b>2004-2005 School Year</b>			
4	33%	57%	41%
<b>2005-2006 School Year</b>			
3	37%	67%	N/A
4	41%	65%	90%
5	10%	13%	N/A
6	6%	6%	N/A
<b>2006-2007 School Year</b>			
3	71%	96%	N/A
4	64%	80%	100%
5	49%	67%	N/A
6	24%	63%	N/A
<b>2007-2008 School Year</b>			
3	74%	100%	N/A
4	51%	86%	90%
5	47%	77%	N/A
6	21%	73%	N/A
<b>2008-2009 School Year</b>			
3	75%	100%	N/A
4	63%	93%	98%
5	60%	74%	N/A
6	42%	50%	N/A
<b>2009-2010 School Year</b>			
3	53%	53%	N/A
4	16%	49%	88%
5	28%	36%	N/A
6	18%	23%	N/A
<b>2010-2011 School Year</b>			
3	55%	64%	N/A
4	8%	45%	93%
5	20%	17%	N/A
6	17%	19%	N/A
<b>2011-2012 School Year</b>			
3	17%	34%	N/A
4	27%	33%	67%
5	14%	30%	N/A
6	5%	9%	N/A

A review of the ELA and math data from 2011-2012 shows that while the ultimate levels of proficiency (scoring at Levels 3 or 4) are woefully inadequate, there are significant percentages of students “on the bubble” to meeting proficiency (high Level 2 scores). Table 3 shows how inclusion of these students demonstrates a high likelihood that with the right forms of

interventions, COMMUNITY charter school can turn around the declining performance fairly quickly.

**Table 3: 2011-2012 Proficiency + High Level 2 Students**

Grade/Subject	High Level 2	Level 3	Level 4	Total Proficient (Level 3+4)	Total Proficient + Bubble (Levels high 2 +3+4)
G3 – ELA	33.3%	17%	0%	17%	50.3%
G3 – Math	29.7%	31.9%	2.1%	34%	63.7%
G4 – ELA	57.1%	26.7%	0%	26.7%	83.8%
G4 – Math	44%	28.9%	4.4%	33.3%	77.3%
G5 – ELA	20%	13.6%	0%	13.6%	33.6%
G5 – Math	34.5%	25%	4.5%	29.5%	64%
G6 – ELA	17.9%	4.4%	0%	4.4%	22.3%
G6 – Math	31%	9.1%	0%	9.1%	40.1%

- *Summarize evidence of the school’s progress in making Adequate Yearly Progress (AYP) in the aggregate and for all statistically significant subgroups. Provide information on the school’s historical accountability status.*

Following are the key points regarding AYP accountability, both in aggregate and for all statistically significant subgroups:

- The school met AYP or Safe Harbor from 2004 to 2010 for all statistically significant subgroups except for ELA in 2005-2006 for Black and Economically Disadvantaged students.
- In 2010-2011, the school dropped in performance and did not make AYP or Safe Harbor for the aggregate in ELA and Math. It did also not make AYP or Safe Harbor for Black students, which form the majority of COMMUNITY’s student population. COMMUNITY did make Safe Harbor for Special Education and Economically Disabled students in both ELA and Math in 2010-2011.
- COMMUNITY has met AYP in Science for all years of its charter.

While AYP data is not yet available for the 2011-2012 school year, based upon student achievement data on NYSTP, we anticipate similar results as the 2010-2011 school year. This will further illustrate the significant challenge facing COMMUNITY charter school: the recent and rapid decline in student performance over the past three years. As discussed in detail in Section 4, COMMUNITY has begun to overhaul its curriculum, instructional, leadership and governance structures in order to effect a turnaround that will begin showing results in improved student achievement for the 2012-2013 school year.

- *If there are additional internal or external assessment measures (beyond NYSTP) that have not already been reported and that provide evidence relating to the success of the academic program, please submit that information in a clear and concise manner as well as an interpretation of the data.*

While the staff of COMMUNITY charter school take full responsibility for the low levels of student proficiency demonstrated on the NYSTP assessments, formative and interim assessments conducted throughout the school year indicated a stronger level of progression towards proficiency than ultimately achieved. It is clear in the assessment of scale score performance on NYSTP assessments as demonstrated in Table 3 that while a larger percentage of our students met proficiency levels on End of Year assessments such as DIBELS, many ultimately fell short of the cut-off for the NYSTP assessments. Please see the tables below for summaries of outcomes

on the additional formative assessments used throughout the year to benchmark and track student progress in ELA and Math. Note that DIBELS is used for grades K-6 and KeyMath is used for grades K-3. Table 4 provides DIBELS data for grades 3-6 as compared to NYS assessments in New York State tested grades (3-6). Table 5 provides a summary of DIBELS assessment data for grades K-2. Table 6 provides a summary of KeyMath assessment data for all tested grades.

**Table 4: DIBELS / NYS Assessment Data Comparison for 2011-2012**

Grade/ Assessment	Formative Assessment EOY % meeting benchmark	NYS Assessment % Proficient	Difference b/w % meeting EOY benchmark and % meeting proficiency on NYSTP assessment	% High Level 2 on NYS Assessment
3 – DIBELS/ ELA	36%	17%	-19%	33.3%
4 – DIBELS/ ELA	58%	26.7%	-31.3%	44%
5 – DIBELS/ ELA	84%	13.6%	-70.5%	20%
6 – DIBELS/ ELA	75%	4.4%	-70.6%	17.9%

**Table 5: Formative Assessment Data for ELA (DIBELS)**

Grade/Assessment	Benchmark EOY	# of students met Benchmark EOY	% Students met Benchmark EOY	Mean Average Benchmark Score
Kindergarten	28 words	18/35	51%	28.6 words
1 <sup>st</sup>	47 words	9/40	23%	31.7 words
2 <sup>nd</sup>	87 words	13/37	35%	75.8 words
3 <sup>rd</sup>	100 words	17/47	36%	92.6 words

**Table 6: Formative Assessment Data for Math (KeyMath)**

Grade/Assessment	Benchmark EOY (Grade level)	# of students met or exceeded Benchmark EOY	% Students met Benchmark EOY	Mean Average Benchmark Score
Kindergarten	1	16/36	44%	.925
1 <sup>st</sup>	2	12/39	31%	1.62
2 <sup>nd</sup>	3	10/32	31%	2.71
3 <sup>rd</sup>	4	10/45	22%	3.42

**Action Plan:** In Section 4 of this request for charter renewal, we provide a detailed program for turning around the declining student performance that has taken place over the past several years as well as address a core achievement issue that has been present since the school's inception: declining student performance as they move through grade levels. We would like to note here several key elements of the action plan as they relate to the issues raised here:

1. COMMUNITY has proposed to NYSED a comprehensive approach to measuring student performance in all grade levels and subject areas, including those not currently within the NYSTP, as part of the school's Annual Professional Performance Review (APPR) plan. Please see Appendix H for a copy of the plan, which was developed by school leadership in consultation with the teaching staff and has been approved by the NYSUT, as reflected in the signed certification of Joint Assurances, included with the APPR.
2. The APPR requires that annual Growth Targets for each student be set in all subject areas. These Growth Targets must be deemed sufficiently rigorous by an external assessment consultant and must be tied to an overall accelerated Growth Plan that will result in the school meeting its basic accountability goals for student achievement by 2014-2015 (three

years). Note that the core academic target proposed in the last charter renewal application was for 75% of all students in Grades 3-6 would be scoring at or above Level 3 in all NYS Assessments for ELA and Math by the end of the 2012-2013 school year. We are now proposing that this academic target be met by the end of the 2014-2015 school year.

3. COMMUNITY has joined a consortium of charter schools to gain access to a Data Warehouse that provides teachers and school leaders with comprehensive data on individual students, classroom/cohort performance as well as grade-level, subject-level and overall school achievement on both summative and formative assessments. In order to maximize the value of this Data Warehouse, which was first brought into the school during the 2011-2012 school year, COMMUNITY is implementing the use of interim assessments in ELA and Math to take place every 6 to 8 weeks across all grade levels. This data will be tracked in the Data Warehouse in order to give teachers near “real time” data to guide curricular modifications and instructional practices.
4. During the 2011-2012 school year, COMMUNITY gained access to the Data Warehouse and had key administrative staff trained in the use of the technical tools. During the 2012-2013 school year, all teachers will be engaged in intensive professional development to learn how to use the data in the Data Warehouse in order to improve curriculum and instruction. This process is detailed in Section 4 of the charter renewal request as it is the key mechanism by which educators at COMMUNITY will work collaboratively to meet the challenging growth rates required to bring students to proficiency.
5. Through the APPR, students’ growth rates are directly tied to teachers’ evaluations. As described in Section 4, outcomes on the annual evaluations have direct and immediate impact on teachers and school leaders’ professional experience. Any educator who receives two consecutive evaluations at the level of “ineffective” will be terminated. Educators who receive “developing” or “ineffective” on an annual evaluation must be given an improvement plan with specific measurable outcomes that must be achieved during the following school year. Educators who achieve at “effective” or “highly effective” are eligible for additional performance-based compensation through the school’s current participation in a grant program funded by the federal Teacher Incentive Fund.
6. The school leadership and teachers’ union signed an agreement for a new four-year contract that includes modifications to ensure implementation of all of the above initiatives.

***b. Curriculum***

***Standard: The school has a clearly documented curriculum that articulates skills and concepts that all students must know and be able to do to master content, meet and exceed state standards, and achieve school-level performance goals.***

- *Describe current curriculum documents that assist teachers in long-term and short-term instructional planning.*

In fall 2010, COMMUNITY Charter School became part of a consortium of charter schools in Buffalo that are implementing the federally-funded Partnership for Innovation in Compensation for Charter Schools (PICCS) initiative, which is led by the Center for Educational Innovation – Public Education Association (CEI-PEA), an educational nonprofit organization that has been working with charter schools since charter legislation was enacted in 1998. Through PICCS, COMMUNITY Charter School is able to access a wealth of resources and tools aimed at improving the overall functioning of the school. In 2011-2012, one of the specific tools that the school began implementing is the PICCS Data Warehouse, which includes a suite of tools designed to dramatically improve curriculum design, planning and alignment (both vertically and horizontally), as well as integrate curriculum with assessment such that teachers are able to implement rigorous interim assessments that are aligned with local and national standards. All of the software requires full alignment with the Common Core and, as such, helps ensure that all

teachers at COMMUNITY Charter School make the complete conversion to teaching to the Common Core in the timeframe provided in the NYS Assessment Transition Plan.<sup>1</sup>

The curriculum tools of the Data Warehouse help teachers with a range of tasks, including:

- **Aligning curriculum to the Common Core** – The curriculum mapping software takes the teacher through a step-by-step process in which s/he must correlate all aspects of an instructional unit and individual lessons to the Common Core Standards.
- **Effectively designing curriculum units and lessons** – The software provides the teacher with access to a library of units and lessons that can be adapted to the specific needs of his/her students. Links to the system’s assessment/benchmarking components helps prompt the teacher to make appropriate adaptations to address classroom/cohort as well as individual learner readiness in relation to particular content knowledge, skills and task ability.
- **Aligning curriculum across grade level, subject area, inter-disciplinarily and vertically** – The software follows the methodologies developed by Heidi Hayes Jacobs<sup>2</sup> by establishing a Core Map for the entire school that links out to Diary Maps for individual classrooms/cohorts and down to Individualized Learning Plans for students. All teachers in the school have access to the range of maps so that they can ensure curricular alignment as well as collaborate on cross-discipline units and student learning goals. As the system is used over time, the historical student assessment data also allows for a level of vertical alignment that goes beyond a common curricular framework to individualized growth planning. For example, the system will provide the curriculum maps for all of fourth grade to the fifth grade teachers as well as the outcomes data on student assessments to determine which elements from the fourth grade curriculum have/have not been mastered by particular students, thus enabling teachers to differentiate instruction appropriately.
- **Integrating assessments with curriculum data** – As teachers implement interim assessments (which will be required in ELA and Math every 6-8 weeks starting in the 2012-2013 school year), the system provides two key tools. First, teachers can utilize an assessment builder tool that provides a question bank aligned to the Common Core and benchmarked to the progress level required for students to meet their growth targets (for more on how COMMUNITY CS will be establishing student growth targets, please see Section 4 where we explain the methodology used in the school’s APPR plan submitted to NYSED for approval). Second, data from assessments—interim, formative or summative—can be reviewed in multiple formats and levels. Charts, graphs and dashboards provide visual cues to highlight key issues. Teachers and school leaders can drill down through the data from school-wide to grade-level to classroom/cohort, to student groupings to individual students. Depending on the nature of the assessment, users can also drill down from the macro level of a student’s performance to strand, task and item analysis. As assessments are directly tagged to the instructional units and lessons for which they are designed to measure student performance, it allows teachers and leaders to recognize where curriculum is working effectively and where they need to make improvements throughout the school year.
- **Searching the broader educational community for exemplar maps, units, and lesson plans** – The curriculum mapping software includes a library of curriculum maps (core and diary), instructional units and lesson plans that have been thoroughly vetted by nationally-recognized curriculum developers as high quality curricula. In addition, through participation in the PICCS project, teachers in COMMUNITY Charter School have access to model, “ready for replication” instructional units that have undergone a rigorous peer review process

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<sup>1</sup> <http://engageny.org/resource/common-core-implementation-timeline/>

<sup>2</sup> *The Curriculum Mapping Planner: Templates, Tools, and Resources for Effective Professional Development*, ASCD, Alexandria, VA. 2009.

modeled on the NYS peer review program originally established by the New York State Academy for Teacher and Learning (NYSATL) in the 1990s.

- **Web access 24/7 through secure log in** – The Data Warehouse operates as a fully secure online system that teachers and school leaders can access from any computer with Internet access and a browser. This allows teachers to work collaboratively even when they are not in the same location, such as during summer break, when the majority of yearly curriculum planning occurs.

**Status of Implementation:** The goal in the 2011-2012 school year was to train staff on the use of the system. Over the summer of 2012, lead teachers and school leaders have been building the Core Map and teachers are establishing Diary Maps through August in preparation for the launch of the new school year.

- *Explain how the school revises and updates the curriculum, when/if necessary, as well as how the school ensures the horizontal and vertical alignment of the curriculum.*

The basic curriculum at COMMUNITY emerges out of a series of highly effective curricular programs:

- **Pearson Reading Street 2013 Common Core:** This reading program is designed to help all students. It includes evidence-based teaching strategies in reading, phonics, grammar, vocabulary, writing, spelling, and formative and summative assessments to inform instruction. The program supports all learners including special needs, English Language Learners, and students that are on level, strategic, and advanced. This reading program is aligned to the Common Core Learning Standards.
- **Scott Foresman-Addison Wesley enVision Math:** This research-based mathematics program is designed to also include material for summer instruction and for use at home. Active learning helps students build their mathematics skills and confidence. Problem-solving lessons and ancillary materials also develop reading and writing skills. The content enhances mathematics instruction, includes planning tools, support for differentiated instruction, and assessment. This resource is aligned to the Common Core Learning Standards.
- **Scott Foresman Science:** This science program aligns with Common Core Learning Standards and is divided into four units: Physical Science, Life Science, Earth Science, and Space and Technology. Content included for New York State is specific to the region and supports the science inquiry standards using directed, guided and full inquiry methodologies. The curriculum stresses real life connections, promotes knowledge and thinking skills, and connects Technology and Math to encourage students to use and master authentic problem solving strategies.
- **Scott Foresman Social Studies:** This social studies program is designed to help every student acquire the knowledge and skills needed to become an active, responsible, and informed citizen. The curriculum is aligned with Common Core Learning Standards and identifies instructional objectives at each grade level to assist students in making benchmark progress.
- **The Arts Program** at COMMUNITY Charter School is based on Common Core Learning Standards and reinforces the core curriculum at each grade level. Instruction is provided to build self-esteem by celebrating students' cultures and exposing students to other cultures through Arts education.
- **The Health and Physical Education Program** at COMMUNITY Charter school is based on Common Core Learning Standards. Instruction is provided to develop and apply skills, and build sportsmanship.

As described above, the new curriculum mapping software in use at COMMUNITY provides a solid infrastructure for horizontal and vertical alignment of the curriculum as well as appropriate modifications based on assessment data. The “human” side of the system is implemented through a Professional Learning Community (PLC) approach to collaboration and transformation. Through the PICCS initiative described above, COMMUNITY has begun transforming into a PLC based on the model developed by Richard and Rebecca DuFour and outlined in their book *Learning by Doing: A Handbook for Professional Learning Communities at Work*.<sup>3</sup> In this model, a PLC is an ongoing process in which educators work collaboratively in recurring cycles of collective inquiry and action research to achieve better results for the students they serve. Within the school there are sets of collaborative teams whose members work interdependently to achieve common goals for which members are mutually accountable. Collaborative Teams can be formed within or across grade levels and subject areas, as well as to address specific educational issues (akin to a task force). In all cases, the Collaborative Teams focus on learning by doing (action research) and achieving measureable results (continuous assessment).

Over the past two years of participation in PICCS, COMMUNITY has accomplished the following aspects of PLC implementation:

- Several highly effective teachers have been appointed as PLC Coaches, participated in a year-long training program that resulted in official certification as PLC Coaches. The training and certification program was designed by PICCS in partnership with the New York University Metro Learning Communities, led by Dr. Joe McDonald who is a nationally-recognized leader in the field of PLC development and is author of a series of books on the subject, including *The Power of Protocols: An Educator’s Guide to Better Practice, Second Edition* (McDonald, et al, 2007).
- The PLC Coaches, with support from experts in PLC implementation from the PICCS project, started implementing Collaborative Team meetings to focus on problems of practice and peer reviews of instructional units.

In the coming year, a key focus of the Collaborative Teams will be to conduct ongoing collective inquiry and action research around the transition to the Common Core. The task-oriented process of the PLC approach establishes the framework for the Collaborative Teams to conduct this work: 1. The school-wide goals around curriculum implementation and effectiveness must be broken into specific and measureable goals at the grade-level, subject-level, as well as for individual classrooms and cohorts; 2) The Collaborative Team then determines how they will mark progress towards meeting those specific goals (e.g. quality of Diary Maps, alignment of Diary Maps to the Common Core, vertical alignment of ELA across grade levels, etc.); 3) The Collaborative Team sets specific targets and timelines related to all measures; 4) Working with the school and instructional team leaders, the Collaborative Team sets priorities within their plans; 5) The Collaborative Team uses the targets, timelines and priorities to continually assess progress and make modifications as necessary. This last point in the process is how broader curricular changes will be identified. The Collaborative Team then proposes modifications to their assigned Instructional Leader who works with the teachers and overall school leadership to implement the appropriate modifications (see Sections 2c and 2e as well as Appendix D for more information about these instructional leadership roles).

- *Indicate the ways in which the curriculum addresses the needs of all students.*

As described above, the new curriculum mapping and assessment software is enabling a far more customized/differentiated approach to curriculum delivery than in the past. While COMMUNITY

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<sup>3</sup> DuFour, Robert, Rebecca DuFour, Robert Eaker, Thomas Many. *Learning by Doing: A Handbook for Professional Learning Communities at Work* (Solution Tree, 2006).

charter school has used Individualized Learning Plans (ILPs) as part of our curricular and instructional approach since the school's inception, we are now able to take the use of ILPs to the next level. While this work is described in Section 4 of the renewal request in more detail, it is important to note here how ILPs guide curricular modifications throughout the school year.

The existing ILP system is a form-based system in which the following information is maintained throughout the school year:

- **Student Information:** Name, ID#, grade, age, parent/guardian name(s) and teacher assignment(s)
- **Assessment Data** in ELA and Math (based on NYS, DIBELS, Key Math or AIMSweb)
- **Areas of Strength:** Narrative description provided by teacher(s) based on assessment data and classroom instructional experiences.
- **Improvement Goal(s):** Short-term and long-term goals that focus on interim assessment scores during the school year and summative assessment scores for the end-of-year. Goals in both ELA and Math are provided with dates for interim assessments and indications of whether or not the student has/has not met the target.
- **Intervention Strategies:** Throughout the school year, the teacher(s) input intervention strategies with the following information—date established, skills needed, strategies/interventions planned, direction of interventions, and person(s) responsible.
- **Asset Development:** As explained in Section 1f of this renewal application, COMMUNITY Charter School uses a developmental asset measurement tool to identify the assets for success that students do/do not possess. In the ILP, teacher(s) use that assessment data to set Areas of Strength, Improvement Goal(s) and Intervention Strategies.
- **Signatures:** The student, parent(s) and teacher(s) must all sign the ILP form at the outset of the school year and the form is intended for use during parent-teacher conferences throughout the school year.

While the ILPs are good tools for planning to meet student needs, in practice they have served as once-a-year tools that tend to be placed in the student's folder without regular review and updating. The goal has always been for ILPs to be "living" documents that guide ongoing curricular planning, instruction and parent and student engagement. In the coming school year, COMMUNITY will transition from this form-based system to an ILP system included in the Data Warehouse described above. This ILP system allows for more detailed data to be included in the plan, including outcomes of interim assessments (every 6 to 8 weeks for ELA and Math) and artifacts related to a student portfolio such as sample work. Critically, all teachers assigned to the student have access to this shared ILP and access can be granted to parents. Since the Data Warehouse can be accessed from any computer with Internet connection and a browser (using a secure log-in system), the new ILP system will allow teachers and parents to genuinely collaborate in establishing, monitoring and updating the ILP throughout the school year.

### ***c. Instruction***

***Standard: The school engages students in high quality, rigorous instruction that is aligned with school design characteristics and curriculum, and is in evidence in all classes throughout the school.***

- *Describe expectations for school-wide instructional practice and the ways in which expectations for instruction reflect school design characteristics.*

As part of the PICCS initiative funded through a Teacher Incentive Fund grant, COMMUNITY Charter School adopted The Danielson Framework for Teaching as our shared definition of and expectations for quality instructional practice. We joined the PICCS initiative in Fall 2010 and training in the Danielson Framework first took place for school leaders in Spring 2011 followed

by training for teachers during the 2011-2012 school year. Starting in Fall 2012, the Danielson Framework will be fully implemented and will inform 60% of teachers' APPR evaluations (see Appendix H for a copy of the APPR plan submitted to NYSED).

#### Shared Definition & Expectations for Instructional Practices

The Danielson Framework for Teaching provides a comprehensive definition of quality teaching by providing rubrics to assess 22 elements within four "Domains" of teaching: 1) Planning and Preparation; 2) Classroom Environment; 3) Instruction; 4) Professional Responsibilities. While this section of the charter renewal application asks for information about the quality of instruction, we interpret this more broadly to cover the four Domains of the Danielson Framework as all of the Domains relate to *teacher effectiveness*. For example, in Domain 1 – Planning and Preparation, teachers are observed for their abilities to demonstrate knowledge of students (required for differentiated instruction), set instructional outcomes, and design coherent instruction. While these aspects of teaching may occur outside of the actual classroom instruction, they are key to the quality of instruction and, therefore, must be included in the shared definition of "quality teaching" or "teacher effectiveness," to emphasize the outcome-orientated nature of the definition used at COMMUNITY.

During the 2011-2012 school year, COMMUNITY teachers participated in a series of training and professional development sessions conducted both in-person and via an online "Social Learning Institute" facilitated through the PICCS initiative to learn about the Danielson Framework. The first piece of the training was designed to build a shared understanding of the 4 Domains and 22 Components, as well as the rubrics that inform the four levels of performance for each of the 22 Components (Unsatisfactory, Basic, Proficient, Distinguished). The second part of the training covered the implementation process, which includes at least 2 observations annually (one announced and one unannounced), as well as a pre- and post-conference meeting for the announced observation and a post-conference for the unannounced observation. The intention behind the implementation process is to help ensure that data from observations is used to inform teacher practices and professional development throughout the year, not simply to generate an evaluation score at the end of the year. Note that as part of the pre- and post-conferences, teachers are able to provide data/evidence related to their performance on the 22 Components, thus giving teachers the opportunity to build professional portfolios and participate in professional dialogue and reflective practice.

#### Implementation of Reliable Observations

A key challenge that COMMUNITY has faced in the past is reliability of data generated from teacher observations. For several years, teacher observation outcomes reflected quality instruction but the outcomes on student assessments continually declined. This problem was a factor in the Board of Trustee's choice to adopt the Danielson Framework and participate in the PICCS training and implementation process. Through PICCS, all persons who conduct observations through the Danielson Framework must undergo a training program that culminates in two tests established and scored by the College Board to gain certification as a Danielson evaluator. COMMUNITY put three administrative staff members through the certification program during the 2011-2012 school year so that they have the capacity to implement the observation program with integrity this coming school year. Two lead teachers also went through the training in order to help implement a new mentoring program for novice teachers, described later in this section. A key aspect of the certification is to demonstrate the ability to effectively meet rater reliability standards. In addition, PICCS provides an independent, nationally-certified Danielson evaluator to perform site visits throughout the year to "observe the observers" and review observation data to further ensure rater reliability.

### Linking Quality Instruction to Teacher Evaluation

As reflected in the APPR plan (see Appendix H), in the spring of each year, teachers' assigned evaluator(s) will use data collected through implementation of the Danielson Framework to perform a summative assessment. The summative assessment provides the teacher with a 0-3 rating in all 22 components of the Danielson Framework, which is totaled and then converted to a score of 0-60 points and a rating of "Highly Effective," "Effective," "Developing" or "Ineffective" (known as the "HEDI" rating system) in terms of professional practice. As explained in the APPR plan (see Appendix H these points are combined with points earned for achievement of student growth (0-40 points) to establish an overall composite HEDI rating. A teacher's composite HEDI rating is directly related to his/her retention and potential for performance-based compensation. For more details, please see Appendix H.

- *Indicate how teachers at the school go about planning high-quality, rigorous instruction for all students.*

In the Danielson Framework for Teaching, there are 6 Components for Planning and Preparation that COMMUNITY uses to guide teachers:

- **Demonstrating knowledge of content and pedagogy** – A Distinguished teacher's plans and practice reflect extensive knowledge of the content and of the structure of the discipline. A Distinguished teacher actively builds on knowledge of prerequisites and misconceptions when describing instruction or seeking causes for student misunderstanding.
- **Demonstrating knowledge of students** – A Distinguished teacher actively seeks knowledge of students' backgrounds, cultures, skills, language proficiency, interests, and special needs from a variety of sources, and attains this knowledge for individual students.
- **Setting instructional goals** – In the classroom of a Distinguished teacher, instructional outcomes are stated as goals that can be assessed, reflecting rigorous learning and curriculum standards. They represent different types of content, offer opportunities for both coordination and integration, and take account of the needs of individual students.
- **Demonstrating knowledge of resources** – A Distinguished teacher seeks out resources in and beyond the school in professional organizations, on the Internet, and in the community to enhance his/her own knowledge, to use in teaching, and for students who need them.
- **Designing coherent instruction** – A Distinguished teacher coordinates knowledge of content, of students, and of resources, to design a series of learning experiences aligned to instructional outcomes, differentiated where appropriate to make them suitable to all students and likely to engage them in significant learning. The lesson or unit's structure is clear and allows for different pathways for success according to student needs.
- **Designing student assessment** – A Distinguished teacher's plan for student assessment is fully aligned with the instructional outcomes, with clear criteria and standards that show evidence of student contribution to their development. Assessment methodologies may have been adapted for individuals and the teacher intends to use assessment results to plan future instruction for individual students.

In the past, COMMUNITY has used traditional approaches to supporting teachers in developing their instructional plans such as providing all teachers with a planning period, supporting common planning across grade levels and subject areas, and providing informal mentoring to new teachers. Through the PICCS initiative, COMMUNITY has formalized processes to support teachers in rigorous planning and preparation, including the following:

- **PLC Approach & Collaborative Team Leaders** – The school will use Collaborative Teams to provide peer-level instructional support. Within each Collaborative Team, the highest performing teacher will be identified by Instructional Coaches (see below) in order to serve as the Team Leader, provide model instructional sessions, and observe the instruction of other

team members using the Danielson Framework. (These reviews will not be included in the formal evaluation data described in the APPR; they will be used for professional development purposes only.) In those cases where a team does not have a teacher prepared to take on the leadership, the Instructional Coaches will serve as the team leader until a high quality teacher is prepared to take over leadership.

- **Instructional Coaches** – Starting in fall 2012, COMMUNITY is hiring two full-time Instructional Coaches in ELA and Math. The coaches will be highly experienced teachers who have a track record of accelerating learning in historically low-achieving schools. The Instructional Coaches will work with the Collaborative Teams (see above) to shape grade and subject-wide instructional approaches. They will also work directly with individual teachers in their classrooms to provide the depth of support necessary for the teacher’s developmental level—from team teaching, to leading instruction at times so that the teacher can learn new skills, to shadowing the teacher and providing end-of-session guidance.
- **Novice Teacher Induction & Mentoring** – As described in Section 4, COMMUNITY will undergo a transformation of its Human Capital Management System (HCMS) over the next three years that will establish differentiated teaching ranks (from novice to master teacher). A key component of the HCMS will be an induction and mentoring program for novice teachers that includes one-on-one mentoring by a highly effective teacher for the first three years of service at the school, as well as intensive professional development and training focused on building the capacity of novice teachers to implement data-driven instructional practices, participate effectively in a PLC/Collaborative Team approach, and deliver effective instruction.

The approach to coaching and mentoring—whether the “Mentor” is a fellow teacher within the Collaborative Team, an Instructional Coach or an official Mentor Teacher for a Novice Teacher—follows the Collaborative Coaching Model in which the mentor and mentee gather data on student growth, learning and achievement to establish consistent and differentiated instructional behaviors. This approach results in building “intentionality” in teachers such that they make deliberate and effective decisions in relation to teaching, learning and assessing.

- *Describe strategies that the school uses to engage all students in high-quality, rigorous instruction.*

COMMUNITY uses a “learner-centered” approach to instruction that is reflected in everything from the physical layout of the classroom to our approach to grouping students and differentiating instruction. To begin with, students work at group tables or grouped desks so that they can operate as teams to progress through work stations and tasks throughout the school day. This approach is used heavily in the early grades (K-3) and mixed with longer periods of whole group instruction in the upper grades (4-6). Each classroom has a part-time aide whose job is to circulate throughout the classroom to support workstation/grouped work. (Note that the majority of the teacher aides are certified teachers.)

To facilitate this workstation/grouped instructional approach, our teachers typically use the workshop model for instruction, which includes a warm-up (approximately 5 minutes), mini-lesson (typically the whole group instructional component, lasting 10-15 minutes), independent/pair/small group work type (which takes the majority of the lesson time at 30-40 minutes) and a short sharing session (5 minutes) when one or two students share out their work to help the full group review. This workshop model establishes rituals and rhythm to the school day, which helps facilitate students to become independent learners as well as learn how to collaborate in small and large groups. Moreover, this approach provides a framework for differentiated instruction in the following ways: it allows teachers and aides to move throughout the classroom during the bulk of the lesson time to assess individual student learning; students can be assigned to groups that can help support their learning needs (e.g. assigning reading partners based on a

leveled reading system); its modular formula allows for an increase in a particular instructional approach (more whole group instruction or more independent work time) as student learning is assessed in “real time” (e.g. the teacher finds that most of the small groups are having difficulty with task instructions; s/he can pull the students back for 3 minutes of whole group instruction to review the assignment and then have the students return to small groups).

This intensive instructional approach requires a low teacher to student ratio within the classroom. COMMUNITY accomplishes this, as previously mentioned, by providing a teaching aide in every classroom coupled with smaller overall class size. Also as previously mentioned, the majority of our teaching aides are certified teachers with a greater level of instructional capacity than the typical paraprofessional. What this means for the classroom environment is that it is often not clear to a casual observer who the “teacher” is as all adults—the lead teacher, teacher aide and any other instructional staff who may “push in” for special instructional support—are responsible for engaging in this workshop model.

Such a rigorous instructional approach also requires highly effective teachers who are skilled in content area, differentiated instruction, and classroom management. The approach can become akin to “spinning plates” as it requires a teacher to facilitate learning for all students in multiple ways. This is an aspect in which COMMUNITY’s instructional philosophy and reality remain mis-aligned. Many of our teachers have expressed that this approach is challenging and they feel it is the area of professional practice in which they need support and resources. To this end, COMMUNITY is hiring two Instructional Coaches to start in the 2012-2013 school year who will work closely with the teachers in developing their instructional capacity, including their ability to maintain the rhythm of the workshop timing, effectively utilize all classroom resources during the independent/group work time (e.g. computer work stations), and facilitate the team instructional approach provided for through the teacher aide model. In addition, we have purchased interactive white boards for all classrooms so that teachers can pre-load their mini-lessons and instructions for independent/group work time so that they can focus on facilitating learning during the actual instructional time.

#### **d. Assessment and Instructional Decision-making**

**Standard: The school uses ongoing formative and summative assessments and evaluation data to inform instructional decisions and promote student learning.**

- *Provide a list of formative and summative assessments administered in the school, as well as the purpose of each assessment.*

#### **Formative & Summative Assessments**

- **DIBELS** – COMMUNITY uses Dynamic Indicators of Basic Early Literacy Skills (DIBELS) to assess early literacy skills in grades K through 6. The assessment is documented in ILPs at least twice annually (beginning and end-of-year); it is also used periodically to assess individual student growth throughout the year and to assess effectiveness of instruction in those grades where NYSTP assessments are not available. DIBELS are individually administered measures of student skills in each of the key basic early literacy skills. DIBELS are comprised of seven measures to function as indicators of phonemic awareness, alphabetic principle, accuracy and fluency with connected text, reading comprehension, and vocabulary. DIBELS were designed for formative assessment to help identify children experiencing difficulty in acquisition of basic early literacy skills in order to provide support early and prevent the occurrence of later reading difficulties.
- **Pearson KeyMath Diagnostic** – The KeyMath diagnostic assessment focuses on ten instructional strands (based on grade level): numeration, algebra, geometry, measurement, data analysis and probability, mental computation and estimation, addition and subtraction,

multiplication and division, foundations of problem solving, and applied problem solving. COMMUNITY delivers the KeyMath assessment twice annually (beginning and end-of-year) to assess student readiness for grade-level math, differentiate instruction, and identify effectiveness of instruction in those grades where NYSTP assessments are not available.

- **Pearson AIMSweb** – In 2011-2012, COMMUNITY piloted the use of Pearson’s AIMSweb curriculum-based measurement system in several classrooms. Based on this pilot, COMMUNITY selected AIMSweb as the key assessment system that will be used as part of its APPR for grades not covered by NYS assessments. The AIMSweb system includes standardized tests that produce accurate charts of student growth over time. The system has been approved by NYSED as a third-party assessment that can be used for pre- and post-tests of student growth in grades K-12.<sup>4</sup> COMMUNITY proposes to use data from AIMSweb for the locally-determined 20 points of student assessment data in the APPR. (See the APPR plan in Appendix H.)
- **Erie BOCES Common Assessments** – COMMUNITY is part of a Regional Assessment Consortium of schools in Erie County that are working with the local BOCES to create an item bank that charter schools and districts can draw from to make secure, summative assessments that meet the APPR requirements as outlined in the NYS Commissioner of Education’s regulations. COMMUNITY plans to use data from the BOCES Common Assessments for the grades and subject areas not included in the current NYSTP for the first 20 points of student assessment data in the APPR. (See the APPR plan in Appendix H.)

### **Interim Assessments**

In addition to the school-wide formative assessments described above, COMMUNITY will implement classroom-level interim assessments in ELA and Math to take place every 6 to 8 weeks. The Instructional Coaches will help implement these assessments in order to ensure data reliability. The purpose of these assessments will be to provide continuous data on student progress to guide curricular and instructional decision making. Note that through the Data Warehouse that COMMUNITY began implementing last school year, teachers will be able to build assessments that are curriculum-based and tied to the Common Core standards.

- *Describe how data from these assessments are used by teachers to inform, guide and improve instructional practice.*

The original design of COMMUNITY charter school’s Individualized Learning Plan (ILP) system was to bring data-driven decision making into the classroom. However, as described earlier in this proposal, implementation of the ILP system has been inconsistent across classrooms and even in the most effective classrooms, assessment data is typically only entered twice (at most three times) a year. Through the PICCS project, COMMUNITY is undergoing a dramatic shift towards data-driven instructional practices. In 2011-2012, the PICCS Data Warehouse was established at the school. The Data Warehouse includes the following components in addition to the curriculum mapping system described previously:

- **Data Tracking, Analysis & Reporting Tools.** The Data Warehouse provides comprehensive student records including test scores and demographic data from which school leaders and teachers can run reports and perform detailed analyses of student performance, statistics and other aspects of classroom and school “health”.
- **Curriculum Development & Formative Assessment Tools.** As previously described, the Data Warehouse provides tools to map curriculum, develop and implement formative assessments benchmarked to NYS assessments and the Common Core standards, and create and maintain Individualized Learning Plans (ILPs) for all students.

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<sup>4</sup> <http://usny.nysed.gov/rttt/teachers-leaders/assessments/>

- **Communication & Management Tools.** The Data Warehouse provides a secure online portal to facilitate communication and coordination throughout the school, Collaborative Teams, and other pertinent groupings. Educators can share data and resources through a secure library, manage workflows related to collaborative projects through a task manager, discuss issues via a forum, and more.
- **PICCS Social Learning Institute.** The PICCS Social Learning Institute is an online learning environment that provides educators with “learning paths” on topics such as educator evaluation, building data cultures, habits of mind, implementing the Common Core, and more.

During the 2012-2013 school year, COMMUNITY’s teachers will take part in extensive professional development provided through the PICCS project to develop a “data culture” at our school. The approach is based on the methodologies and materials documented in Nancy Love’s book *The Data Coach’s Guide to Improving Learning for All Students* (Corwin Press, 2008). The core belief that guides the PICCS data use approach is that significant improvement in student learning and in closing achievement gaps is a moral responsibility and a real possibility in a relatively short amount of time - two to three years. It is clear from recent drops in student achievement that COMMUNITY must establish and grow an effective data culture immediately in order to close the achievement gap that has formed over the past three years. In order to achieve this rapid improvement, the Collaborative Teams (described above) will deconstruct student learning problems and test out solutions through rigorous use of data and reflective dialogue. During the 2012-2013 school year, the Instructional Coaches will take the lead in this work while the teachers build capacity in this work. The teachers will receive intensive professional development through the PICCS project to establish and grow this data use approach. Professional development will cover five steps with specific tasks associated with each:<sup>5</sup>

#### Step 1 – Building the Foundation

- Task 1 – Launch the Data Team
- Task 2 – Reflect on Our School
- Task 3 – Raise Awareness of Cultural Proficiency
- Task 4 – Commit to Shared Values, Standards and Vision

#### Step 2 – Identifying a Student-Learning Problem

- Task 5 – Build Data Literacy
- Task 6 – Drill Down into Aggregate-Level Analysis
- Task 7 – Drill Down into Disaggregate-Level Analysis
- Task 8 – Drill Down into Strand-Level Analysis
- Task 9 – Drill Down into Item-Level Analysis
- Task 10 – Examine Student Work
- Task 11 – Drill Down into Formative Assessments and other Local Student-Learning Data Sources
- Task 12 – Identify a Student-Learning Problem and Goal

#### Step 3 – Verifying Causes

- Task 13 – Conduct Cause-and-Effect Analysis
- Task 14 – Verify Causes through Research and Local Data

#### Step 4 – Generating Solutions

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<sup>5</sup> See Love, Nancy. *The Data Coach’s Guide to Improving Learning for All Students* (Corwin Press, 2008).

- Task 15 – Build Your Logic Model
- Task 16 – Refine Outcomes and Strategies
- Task 17 – Develop a Monitoring Plan

Step 5 – Implementing, Monitoring & Achieving Results

- Task 18 – Take Action and Monitor Results
- Task 19 – Celebrate Success and Renew Collaborative Inquiry

- *Describe how school leaders use data from these assessments to monitor the effectiveness of school programs and make school-wide decisions.*

During the 2011-2012 school year, COMMUNITY established a teacher leadership opportunity in the form of a Data Coordinator. This individual has been trained in the technical aspects of the Data Warehouse, has been transitioning school data into the warehouse, and is now learning to query the system to produce data reports. The result of this work is that in the summer 2012, while preparing the charter renewal application, the Data Coordinator has been able to effectively gather data that previously went un-analyzed. For example, the leadership team reviewed data from the formative assessments (DIBELS and KeyMath) to the NYS assessment data to identify where formative assessment data was mis-aligned with NYS outcomes (see Table 4). The leadership then took on a series of questions, including: 1) Was there a learning loss between the implementation of the formative assessment and the NYS assessment? 2) Was the formative assessment implemented at the right times (prior to the NYS assessment)? Was the formative assessment implemented in a reliable manner? Answers to these questions will help the leadership address school-wide decisions such as timing of additional classroom support to avoid learning loss, scheduling of formative assessments, training of teachers in implementation of assessments, and the like.

In the past, data from formative assessments did not inform school-wide decision-making. The onus of data-driven decision-making was on the teacher, in isolation from a broader data use approach such as the one depicted in Figure 2. Going forward, formative and summative assessment data will allow school leadership to monitor student progress and teacher effectiveness. This is formalized in the principal's APPR plan, which attributes 40 out of 100 points to student achievement of growth targets. The principal is mutually accountable for student achievement based on the growth targets that form the Student Learning Objectives (SLOs) in teachers' APPR plans.

To further support the principal in this work, COMMUNITY is currently recruiting for a Chief Information Officer (CIO) who will manage all areas of instructional data and technology for the school. The CIO will have the responsibilities for the collection, distribution and interpretation of student data. This individual will be responsible for data analysis, which will be utilized to improve instruction. (See Appendix H for the full job description.)

**e. At-Risk Students and Students with Special Needs**

**Standard: The school has the same high standards for all students in the school, and has systems to effectively support students who are struggling academically and those that require additional services to meet academic goals.**

- *Provide an overview of programs and services that the school has established for the following students: Students who are struggling academically; Special education students; English language learners; and Students who are in a social or emotional crisis.*

The staff of COMMUNITY Charter School follows all required federal regulations outlined in the Individuals with Disabilities Education Act (IDEA). Accommodations are made within the

building according to Americans with Disability Act (ADA) requirements. The building is handicap accessible with such accommodations including, but not limited to, elevator installation or upgrade, door handle replacement, restroom renovations to accommodate handicap access, exterior modifications to allow unimpeded entry and egress, necessary ramps and appropriate signage with Braille additions.

Since its inception, the charter school has welcomed approximately 12-14% of its student population as students in need of special education services. The majority of these students enrolled in COMMUNITY Charter School have already been classified by the Buffalo Public School CSE. In order to address the IEP's of its classified population to date, the school has employed three full-time NYS certified special education teachers and one social worker. The school also employs teacher aides who are available to be assigned to students and/or classes in order to execute students' IEP's.

The special education and related services that are provided by the Charter School include:

- providing consultant teacher and/or resource room services within all content areas on IEP's of students with classifications other than Speech Impairment
- counseling services by the School Social Worker for special education students with social/emotional goals on their IEP's or 504 Plans
- providing speech/language therapy, occupational therapy and physical therapy services through a contract with Buffalo Hearing and Speech Center
- developing 504 Plans for those students that have a disability that affects a daily life activity
- providing consultation with teachers and teacher aides of special education students to ensure the IEP's or 504 Plans are being properly implemented with fidelity
- coordinating the Child Study Team to address student need(s)
- completing a Student Intervention Record and submitting it to the student's district of residence CSE if the Response to Intervention data supports a suspected disability OR if it is requested by the district of residence
- providing the student's district of residence notice if a parent/guardian or professional makes a written request for a referral to the CSE
- following disciplinary procedures for students with disabilities as outlined in COMMUNITY Charter School's Code of Conduct and in accordance with all laws and regulations

### **Continuum of Services**

Education Law § 2853(4)(a) places CSE responsibility for charter school students on the school district of residence. The school district of residence is responsible for the evaluation, classification, placement of, and IEP development for charter school students. Education Law § 2853(4) and 2851(2)(s) make the charter school responsible for implementation of the IEP in compliance with all federal laws and regulations relating to students with disabilities. The experience of the school has been that the majority of students with disabilities receive consultant teacher services, which may be direct and/or indirect services in a general education setting. Some students have also received additional services in a resource room setting.

The CSE should consider the educational programs and services, as well as extracurricular and other nonacademic activities available in the charter school setting, and should attempt to tailor the IEP to meet the individual needs of the student in the context of the charter school program. If the nature and severity of the disability of a student enrolled in a charter school is such that the education of the student in the general education classes of the charter school cannot be achieved satisfactorily, the CSE must recommend a special class or other appropriate placement whether or

not such a special class or placement is available at the charter school.  
([www.emsc.nysed.gov/psc/specialed.htm](http://www.emsc.nysed.gov/psc/specialed.htm))

**Coordination and Communication with the Student's District of Residence 34 CFR 300.209(i)**

The student's district of residence Committee on Special Education (CSE) has the following responsibilities:

- evaluate a student initially referred from the charter school in a timely fashion
- determine if a student requires special education services based on a multidisciplinary evaluation
- develop an IEP which meets the Management, Academic, Physical and Social (MAPS) needs of the student
- coordinate and conduct annual reviews, reevaluations and program reviews (if requested) of classified students
- conduct Manifestation Determination Review when necessary

COMMUNITY Charter School and its Head of School have the following responsibilities:

- oversee contacts and act as a liaison, when necessary, with the student's district of residence CSE office to ensure that all IEP's are implemented within the required timeline
- arrange for substitute teachers in order for the student's regular education teacher to attend meetings and be involved in the development and implementation of a student's IEP
- ensure that all professional staff involved in the education of the student with an IEP be fully aware of the student needs (MAPS) and oversee all appropriate communications with the student's parent/guardian
- assure that quarterly progress reports are sent home to parents, and obtain those reports from any related service providers
- contact the CSE via telephone and send a written request when a meeting or program review is necessary to determine if a change may be needed to the IEP per parent, teacher and/or special education teacher request
- ensure that the student is provided with an annual review
- provide every teacher of a classified student with a copy of the student's IEP, with training provided by the school's special education teachers, as needed, to ensure their understanding of the student's needs and their responsibilities related to the student's IEP
- request a Manifestation Determination Review when necessary

The Head of School and/or his/her designee shall serve as the lead contact person between the school district and the charter school. The special education teachers, as designated by the Head of School, are responsible to directly interact with the school district of residence. This interaction will occur at the beginning of the school year to obtain information on any students enrolled with IEP's, as well as, during the school year for new students enrolled with an IEP. In addition, interaction will be ongoing throughout the year when updating progress reports, requesting initial referrals and when coordinating CSE meetings. Interactions and documentation of such occur via telephone and/or written contact. The CSE of the school district shall provide the special education procedural safeguards notice. The charter school shall have a copy available at the school for parents and staff to review.

**Participation in CSE Meetings**

The Head of School will ensure that the charter school special education teacher and regular education teacher of the referred or classified student be present at designated CSE and MDR meetings. The Head of School will provide coverage as appropriate.

### **Child Find Provisions IDEA.34 CFR 300.111**

COMMUNITY Charter School recognizes its responsibility to locate, identify and evaluate all incoming and enrolled students in the school who are suspected of having, or know to have a disability so that a free appropriate public education can be made available to all children. To ensure compliance with Child Find provisions of IDEA, the charter school will put in place the following processes:

- When a parent/guardian is informed via a letter that his/her child has a place on the school's roster, that parent/guardian will be advised that any child who has an IEP or may be suspected of having a disability is entitled to special services and that the Head of School should be made aware of the child's circumstances
- The letter will include:
  - Records release form to authorize the charter school to obtain the student's records from his/her prior school
  - Request for a copy of the IEP
- COMMUNITY Charter School will contact the appropriate school district administration to obtain records for each enrolled student.
- The School will also send to the appropriate school district's Committee on Special Education a list of the enrolled students from that district to determine if there are any students with IEPs or suspected of having disabilities to ensure that no student "falls between the cracks."
- COMMUNITY Charter School will include in its professional development training in the weeks prior to the school's opening, explicit instruction on Child Find provisions including guidelines and instructions for early identification of children who might be suspected of having a disability
- The Head of School, Special Education teachers, classroom teachers and parents/guardians will be involved in the meetings with the District CSE to ensure that there is a clear understanding as to how the IEP is to be implemented
- COMMUNITY Charter School will take steps to ensure that students are given opportunities to use all aspects of the school's curriculum to enhance their unique skills and interests. It is hoped that students who are interested in music, drama or art might find that success in those disciplines will boost their confidence and help them overcome or compensate for difficulties or disabilities in other subject areas.

### **Response to Intervention**

Response to Intervention replaces the Pre-Referral process in addressing academic and/or behavior issues experienced by a student within the general education setting.

If a student is experiencing difficulty with academics and/or behavior in the general education setting, the teacher will make contact with the parent to discuss these concerns and the Child Study Team (CST) process. The classroom teacher will complete and forward a CST referral form to the Special Education Coordinator.

At the CST meeting the team will review academic records, progress monitoring and/or benchmark data and make suggestions for implementing research-based interventions with fidelity into the student's daily schedule. These will include Tier 1 interventions (provided in the classroom), Tier 2 (provided in or out of the classroom in small groups) and Tier 3 interventions, if needed, (outside the classroom in 1:1 settings or in a group no larger than three students).

The student's progress will be monitored through AIMSweb progress monitoring tools. Each student will have a teacher liaison to periodically meet with the teachers providing the interventions to ensure that they are implementing and documenting the progress of the intervention(s). After implementing research-based interventions, if the data supports a referral to the student's district of residence Committee on Special Education (CSE), the Student Intervention Record will be completed and submitted to the CSE. The parent/guardian of the child in question will be involved throughout the process via telephone and/or written contact about their child's progress and referral process.

In order to assist in identifying at-risk students and students with special needs, the school has implemented a screening program for kindergarten students and all new entrants.

### **Diagnostic Screening of Kindergarten Students**

The Head of School of the charter school is responsible for seeing that all kindergarten students are screened at the beginning of their kindergarten year.

- All parents/guardians of kindergarten students are informed of the screenings through notices from the Head of School and/or his/her designee in the parent's/guardian's spoken language
- Parents/guardians receive notification at least one week prior to screening
- Students are screened by school staff in the areas of English Language Arts and mathematics
- Students indicating the use and/or knowledge of a second language will be screening according to the SED regulations
- At the beginning of the school year, all students will be tested in the area of English Language Arts and mathematics. If there are concerns regarding a student's academic readiness, the student will be recommended to receive Title I services

### **Diagnostic Screening of Pupils who are New Entrants**

- For all new entrants to the charter school, the Head of School and/or his/her designee and teacher will review the student's records
- As new students enroll, their names are given to Title I Reading and mathematics teachers to schedule a screening. At any time during the school year, a teacher may make a referral for diagnostic screening for any student
- The procedures in the Diagnostic Screening of Kindergarten Students shall be followed

### **Referral**

Referrals for children to the charter school's Child Study Team can be made by parents, school faculty members or other professionals if one suspects that a child may have a disability. The charter will follow the procedures listed below:

- If a faculty member or other professional has academic and/or behavioral concerns regarding a student, the student's regular education teacher will contact the parent/guardian to discuss the concerns.
- The regular education teacher will provide the student's name and concerns to the special education teacher by completing a CST referral form.
- The special education teacher will schedule a Child Study Team meeting with the regular education teacher to discuss the target academic and/or behavioral goal(s) and to brainstorm research-based interventions that would best meet the targeted goal(s) while considering the individual student's strengths.
- The Child Study Team is responsible for the creation, maintenance, and safekeeping of the Student Intervention Record. The purpose is to document the student's Response to Interventions, a requirement in the referral process. The Student Intervention Record is a

working document to be used over a period of time and is not designed to be used in collaboration with the Individual Learning Plan (ILP).

- The special education teacher will meet with or hold a conference call with the parents/guardians to review the response to intervention.
- If during the meeting it is decided to recommend a referral to the Special Education Coordinator, the special education teacher will submit the Student Intervention Record and supporting documentation to the Special Education Coordinator.
- If the Special Education Coordinator approves the referral, the special education teacher will submit the Student Intervention Record and supporting documentation to the student's district of residence Committee on Special Education.
- If the CSE approves the referral, the CSE will send home a Consent to Test form to the parents/guardians. The district of residence will provide the parents/guardians with a copy of the Procedural Safeguards Notice under IDEA.
- The special education and regular education teacher will attend the student's district of residence Initial Eligibility Determination Meeting. The special education teacher will send home a meeting reminder to the parents/guardians, offering the opportunity to participate through a conference call if they are unable to attend in person.

#### **Data Reporting Requirements 34 CFR 300.62**

The charter school complies with data reporting requirements under IDEA. All parents/guardians are made aware of IDEA requirements and their (and their child's) rights under IDEA. Further, in compliance with CFR 300.750, the charter school will submit an annual report to the NYS Education Department detailing the number of students with disabilities it serves, the nature of each student's disability, and each student's educational placement and setting. Regarding reports that are the responsibility of the district of residence, the charter school will make necessary data available to the district in a timely fashion. The charter school also complies with 8 NYCRR 119.3, which details requirements of the "Charter School Report Card" and includes information relating to students with disabilities. The charter school annually submits all required reports to the proper authorities and/or departments.

The Head of School and/or his/her designee is responsible for ensuring that materials for parents/guardians and students are readily available in the building. The special education teachers are responsible for ensuring any district materials are made available for parents/guardians and students. The Head of School and the special education teachers will plan, develop, and implement professional development activities annually in relation to IDEA for all staff during opening week of staff development.

#### **FERPA and IDEA**

COMMUNITY Charter School follows all applicable requirements of IDEA and the Family Educational Rights and Privacy Acts (FERPA) and implementation of regulations relating to the confidentiality of student records. All appropriate staff are trained in such requirements and the charter school's special education teachers are responsible for ensuring the confidentiality of personally identifiable information within student records.

#### **Notice to Parents**

The Head of School shall inform parents of their rights through the parent/student annual handbook. The parents have the following rights:

- The right to inspect and review educational records
- The right to a response from the charter school to reasonable requests for explanations and interpretations of the records

- The right to request that the charter school provide copies of the records
- The right to have a representative of the parent inspect and review the records

The Head of School shall comply with a parental request with respect to their rights without unnecessary delay and before any meeting regarding an IEP, or any hearing and in no case more than 45 days after the request has been made.

### **Access Rights**

The Head of School or his/her designee shall keep a log of access to the student's educational records in the student's file. The log will contain the following information:

- The record of parties obtaining access to education records (except access by parents and authorized employees of the charter school).
- The name of the party, the date the access was given.
- The purpose for which the party is authorized to use the records.

The charter school may charge a fee for copies of records that are made for parents if the fee does not effectively prevent the parents from exercising their right to inspect and review those records. The charter school may not charge a fee to search for or retrieve information.

### **Maintenance of Student Records**

- The Head of School or his/her designee shall be responsible for the custody of student records.
- The Head of School or his/her designee shall maintain a log of each request to access the student's record. The log shall be kept in the student's file.
- A copy of each request to access or disclose personally identifiable information shall be kept in the student's file. Parents will be asked to sign an authorization for release of information form to send information and an authorization to obtain information form with respect to a third party, such as an agency or institution. The authorization forms shall include the name of the party and purpose for requesting the records.
- The Head of School shall ask staff and parents to notify the office of student address changes, changes in emergency numbers, and changes in telephone numbers. The Head of School shall also include this request for notification in the parent/student handbook.
- The Head of School shall have teachers maintain any student records in locked filing cabinets in their classrooms.
- For students who are transferring out of the school, the school shall send copies of records and maintain the original records in a locked filing cabinet according to records retention regulations.

### **Staff Training**

The Head of School and the staff, in collaboration with the Board of Trustees will plan, develop and implement programs for staff. Training includes but is not limited to student record procedures, confidentiality, and staff/parents'/students' rights under the Family Educational Rights and Privacy Act (FERPA) and IDEA. Records of all training sessions and attendees shall be maintained in the school office. The Head of School shall provide the staff, including volunteers, copies of FERPA and the IDEA 300.500, 300.517 Procedural Safeguards, Due Process Procedures for Parents and Children.

### **Records**

All confidential records are maintained as to comply with all FERPA and IDEA regulations. Confidential records are maintained under lock and key in the school's office. The Head of

School shall designate those individuals who are allowed to access the records and all procedures for the access of all confidential records. It shall be determined by the Head of School the specific documents to be maintained in the confidential files.

#### **Parents Informed of Student Progress 34 CFR 300.322, 300.324, 300.320**

- The special education teachers work collaboratively with the general education teachers and service providers to send parents quarterly written progress reports.
- The written progress reports will contain the following information: child's progress toward the annual goals and the extent to which this progress is sufficient to achieve the child's goals by the end of the year.
- Special education teachers are responsible for coordinating the progress reports and making sure that the progress reports are sent to the parents/guardians. The progress reports will be mailed, delivered by the student, or given to the parents/guardians at a parent conference, as long as the manner and frequency of reporting complies with the student's IEP.

#### **Student Participation**

Students with disabilities continue to have equal opportunity to participate in and receive credit for education, nonacademic, extracurricular and ancillary programs, services and activities with students in the general education program to the maximum extent appropriate. Any student who has a disability will receive the same notices concerning school sponsored activities and/or services as other students.

#### **Parent and Student Rights**

- To review the Procedural Safeguards upon request.
- To have the referral procedure explained to them thoroughly by the Head of School and/or special education staff.
- To be informed of the relationship between the charter school and the CSE of their child's district of residence.
- To review with the Head of School and/or special education staff, annual notification information as outlined in the parent/student handbook.

#### **Special Education Staff Development**

Prior to the beginning of each school year, the Head of School, in collaboration with the special education teachers, will plan appropriate training sessions for all school staff on such topics as: IDEA regulations, special education terms, RtI, the referral process for CSE, development of a student's IEP, implementation of a student's IEP, evaluation of a student's progress toward meeting IEP goals and objectives, reporting requirements to parents and the CSE, confidentiality and students records, functional behavioral assessments and discipline of students with disabilities.

Training is ongoing throughout the year in before/after school sessions and/or during professional development days. Planning for these ongoing sessions will be guided by information provided by the teachers after a survey of their needs.

In addition to staff development activities described above, special education teachers will meet individually with regular education teachers and paraprofessionals to ensure proper implementation of the IEP and identify issues related to the IEP. Specific attention to program modifications and testing accommodations will be addressed along with recommendations to assist the regular education teacher with planning and modifying lessons within the general

education environment.

### **Enrollment of Student's with Disabilities**

All applicants are given equal consideration at the time of student selection (by lottery) with preference given to students returning to COMMUNITY Charter School, to siblings of students already enrolled in the school and then to students from the school district of location.

The Child Study Team provides support to general education teachers for the purpose of providing interventions to be used in the general education classroom to assist students experiencing academic and/or behavioral difficulties. Such interventions may be all that a student needs to be successful in the classroom. If the CST concludes that a student continues to experience difficulty, the students, if parent consent is provided, will be referred to the student's district of residence CSE.

If a student is classified with a disability, the charter school places the student in the least restrictive environment consisting of consultant and/or resource room services per IEP requirements. With the special education services offered above, and a teacher aide in each classroom, identified students are given the best opportunity to succeed in a general education setting.

If a student is unsuccessful in this setting and may require a more restrictive setting, the CST will refer this student to the student's district of residence CSE for reevaluation to determine if an different/outside placement would best suit the student's needs.

### **Highly Qualified Employees**

All special education teachers employed by COMMUNITY Charter School will be certified in New York State and will be highly qualified per CFR 300.18

### **English Language Learners**

Any child who is qualified under the laws of New York for admission to a public school is qualified for admission to COMMUNITY Charter School. The School may not establish admission requirements except that the students meet the age or grade level requirements specified in the charter. A child may not be dually enrolled in this charter school and another public school. It is the School's policy to recruit from a broad population, but at the local level. The School uses media that addresses the widest possible audience. Some of COMMUNITY Charter School's marketing strategies to attract all students including students with limited English proficiency (LEP) and English Language Learners (ELL) include: radio advertising, newspaper advertising, direct mail, locally posted announcements, and visits to area Head Start programs. Each of these avenues addresses the broadest spectrum of parents with students in the eligible age range and geography. The School purchases advertising mediums and address databases based on the broadest market reach without constraints or special considerations. All public communication invites any eligible student to apply, regardless of learning status, physical status or language barriers.

COMMUNITY Charter School shall serve any and all students with limited English proficiency (English Language Learners or "ELL") by addressing the needs of the ELL student within each content area and by utilizing the English Language Proficiency Standards as a tool, so that they achieve proficiency in the English language as quickly as possible. The Charter School complies with all applicable laws including Title VI of the Federal Civil Rights Act of 1964 (as amended) and the Federal Equal Educational Opportunities Act of 1974.

Students at COMMUNITY Charter School with limited English proficiency in English will achieve proficiency in the English language as quickly as possible through the use of the School's services and teaching methods. The School ensures that students who are identified as Limited English Proficient or as English Language Learners (LEP/ELL) will have access to and are included in all curricular and extracurricular programs and services commensurate with their age and grade level and under no circumstance will be assigned to special education because of their inability to speak and/or understand English. Parents with limited English proficiency will receive notices and information from the School written in their native language to encourage participation in the School by all members of the charter school community. Parental outreach may also be conducted through home visits by a school official and an interpreter.

### **Identification of ELL Students**

COMMUNITY Charter School uses the NYS Education Department's process for identifying students who are LEP/ELL (Part 154 – Commissioner's Regulations).

1. The process begins with the Home Language Questionnaire to screen all new entrants for potential limited English proficiency. The questionnaire is completed during an intake interview between school personnel and the family.
2. If English is the only language spoken in the home as indicated on the Home Language Questionnaire (HLQ), then the screening process need not continue.
3. If indicated on the HLQ that the home language is other than English, or if the student's native language is other than English, then appropriate school staff should informally interview the student and the parent/guardian in English, or if necessary, in their native language with the use of an interpreter.
4. If the student speaks a language other than English and speaks little or no English, then the School will administer the Language Assessment Battery-Revised (LAB-R). A student who scores below the designated proficient level (cut-off is 40% or better) is identified as Limited English Proficient (LEP), thus eligible for ESL instruction. The LAB-R is administered once to each incoming student who is identified as speaking a language other than English when completing the Home Language Questionnaire.
5. After a student is identified as LEP/ELL, instruction is provided that addresses the needs of the ELL student within each content area; English Language Proficiency Standards are used as a tool. Student achievement or progress in the English language will be measured annually (usually in April or May) with the New York State English as a Second Language Achievement Test (NYSESLAT). The scores on the NYSESLAT indicate the proficiency level the student has achieved that year, and whether or not the student's level of English proficiency is high enough to stop receiving ESL services.
6. The NYSED states that all LEP/ELL students must take the NYSESLAT annually to evaluate their English proficiency for *state* accountability purposes. However, New York can no longer use the NYSESLAT for federal NCLB Title I accountability purposes, except for students who are new arrivals to the United States. New York must administer its ELA assessment to LEP/ELL students, who, as of January 3, 2007, have been enrolled in the school in the United States (excluding Puerto Rico) for one or more years.

If a transfer student's records indicate he/she is identified as LEP/ELL, new screening will not be required. A review of the records will be sufficient.

The School's teachers are responsible for observing each student daily, informally watching for limited English proficiency. All teachers receive professional development training on techniques for detecting whether or not a student has English language deficiencies as well as communicating with students identified as LEP/ELL students and their parent(s)/guardian(s). Such activities focus on language, cultural heritage and instructional methodologies, including

ESL methods for teaching content areas, and support services appropriate for learners of a second language. Any student suspected of having limited English proficiency will be tested to determine what level(s) of services, if any, are necessary.

Students, whose screening indicated that they are Limited English Proficient (LEP) students as per Part 154 (CR), shall be provided instruction that meets the needs of the ELL student in all content areas using the English Language Proficiency Standards as a reference tool. All students that are English Language Learners are expected to become proficient in the English language at a rapid pace. The School uses a structured English immersion program to assist LEP/ELL students in improving their abilities to master the language. Students with limited English proficiency receive the same academic content as those students who are proficient in the English language. All instruction is in English. However, the level of English used for instruction, both oral and written, will be modified appropriately for each LEP/ELL student. All teachers receive professional development on communicating with students designated as LEP/ELL and in techniques for detecting whether a student has English language deficiencies. Within the School's extended day schedule, there is ample time that can be used for additional intensive English language instruction. The charter school provides all necessary staff with specialized curricular materials to enable LEP/ELL students to achieve proficiency. Staff will be "highly qualified" pursuant to the provisions of the NCLB Act, and any instructors hired or under contract will be certified in accordance with application regulations of the Commissioner for Teacher English to Speakers of Other Languages. Curricular materials and facilities for the implementation of the instructional program shall not be inferior to those materials and facilities available to English proficient students, and will be of the same quality and quantity available to the general population.

The School provides or makes referrals to appropriate support services that may be needed by LEP/ELL students in order to achieve and maintain a satisfactory level of academic performance. Such services may include individual counseling, group counseling, home visits, and parental counseling. The School is prepared to address the needs of students who are struggling with the structured English immersion program by providing, if it is determined to be the best course of action, pull-out instruction and/or assignment to a certified aide, teacher, or qualified consultant under contract who speaks the child's non-English language. Instructional materials are of high quality in both languages of instruction and appropriate for teaching English to second language learners.

Instruction for LEP/ELL students focuses on listening, speaking, reading, writing and communicating in English. The teacher who administers the LAB-R assessment determines the student's level (beginning, intermediate, or advanced) based on the guidelines put forth by the NYSED in the Part 154 Resource Guide. Staff will closely observe the ability levels of the LEP/ELL students, recognizing the fact that these students enter school, more proficient in speaking and listening than in reading or writing, or more proficient in listening than in speaking. By following the proficiency level descriptions outlined by the NYSED, the staff is able to determine the most appropriate instructional program for each LEP/ELL student. Staff uses the New York State ESL Learning Standards as a guide to developing the School's overall program and individualized student programs. Since the five standards have been constructed as to provide a "springboard to the content area standards", it is critical that the School and the staff utilize them as basic program guides.

All teachers and teacher aides will provide an ESL program that addresses the cognitive, social and academic demands placed on the LEP/ELL student. Staff assigned to LEP/ELL students will receive professional development in the specific needs of ELL students, program options, and the

use of the NYSED Resource Guide. Since the SED guide provides teachers with sample classroom tasks, sample learning experiences, and suggested assessments, it will be used as a foundation document for professional development delivery of instruction. In planning the instructional program, teachers and teacher aides will use the following principles as their guide:

- Listening, speaking, reading, and writing are integrated, while connecting language and literature.
- Content area material that is cognitively demanding and meaningful will be included in the delivery of instruction.
- Students will be provided an interactive environment for learning where they will be able to develop and practice their language skills.
- The reading program for LEP/ELL students shall follow the “balanced approach” model that places emphasis both on phonics and other word identification strategies. This approach combines “the best elements of phonics instruction and whole language instruction” and is best suited to the student population at the School.
- Study and test taking skills shall be incorporated as part of the ESL instruction.

Delivery of instruction is determined by classroom teachers based on student needs in the School. The School has the capability of providing ESL resources and support to teachers of ELL students through the PICCS Grant and a Charter School consortium. The approach outlined requires that the administration and staff receive professional development in ESL resources, philosophy of ESL instruction, and the development of ESL strategies. This will be planned, developed, and implemented by the Head of School in conjunction with appropriate consultants. Continuous professional development for faculty and staff is essential to nurturing, supporting and sustaining our ELL population.

### **LEP Student Opportunities**

Students of limited English proficiency receive the same academic content and extracurricular activities as those students who are proficient English speakers, with curriculum modifications as needed by each student. In accordance with Title VI of the Civil Rights Act of 1964, the Head of School shall provide notices of nondiscrimination. At no time shall students who have limited English proficiency be denied opportunities or services that are available for other children. The Head of School shall abide by the procedures outlines in the Family Educational Rights and Privacy Act (FERPA) 34 CFR Part 99. In any extracurricular activities that require English language fluency (i.e. staging a play), the School will encourage LEP students to participate through one-on-one conversations, and the School will modify the activity as needed to allow LEP students to participate. Specific instructional and supplemental material will be purchased for ESL students to help fulfill the requirement to fully include these students in the instructional program. Additional materials will be made available, as needed, to ensure that each student’s needs are met.

- *Describe how the school monitors the effectiveness of services and programs offered to these students. Consider providing data and other evidence that the school effectively supports students who are struggling academically and those that require additional services to meet academic goals.*

As previously indicated, since its inception, COMMUNITY has welcomed approximately 12-14% of its student population as students in need of special education services. Since NYSED began including special education students in the COMMUNITY accountability report cards regarding AYP status, the school has met Safe Harbor for this sub-group in both ELA and Math (see Appendix B for a full summary of AYP data for the school). In the most recent school year, attainment data on NYS ELA and Math assessments shows that the majority of our special

education students scored in Level 2 with a few students scoring in Level 3 in Math and those in Level 1 predominately scored at a High Level 1. One of our students in sixth grade with extensive special needs scored at a Low Level 1 in both ELA and Math. Tables 7 and 8 show the attainment levels for our special education students on the 2011-2012 NYS assessments in ELA and math.

**Table 7: Special Education Student Performance on NYS ELA 2011-2012**

Grade	# of SPED Students	ELA – Level 1			ELA – Level 2			ELA – Level 3		
		Low	Mid	High	Low	Mid	High	Low	Mid	High
3	2				1		1			
4	8			3	3		2			
5	3			2		1				
6	7	1		2	1	2	1			
<b>All</b>	<b>20</b>	<b>1</b>		<b>7</b>	<b>5</b>	<b>3</b>	<b>4</b>			

**Table 8: Special Education Student Performance on NYS Math 2011-2012**

Grade	# of SPED Students	Math – Level 1			Math – Level 2			Math – Level 3		
		Low	Mid	High	Low	Mid	High	Low	Mid	High
3	2				1			1		
4	8			2	2	1	2		1	
5	3					1	2			
6	7	1		2	2	1	1			
<b>All</b>	<b>20</b>	<b>1</b>		<b>4</b>	<b>5</b>	<b>3</b>	<b>5</b>	<b>1</b>	<b>1</b>	

With the implementation of the Data Warehouse where formative and interim assessment data can be readily accessed, COMMUNITY teachers and instructional leaders will be better able to monitor the progress of all of our students towards meeting their performance targets, including special education students. Note that as indicated in our APPR plan, all students must be given specific, annual growth targets in ELA, math and other pertinent subject areas. Monitoring the achievement of these growth targets will be particularly important for assessing the effectiveness of our special education services as the growth targets will be included in their IEPs and are a more precise measurement of student performance than attainment on standardized assessments.

- *Complete and Submit Appendix C (Enrollment of Students with Special Needs)*  
Please see Appendix C.

**f. Climate, Culture, and Safety**

**Standard: The school climate and culture reflect the school mission and design, and directly support student learning, development and achievement. The school maintains an environment that is physically safe and free from harassment for all students and school stakeholders.**

- *Identify the tenets behind the school’s climate and culture.*

COMMUNITY charter school believes that school should be a safe and nurturing environment where students are valued and have every opportunity to thrive. Educators focus on the strengths and resources of our students in order to promote positive student outcomes—academic, social and emotional. These beliefs are brought into reality through implementation of the Search Institute’s Developmental Asset Model, which measures 40 developmental assets that healthy, caring, responsible and successful children and young adults should have in place in their lives. These 40 development assets include positive experiences, relationships, opportunities and

personal qualities. Based upon over 50 years of research, the Search Institute has demonstrated that the number of development assets a young person has in place in his/her life directly corresponds to positive outcomes, including academic, personal and professional. The goal of COMMUNITY is to help our students build those assets—both those that are internal to the young person and those that are externally provided by the community—such that they are prepared for life-long success.

- *Indicate the ways in which the key components of the school's climate and culture reflect the school mission and design.*

The three main strategies by which COMMUNITY Charter School supports student learning, development, achievement, and safety are the Code of Conduct, the Mission Statement, and the Search Institute's Asset Development Model. The **Code of Conduct** is a framework that guides the basic principles of the school. The Code of Conduct is utilized to set expectations for all stakeholders and provide guidance for parents and families to better support student growth and development. It is a contract between the school and families that presents the expectations, guidelines for success, consequences, procedures and ways to effectively resolve various situations. The school's **mission statement** shares our beliefs and articulates the goals we aim to accomplish. The **Search Institute's Developmental Asset Model** is the driving force behind our approach to developing positive behaviors in students, families, and teachers while attaining our goals. Students in grades K-2 are assessed by their teacher in collaboration with parental input; while students in grades 3-6 complete a self-assessment in both September and May to identify areas in need of strengthening and areas in which students are secure. The pre-test and post-test scores are utilized in the development of the Individual Learning Plan for each student.

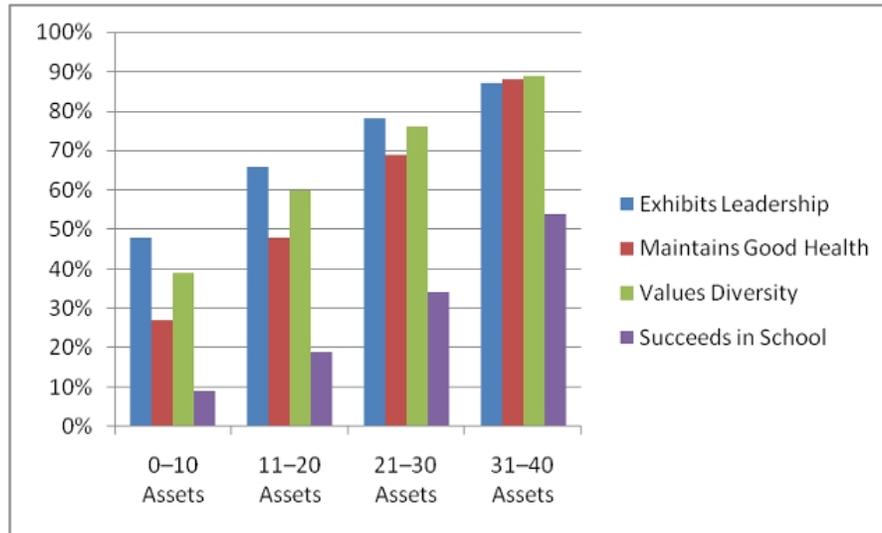
In order to address common areas of deficiency identified through the Search Institute Development Asset Model, school personnel launch the COMMUNITY Charter School **Rachel's Challenge initiative** every fall. Through this initiative, appropriate student behaviors are modeled at various locations throughout the school building as part of our building-wide positive behavior intervention system using the acronym "GOTCHA." The climate and culture is supported and maintained throughout the year with regular celebrations of positive behaviors and student success. In addition, assemblies and programs to address the social-emotional and wellness needs of students are provided on a regular basis. Recently, an internet and real-world **safety program** has been added (provided through The National Center for Missing and Exploited Children) to educate students and families about new and emerging dangers and how to best stay protected. Teachers, administrators, parents, and the social worker collaborate to monitor, manage and guide student behavior to support and improve student achievement.

In terms of physical health, COMMUNITY Charter School employs a **full-time school nurse** to ensure that all students possess updated physicals, have completed immunization records, are provided the opportunity for hearing and vision screenings, as well as a visit with the local University at Buffalo Dental School Smile Team for dental screenings. The nurse monitors each student's health and wellness throughout the school year and makes contact with parents and families as necessary.

- *Describe how the school climate and culture directly support student learning, development and achievement.*

Research shows that when schools take on effective mediational roles in terms of helping young people develop positive assets, student academic competency is positively impacted.<sup>6</sup> The Search Institute’s research shows that success in school is directly correlated to the number of developmental assets a young person possesses, as illustrated in Figure 1.

**Figure 1: Correlation of Developmental Assets & Positive Outcomes**



- *Describe how the school establishes and maintains an environment for students, staff, and other stakeholders that is physically safe and free from harassment and discrimination.* COMMUNITY is committed to establishing and maintaining an environment for students, staff and other stakeholders that is physically safe and free from harassment and discrimination. This dedication to safety, respect and freedom from harassment is reflected in the school’s Code of Conduct, which has been revised to emphasize cooperation, to balance punitive responses to inappropriate or unsafe behaviors with positive reinforcement and to comply with the Dignity for All Students Act (Dignity Act). The Code of Conduct is a framework which guides the basic principles of the school. The Code of Conduct is utilized to set expectations for all stakeholders, to support the entire school community in establishing a safe and inclusive environment and to provide guidance for parents and families to better support student growth and development. It is a contract between the school and families that presents the expectations, guidelines for success, consequences, procedures and ways to effectively resolve various situations.

The Code of Conduct begins with a set of expectations for conduct on school property and at school functions that are “based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.” It then sets forth the definitions of what constitutes acceptable conduct and lists both the “rights” and “responsibilities” that each student has. This is important and is designed to emphasize the respect that the school has for students and that students must have for themselves, other students, staff and the entire school community. The Code of Conduct also includes definitions and descriptions of acceptable and unacceptable behaviors and the disciplinary actions that will occur when students engage in unacceptable

<sup>6</sup> Li, Yibing, Jacqueline V. Lerner, Richard M. Lerner. “Personal and Ecological Assets and Academic Competence in Early Adolescence: The Mediating Role of School Engagement.” *Journal of Youth and Adolescence*, 2010 July, 39(7): 801-15.

activity. Unacceptable behaviors that endanger students and/or other members of the school community have serious disciplinary consequences.

This year, partially in response to the requirements of the Dignity for All Students Act, the school strengthened its initiatives to prevent and combat harassment of and discrimination against students and other stakeholders. These measures are noted in the Code of Conduct, which provides that “All students of COMMUNITY Charter School are to treat each other with dignity and respect. Any student who engages in fighting/harassment (physical, sexual and/or verbal) will be displaying inappropriate behavior. Violators will be referred to the Head of School and/or his/her designee for disciplinary action. The penalty may range from a reprimand to suspension from school. A write-up of the incident will be placed in their permanent folder.” Specific measures to prevent and address incidents of harassment and discrimination include:

- a) Appointment of a Dignity Act Coordinator, to whom any incident of harassment or discrimination should be reported by victims, witnesses or others. The Dignity Act Coordinator receives training to support her effectiveness in addressing harassment and discrimination, in building awareness of anti-harassment and discrimination strategies throughout the school and helping students, teachers, administrators, parents and other stakeholders create and maintain a school culture that does not tolerate harassment or discrimination. Information about the Dignity Act Coordinator’s role and how to contact her has been and will continue to be spread widely across the school community.
- b) Training for teachers and other stakeholders in preventing and addressing incidents of harassment and discrimination;
- c) Assemblies and other communication with students to ensure that they know their rights under the Dignity Act and the Code of Conduct;
- d) Distribution of age-appropriate descriptions of student rights and recourse under the Dignity Act and the Code of Conduct; and
- e) Inclusion of information regarding harassment and discrimination prevention (and recourse) in parent and community outreach initiatives.

- *Describe how the school effectively addresses the social, emotional, and health needs of its students.*

COMMUNITY has a strong record of assessing students to “inventory” the positive assets they possess and develop while enrolled at the school. The school has put in place—as described above—positive behavior intervention programs to foster development of such assets. What the school has not been able to fully accomplish is the vision of individualized support for students to develop assets. Currently, teachers document students’ pre- and post-year score on the Search Institute’s Development Asset assessment and they list interventions and strategies that the teacher, student and family will undertake to address deficits. However, like the academic interventions planned in the ILP, this data has not been tracked throughout the school year to see if the interventions are occurring and, if so, if they are effective.

To address this issue, in spring 2012, the Board of Trustees promoted a staff member to Assistant Principal for Asset Development who is now coordinating the assessment and intervention programs. See Appendix D for how this position functions in relation to the school leadership team and teachers.

#### **g. Professional Development**

**Standard: The school’s professional development program is aligned to school-wide goals and teachers’ individual professional needs.**

- *Provide an overview of the school’s professional development program.*

Through the PICCS project, COMMUNITY charter school has been able to dramatically increase the amount and depth of professional development offered to teachers and school leaders. The approach to professional development through PICCS is informed by best practices in development of “human capital management systems” at schools. Such systems require that professional development: 1) Is primarily school-based, job-embedded and ongoing; 2) Includes high “dosage” or “contact hours” as manifested in continuous, ongoing and long-term professional development; 3) Is based in collective participation of teachers from the same school, department or grade level; 4) Is content focused so that teachers are constantly working on the curriculum they will teach; activities should provide teachers with opportunities for active learning such as engaging in meaningful analysis of teaching and learning; 5) activities need to promote coherence in teacher practices by aligning the professional development with other key parts of education such as performance standards, school goals and evaluation.<sup>7</sup>

The PICCS professional development approach meets all of these best practice requirements through the following:

1. Consultants, coaches and other PD-providers facilitate traditional workshops but spend the vast majority of their time in the school and classrooms working directly with teachers and school leaders in a practice-based approach to professional growth. At COMMUNITY, this is being magnified by the addition of two full-time Instructional Coaches starting in the 2012-2013 school year.
  2. On average, teachers participating in the PICCS project report more than 80 hours of professional development annually, which exceeds the national norm.<sup>8</sup> At COMMUNITY, this will also be extended through the two full-time Instructional Coaches who will spend a majority of their time working directly with teachers in their classrooms.
  3. All of the PD initiatives are inherently collaborative in nature, including: building a school-wide data culture, transforming the school into a professional learning community, mapping curriculum, using the Danielson Framework to establish shared and high standards for instructional practice. COMMUNITY has integrated all of these initiatives in our charter renewal request as a means to formalize this mutual accountability and peer-support model.
  4. At all times, PD provided through PICCS is based in the “real world” of the school. When teachers participate in workshops that bring together educators from multiple schools, they are required to bring data and materials (assessment data, samples of student work, instructional units, etc.) from their own school and classroom to focus their work on analyzing their own teaching and student learning.
  5. In the APPR plan, COMMUNITY is requiring that all staff members who receive evaluation ratings at the levels of “developing” or “ineffective” put in place with their supervisor an improvement plan, which stipulates professional development that will be provided to the staff member to support achievement of the improvement goals. As the APPR is directly aligned with the school’s performance standards and goals, this process will help ensure that PD is also aligned with these standards and goals.
- *Describe how school-wide and/or individualized professional development activities and/or initiatives are identified.*

Through the data approach depicted in Figure 2, COMMUNITY will be able to identify both school-wide and individualized professional development needs throughout the year. The individualized PD plans are formalized for staff members that score at the “developing” or “ineffective” levels on the APPR as described above. In terms of school-wide planning, the Collaborative Teams will regularly report through their Team Leader to the school leadership

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<sup>7</sup> Cite Strategic Management of Human Capital in Education by Odden.

<sup>8</sup> Cite PICCS Evaluation.

about their progress and needs. As common needs are identified across groups (e.g. all 4<sup>th</sup> grade teachers) or school-wide, the leadership can make informed decisions about resources and professional development.

- *Indicate how school leadership monitors the effectiveness of professional development activities and/or initiatives.*

The data approach depicted in Figure 2 requires collection, verification and monitoring of data to address specific student learning problems, as well as causes of and solutions to the learning problems. As the solutions are implemented, the Collaborative Teams continuously collect data on student learning and instruction to monitor whether or not the solutions are working. Embedded in this process (identification of causes, solutions and implementation of solutions) is professional development, which will be supported at COMMUNITY by the two Instructional Coaches in ELA and Math as well as instructional experts in other subject areas provided through the PICCS project. It will be the job of these instructional leaders to regularly report on the “monitoring” aspect of the data approach both in terms of the effectiveness of the potential solutions as well as the effectiveness of the professional development, support and resources provided to the teachers working to implement the solution.

## **2. Is the school organizationally viable and able to operate in a fiscally sound manner?**

### ***a. Organizational Performance Goals***

***Standard: Throughout the charter term, the school has met or come close to meeting the organizational goals laid out in its performance goals and charter contract.***

Having reviewed our current charter and previously submitted annual reports, we recognize that COMMUNITY Charter School has not enumerated a set of measurable organizational performance goals. However, the school does have embedded in both procedure and practice several organizational goals that have been either been accomplished or for which progress towards meeting them has been made.

One organizational goal was to complete a building project to expand the learning environment at the school. **This goal was met.** The building expanded square footage, added a cafeteria, and renovated office space well within budget and time constraints. Another organizational goal was to continue to market COMMUNITY Charter School to the surrounding neighborhood and achieve enrollment at or near capacity. **This goal was met.** The School is currently near capacity, and does have waiting lists for some grade level enrollments. A critical goal was to secure an administrative team that is effective in improving student achievement and meeting the diverse academic and social emotional needs of the students. **Progress has been made toward meeting this goal, and the school has recently come close to meeting it.** As discussed in later in this narrative, a new Leadership Team have energized the faculty and are now implementing reform and are in place to implement the Re-Start initiatives described in this narrative.

Another goal was to align the curriculum with the New York State Common Core Learning Standards. **Progress was made toward meeting this goal and, especially during the past year, the school has come close to meeting it.** Teachers are creating core curriculum maps using the PICCS Data Warehouse (see Section 1b). A collaborative effort by staff and the Leadership Team recommended and received Board of Trustee approval to select and purchase a reading/writing curriculum that aligns to the Common Core.

A core organizational goal has been and is to live up to the tenets of the revised charter (2009-2013). **Progress has been made toward meeting this goal**, and such progress will continue through the Re-Start initiatives that will commence in 2012-2013 and continue through the new charter term.

***b. Financial Performance Goals***

***Standard: Throughout the charter term, the school has met or come close to meeting the financial goals laid out in its performance goals and charter contract.***

COMMUNITY Charter School **has met the goal embedded in the Charter of achieving financial stability through effective financial management.** The school has maintained positive fund balances and adequate cash flows each year throughout its operating history. Auditors from Lumsden & Company, LLC have consistently revealed no material weaknesses, and issued unqualified audit opinions regarding the financial statements taken as a whole.

The Board of Trustees and administration maintain tight controls in their stewardship of the school's financial assets. Monthly financial reports are reviewed and maintained by the Board Treasurer. Monthly reports are comprised of the following: Balance sheet, income and expense, cash flows, itemized check disbursements. The Board Treasurer frequently contacts the internal accountant with questions and seeks clarification of some items contained in monthly reports. The itemized check listing is scrutinized each month as well.

There have been no significant areas of fiscal concern since the last renewal, although the Office of State Comptroller did cite a potential conflict of interest. As discussed later in this narrative, the Board has addressed this matter, and implemented necessary changes in practice and policy so that such potential conflicts of interest are avoided in the future. The school's cash position has increased substantially over the years and remains adequate to fund future operations. And in recent years, the school purchased and expanded our building, paying cash for all improvements. Excess cash is invested in low risk investment vehicles to maximize income as well as safety of principal.

Another financial performance goal is to operate with realistic budgets and engage in financial management planning. **The school met this goal.** The school operates pursuant to a long-range financial plan. Realistic budgets are created each year, and annual budgets are monitored monthly and adjusted, as needed. Actual annual expenses have always been less than actual annual revenues. The budgeting process is a collaborative process involving the administration, internal accountant and Board Treasurer. It is reviewed by Board of Trustees, and approved each year by the board. Annual budgets reflect administration's educational, facilities and technological goals and needs, in a fiscally sound manner. Monitoring of the budget occurs monthly, and monthly operating reports reflect current year to date revenues and expenses, budgeted amounts, and variance from budgeted amounts. This information is presented to Board, and discussed each month by board.

***c. Organizational Capacity***

***Standard: The school has established a well-functioning organizational structure with 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 organizational viability.***

COMMUNITY Charter School has acted positively and proactively to address administrative and organizational challenges that occurred during the charter term. During the past four years, considerable turnover occurred at the administrative levels, including the departure of a Director and the departure of two Principals, one due to termination and one due to the Principal taking

another job. Also, three Assistant Principals left the school, and a Director of Asset Development was terminated. All of these leadership changes resulted in inconsistent enforcement of policies, practices, and procedures throughout much of the charter term.

Initially the Board of Trustees sought to replace the Director but instead allowed the then-Principal to assume the Director's duties for additional compensation. This occurred through most of the past two years of the charter, with less than positive results. Student achievement regressed and student behavior worsened. In August 2011 the Board of Trustees hired an outside consultant with expertise in school improvement to ascertain the administrative needs of COMMUNITY Charter School. In addition, the consultant was requested to review the Charter's implementation, gauge the type of climate and culture that prevailed in the school, and provide guidance to the Principal as a mentor.

At the time of the climate and culture survey, the administration was comprised of a Principal and an Assistant Principal. At the beginning of the school year the Assistant Principal left for other employment. The Board's immediate response was to become more intimately involved in the criteria to select and hire candidates for administrative positions.

The consultant identified specific charter components that needed administrative support. The Instructional Leadership Team (ILT) was not operational. Staff development was administered in a top down manner, leaving little choice for teachers to select those areas in need of improvement left only to the discretion of the Principal. Collaboration was conducted horizontally, with few options for teachers to discuss student performance with support services, such as Special Education consultation, Academic Intervention Services and Title I services in Math and Reading. In addition to these academic issues, student discipline was issued in an inconsistent manner. Procedures to deal with student behaviors needed conforming standards at both the teacher and administrative levels. Both student achievement and student behavior was in need of improvement.

Following a report to the Board on these two distinct areas, the Board hired two Assistant Principals. The Board reinstated the Instructional Leadership Team, facilitated by the Principal, to form the basis for a School Improvement Plan. The Instructional Leadership Team confirmed the high need areas of achievement and behavior as deterrents to student success. Each Assistant Principal was assigned a subcommittee to develop goals and focus on a strategy for their respective committee.

The organizational capacity at COMMUNITY Charter School further improved when the Board promoted the Coordinator of Asset Development to an administrative position, i.e. Assistant Principal for Asset Development. The model of administrative capacity in January 2012 was Principal and three assistants, each with a specific area of focus. In addition, COMMUNITY Charter School further has the benefit of a teacher as data monitor, child study team, two Lead Teachers, Title I Teachers, and a Special Education Coordinator.

In February 2012, the Principal was terminated. One of the Assistant Principals was appointed to the Principal's position. The Board has decided that in order to maintain the integrity of the charter and build further capacity, the school created the position Chief Information Officer.

Currently, COMMUNITY Charter has a Leadership Team comprising following positions. Descriptions of these positions are included in the School Leadership section below: a) Head of School; b) CIO; c) Assistant Principal for Management and Operations; and d) Assistant Principal

for Asset Development. The Head of School reports directly to the Board of Trustees. The CIO and Assistant Principals report directly to the Head of School.

Improvements are already evident as a result of the instituted changes. The ILT has taken an active role meeting on a monthly basis to confront common issues in a collaborative, norm referenced, trusting environment. The team has taken proactive steps to resolve problems affecting student achievement and behavior. The two subcommittees of the ILT have developed and implemented changes in the school's reading series, as well as curriculum. Data driven decision-making, formative assessments, and review of student work is becoming embedded in the culture of the school's faculty. The subcommittee focused on student behavior has helped the Board revise the Code of Conduct and has helped design a school-wide program of behavior management that will be instituted across all grade levels following summer in-service training and planning.

The Board of Trustees is kept apprised of the committee's activities through a monthly newsletter submitted to the Board by each administrator. In addition, there is a standing administrative report at each monthly Board meeting. The administrative staff is evaluated by the Head of School. The Head of School is evaluated by the Board of Trustees with support from consultants from the PICCS project. Evaluation of the Head of School is comprehensive and obtains and assesses feedback from teachers, peers, and the Board.

***d. Board Oversight and Governance***

***Standard: The board of trustees provides competent stewardship and oversight of the school while implementing and maintaining policies, systems, and processes to ensure academic success, organizational viability, and faithfulness to the terms of its charter.***

COMMUNITY Charter School has acted to address challenges that occurred during the charter term, including the challenge of addressing turnover in Board membership. The Charter provides for a range of between 5 and 9 members. Periodic departures compelled the Board to reexamine its practice of soliciting new board members in a somewhat informal way to the more strategic ongoing recruitment campaign described in Section Four of this narrative. Reasons for the turnover were several, including a potential conflict of interest for one member, as well as inability to commit adequate time to Board service and "personal" reasons. Recently, two founding Board members resigned, leaving the school temporarily with only four members. The Board has recruited a very capable person to serve as the fifth member of the Board, pending approval from SED.

The Board has an elected slate of officers with approved terms, including a Board Secretary. (Due to the above-referred resignations, the Board was temporarily without a Secretary.) Currently the Board members have a range of experience—education, accounting, business and a parent representative. The Board is currently seeking a Trustee with experience as an attorney to ensure that it will have access to such expertise. The Board conducts meetings in accordance with the Charter By-Laws, meeting on a monthly basis. The Board members do meet periodically for work sessions with administration when necessary. Currently there is a committee structure in place which requires Board member involvement. All Board and committee meetings are held in compliance with the Open Meetings Law. Information about Board meetings are communicated to the community via advertisements in the Buffalo News and posting on the school's website and on the electronic media board in the front of the school.

The ad hoc committee for Board membership chaired by the Board President has established procedures to solicit potential members. For most of the past charter term, the process for recruiting new Board members consisted of the following: a) Upon a vacancy that occurs on the

Board, the Board surveys existing Board members to ascertain the type of member needed to fulfill the position i.e. parent, legal, business, community member, etc.; b) the Board then has an exit interview with the departing Board member; c) the Board advertises the Board seat vacancy; d) resume reviews and interviews are held with candidates; e) prospective Board members attend a Board meeting. Currently, Leadership Buffalo is being considered as a clearinghouse of new Board members; and f) a public nomination is made at a Board meeting for a formal vote to accept the new member. Beginning immediately in 2012-2013, the school will transition from this reactive approach (i.e. waiting for a vacancy to conduct outreach and recruitment) to the more proactive approach described in Section Four of this narrative.

The Board has acted to address decreased levels of student performance on state assessments. In August 2011, the Board hired a consultant to assess internal operations at COMMUNITY Charter School. A climate and culture survey was conducted to identify issues at the school that negatively impacted student performance. The results of the survey identified a number of areas in need of improvement, and a list of specific recommendations was developed as first steps to a school improvement plan. A key focus of the survey was to determine levels of staff participation in making decisions about student achievement. A finding was that staff participation should be improved and that many teachers felt excluded from decision-making in such areas as scheduling, staff development, collaboration with contiguous grade levels and with support services and student discipline. The results of the survey were shared with the Board, principal and teaching staff. The Board authorized the hiring of the consultant to assist the Board in oversight and to support the school in improving school programs. The Board also authorized the reinstatement of the Instructional Leadership Team (ILT), the hiring of Assistant Principals to enable the Principal (now Head of School) to focus more directly and purposefully on instructional leadership and the changing of the Asset Development Coordinator position to Assistant Principal for Asset Development. Further planning and Board training is underway to increase the Board's effectiveness and, commencing in 2012-2013, the school will commence the comprehensive Board development, training and support initiatives described in Section Four of this narrative.

As described elsewhere in this narrative, the Board acted proactively to address concerns raised in the most recent audit by the Office of the Comptroller by developing and submitting a Corrective Action Plan, by authorizing the ad-hoc committee to investigate potential conflicts of interest and by strengthening Board awareness of and sensitivity to potential conflicts of interest. The Board has re-committed itself to engaging in evaluation to improve Board performance and inform Board professional development planning. In May 2012 a Board self-evaluation was provided by the Board's consultant for consideration and adoption. In addition, the Board will be evaluated by an external evaluator each year, beginning in 2012-2013, in a process described in Section Four of this narrative.

#### ***e. School Leadership***

***Standard: School leaders provide valuable administrative direction and make data-informed decisions based on the needs and best interests of students, staff and families within the community.***

- *Describe roles and responsibilities of leadership team members, as well as how the school holds all members of staff accountable for meeting school-wide goals.*
- *Describe how school leadership monitors the effectiveness of the school's academic program and operations.*
- *Describe how day-to-day operations are managed and the efforts the school has undertaken to ensure that the allocation of staff talent, time, and funding is supportive of the school's mission and key design elements.*

- *Describe how school leaders communicate with all members of the school community, including parents/families, students, and other stakeholders. The response should summarize the ways in which the school leadership solicits feedback as well as the ways in which the school leadership shares out important information regarding individual and school-wide performance, as well as information about school initiatives and programs.*

The current Leadership Team at COMMUNITY Charter School comprises the Head of School, two Assistant Principals and a Chief Information Officer (CIO). The CIO position was recently established and has not been filled. Brief descriptions of each position follow:

The **Head of School** is responsible for the effective operation of the school; including the administration and implementation of all instructional, business or other operations of COMMUNITY Charter School. The Head of School oversees all COMMUNITY Charter School personnel, identifies school needs and educational goals, designs professional development activities, and collaborates with the Board of Trustees. The Head of School also evaluates all members of the Leadership Team, teachers and staff using measures designed to hold staff responsible for meeting individual and school-wide goals. The Head of School is evaluated using the Vanderbilt Assessment of Leadership in Education (VAL-ED), which provides a comprehensive picture of learning-centered leadership behaviors.

The **Chief Information Officer** manages all areas of instructional data and technology for the school. The CIO will have the responsibilities for the collection, distribution, and interpretation of student data. This individual will be responsible for data analysis which will be utilized to improve instruction. The CIO will be evaluated by the Head of School.

The **Assistant Principal for Management and Operations** assists the Head of School with the instructional program; is responsible for maintaining student discipline; and developing/implementing procedures relating to health, safety, behavior, and discipline of students. The Assistant Principal for Management and Operations is evaluated by the Head of School, utilizing a self-evaluation and narrative report.

The **Assistant Principal for Asset Development** supports instructional initiatives, leads the Developmental Asset training and activities for students, parents and school staff members, and facilitates linkages with parents and community organizations. The Assistant Principal for Asset Development is evaluated by the Head of School, utilizing a self-evaluation and narrative report.

Also, an Instructional Leadership Team (ILT) was created in 2011, which includes two lead teachers, one for grades K through 2, the other for grades 3 through 6. Teachers reported that the first ILT meeting took place in December, 2011 and occur monthly. All teachers are invited to participate in ILT meetings and activities. The school has developed a “Teeter Totter” image that guides the ILT’s work, with curriculum & instruction focuses on one side, managerial and procedural items on the other and student achievement as the fulcrum. With this focus, the ILT re-designed the school’s ILP, assisted with the revision of the mission statement, established the vertical collaboration meetings, revisited the Asset Development language and how it is being implemented and surveyed for summer staff development opportunities. The ILT has developed two sub-committees—one for behavior and the other for curriculum & instruction. These committees examined curriculum and spearheaded the purchase of a new curriculum series, revised the Code of Conduct, implemented a GOTCHA positive behavior program, and made decisions regarding the new APPR.

School leadership monitors the effectiveness of the academic program and operations in a number of ways, including:

- Teachers are required to submit lesson plans using the PICCS Data Warehouse. The warehouse provides us with the ability to search key words, skills, etc. and it will be pulled from their maps, lesson plans, assessments, etc.
- Teachers are being required to keep journals from their vertical collaboration meetings as well as their grade level meetings; administrators will be present in these meetings regularly.
- Teachers will be evaluated on the Danielson model; administrators will strive to spend 75% of their school day on instructional tasks i.e. in the classrooms.
- Common Formative Assessments will be utilized every 8-10 weeks and the data will be used to inform instruction.
- Various tools such as AIMSweb will be used to track individual student performance over time; differentiated instruction will occur for group and individual student needs.
- Asset development embedded in everything we do.

Among the elements of the school's operation that supports effective allocation of time, talent and resources are:

- Establishment of an Assistant Principal for Asset Development, as well as an Assistant Principal for Operations and Management and a CIO, to free the Head of School to devote more time to instructional leadership.
- Dedicated professional development to mapping to the Common Core Learning Standards
- Use of a school Social Worker on staff to assist with social-emotional development
- Strengthening home-school communication through the development and sharing of ILP's, parent conferences, parent teacher group, parent nights, monthly building newsletters and a Family and Student Handbook.
- Use of interactive white boards in every classroom.
- Use of Teacher Aides in every classroom.
- Hiring and use of instructional coaches.

Communication between the school, parents and the school community takes a number of forms, such as face to face contact, report cards, progress reports, monthly newsletters and calendars, the PTO, phone calls, Blackboard Connect telephone messages, emails and communication books brought home by students. The school also shares ILPs with parents and will communicate with them, as needed, to ensure that the parents understand the results. Feedback has been solicited through focus groups, surveys and face-to-face meetings. Efforts are now underway to improve and expand parent involvement, including events for families at the school, scheduling more parent conferences (two conferences each year) and implementing additional focus groups. In its most recent site visit report, SED noted that teachers "report that parents are 'ten times more aware' of what is happening in school than in prior years and recognize that they are welcome to come in and read to children."

#### ***f. Solvency and Stability***

***Standard: The school has operated pursuant to a long-range financial plan and aligns budgeting practices with the school mission and key school design components. Annual budgets are sustained by enrollment, and the school has positive net assets and adequate cash flow to ensure solvency and promote student achievement and growth. Critical financial needs of the school are not dependent on variable income (grants, donations, and fundraising).***

COMMUNITY Charter School is financially solvent and stable. It operates within a budget and has implemented a fiscally conservative model of management. The Board engages in financial planning and review on an ongoing basis, and will focus its planning on ensuring alignment with the school's updated mission statement, key design elements and the Re-Start initiatives discussed in this narrative. .

Annual budgets are sustained by enrollment that, along with Title I and other entitlement and related funding, has provided for the school to operate at a substantial surplus. Enrollment is just shy of capacity and is sufficient to provide stable and adequate per-pupil funding. The school's involvement in the federally-funded PICCS project provides access to substantial resources (e.g. a data warehouse and other technology that supports the collection, analysis and use of student data), professional development and services at no cost. The school will participate in PICCS during the first two years of the new charter term, at which point the federal grant will expire and the school will pick up some PICCS-related costs from its budget. Even after the PICCS grant ends, however, the school will have a net surplus independent of income from competitive grants, donations or fundraising income. The attached budget reflects this.

***g. Internal Controls***

***Standard: The school has maintained appropriate internal controls and procedures. Transactions have been accurately recorded and appropriately documented in accordance with management's direction, laws, regulations, grants, and contracts. Assets have been safeguarded. The school's annual independent audit is devoid of material or repeated findings that may put the school in fiscal jeopardy.***

The school has maintained appropriate internal controls and procedures. Transactions have been accurately recorded and documented in accordance with Board's direction, regulatory oversight, grant requirements and contractual obligations. Any deficiencies or audit findings have been corrected in a timely manner. Each year's independent audit and financial statements have been issued with a clean opinion (unqualified) by the auditors with little or no commentary about accounting, administrative or internal control weaknesses.

A recent audit by the Office of the State Comptroller said: *"Our overall goal was to assess the School's financial operations for the period July 1, 2007 to March 12, 2012. To accomplish this, we evaluated selected areas in general governance, financial oversight and condition, purchasing, cash receipts and disbursements, payroll and personnel services, and inventory and asset control. After evaluating these areas it appears that School officials have established adequate controls for most of these areas and, therefore, limited risk exists."* While the audit did raise concerns about the school's handling of potential conflicts of interest (which, as described in this narrative, the school has acted to address), the above citation validates the adequacy of the school's financial controls.

COMMUNITY Charter School has strong fiscal policies and procedures that have positioned the school for continued growth and sustainability. The school's Business Manager is responsible for all accounting functions, along with limited human resource responsibilities. She reports directly to the Head of School and is responsible for implementation of policies and procedures of both administrative and accounting nature—e.g. managing cash, paying accounts payable and safeguarding of school assets. School payroll is handled by an outside payroll company.

COMMUNITY Charter School has responded appropriately whenever concerns have been raised about financial management practices. Recently, for instance, the Office of State Comptroller cited the school for allegedly not securing 3 quotes for the building expansion. According to the former Principal, three verbal quotes had been secured but, since none were in writing, the school lacked evidence of the quotes. The former Principal was informed that this practice was unacceptable. Since then, the school has instituted and enforced a practice and policy, consistent with the Office of the State Controller's findings, to require three written estimates for all expenditures exceeding \$20,000.

***h. Financial Oversight***

***Standard: The board is accountable for long-term financial oversight and solvency through appropriate planning processes.***

With oversight by the Board, COMMUNITY Charter School has established effective planning and policies to ensure the solvency and security of the school. The school is financially stable, owns its building with improvements that were paid for without securing debt financing and has a substantial amount of cash in the bank including roughly \$500,000 in reserve.

COMMUNITY Charter School has consistently complied with the financial reporting requirements of SED and federal granting agencies Education Department, and Federal granting organizations on a timely basis. Such reports have been complete and follow generally accepted accounting principles (GAAP). The school prepares annual cash flow projections, and these projections are monitored and adjusted as necessary to ascertain compliance with annual projections. Excess cash is invested with a Key Bank sweep account, providing the school with limited additional investment income. Safety of principal is of paramount importance. Other than short term payables, the school has no long term debt. The school's Unrestricted Net

Assets for the past five years are as follows: Fiscal year 2010: \$3,830,783; Fiscal Year 2009: \$2,912,032; Fiscal Year 2008: \$2,434,112; Fiscal Year 2007: \$1,966,173; Fiscal Year 2006: \$1,496,788. Since the opening of the school, it has run an annual operating surplus, with no deficit budgets or operational deficits. Each year's financial statement has been issued with a clean opinion (unqualified) by the school's auditors with little or no commentary about accounting/ administrative / internal control weaknesses.

While, as documented in the NYS audit comments cited above, the school has been in overall compliance with its financial obligations, it has also responded proactively whenever SED or other agencies have expressed concerns or raised issues. For instance, as described below, when an instance of potential conflict of interest involving the then-Board President arose, the Board responded by advising the potentially interested Board member, who then resigned from the Presidency and the Board, and by establishing an ad-hoc committee to investigate potential conflicts of interest going forward. The findings regarding this incident cited by SED were resolved by the COMMUNITY Charter School Board through the submission and approval of a corrective action plan to the New York State Office of the State Comptroller.

Another issue that arose is that the former Board President and other Board members resigned prior to the end of their terms without completing and signing financial disclosure forms. Efforts were made to secure signed financial disclosure forms from these former Trustees. Also, an ad-hoc committee was established and charged with the responsibility of securing disclosure forms from all Board members, including those who resign before their term expires.

***i. Financial Reporting***

***Standard: The school has complied with state and federal financial reporting requirements. The school has provided the State Education Department with required financial reports on time, and such reports have been complete and have followed generally accepted accounting principles.***

- *Provide evidence that the school has met all financial reporting requirements. If reports have been incomplete and/or late, please describe any measures that have been established to assure that all reporting moving forward will be timely and complete.*

COMMUNITY Charter School has complied with state and federal reporting requirements and has submitted complete and timely financial reports to SED, including copies of monthly financial statements and audited annual statements. All such reports have been completed by a third-party Certified Public Accounting firm and have followed GAAP. The school has also filed

its completed Form 990 with the Internal Revenue Service on a timely basis each year. Copies of these documents are available for review upon request.

***j. Facilities***

***Standard: The school provides facilities and physical conditions that allow students to maximize their learning potential.***

In July 2007, COMMUNITY Charter School purchased its current building located on Edison Street in Buffalo, New York for \$550,000. Prior to that, the school had leased the building. The Edison Street facility is an old building that had been used as a traditional public school prior to its use by COMMUNITY Charter School. Plans to expand the building were formulated with architects and construction companies. The expansion was planned in two phases. The initial phase was to create a bus loop on the Edison Street side of the building. The bus loop expansion was completed at a cost of approximately \$1 million, and also alleviated a neighborhood concern regarding buses clogging traffic on Edison Street. The second phase was the expansion of the actual building, adding more classrooms, a cafeteria, and administrative offices. This phase was completed this year at a cost of approximately \$2 million. Both phases of the expansion were funded entirely by internal financing.

COMMUNITY Charter School plans to remain in the Edison Street facility throughout the next charter term. The school is considering another building expansion during the next charter term that will increase available classroom space, student enrollment, and provide employment opportunities. It is expected that this expansion, like the ones that preceded it, will be funded entirely by internal financing.

***k. Parent/Family and Student Satisfaction***

***Standard: The school demonstrates that parents/families and students are engaged in the school community and are satisfied with the school’s academic and organizational practices.***

- *Provide a history of the school’s enrollment during the term of its charter, as well as a comprehensive assessment of demand and persistence patterns. Provide data on a year-to-year basis of the number of students who stayed in the school and those who left over the life of the charter term.*

**Table 9: Student Enrollment History**

Data	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012
Grades Served	K-6	K-6	K-6	K-6	K-6
Total Enrollment (Aug-June)	279	309	304	334	310
# of Students Returning from Previous Year	288	279	291	304	311

- *Describe the ways in which the school involves families as partners in the education of their children.*

COMMUNITY charter school uses the Individualized Learning Plan (ILP) approach as the formal means by which we engage parents as partners in their child(ren)’s educational program. As discussed in Section 1, the ILP requires review and sign-off by parents, including agreement to provide at-home support for academic and developmental interventions. As also discussed in Section 1, the ILP has not been a “living document” as originally intended but with the conversion to a web-based ILP program in the Data Warehouse (see Section 1), we will be able to provide parents with an interactive and dynamic collaborative space to work on their child(ren)’s educational program.

Over the past year, we implemented several strategies to better inform COMMUNITY parents of the academic performance measures of their children and the school as a whole. As well, weekly newsletters containing informational updates, school activities, parent involvement opportunities, etc., are published and distributed to parents and community leaders. In the coming year, we are planning to hold regular open forums for parents to come and discuss issues both specific to the school and their child(ren)'s education as well as other issues of relevance to the community. In doing so, we hope to make the school a center for the community and demonstrate that the school is an accessible space where parents, family members and community partners are integral to the success of our students.

- *Describe how the school demonstrates that parents and/or families are satisfied with the school's program. Summarize the results of any parent or family surveys conducted during the current charter term. Include the number of parents and/or families who participated, as well as the response rate (taking into account families who have multiple students enrolled in the school).*

COMMUNITY charter school conducts an annual survey to measure parent satisfaction. Following are findings from the most recent survey:

- 164 parents responded (with total enrollment of 301 students) representing well over two-thirds of all families at the school.
- The response rates for grade levels were: 17% kindergarten parents; 16% 1<sup>st</sup> grade parents; 17% 2<sup>nd</sup> grade parents; 15% 3<sup>rd</sup> grade parents; 15% 4<sup>th</sup> grade parents; 16% 5<sup>th</sup> grade parents; 3% 6<sup>th</sup> grade parents. (Percentages rounded to the nearest whole number.)
- For all but one of the 30 survey items, more than 90% of parents "agreed" or "strongly agree" with the positive-phrased satisfaction statements, including: I feel comfortable speaking to my child's teachers about any problems regarding my child (98%); The schools me opportunities to get involved in my child's education (98%); my child's teachers communicate with me regularly about my child's progress (95%); my child receives quality instruction in reading at this school (98%); my child receives quality instruction in math at this school (94%); I am satisfied with the quality of education my child is receiving (95%); teachers go out of their way to help my child when he/she needs extra help (95%).
- The one item with a lower level of satisfaction was "I have been informed about the school's finances and am satisfied that the school is economically sustainable over the long term," which has 76% positive rate. It is likely in the current economic environment that parental concern about economic stability of the school is a reflection of broader cultural concerns about the economy and funding of public education. As document earlier in this section and in the proposed budget (Exhibit 6), the school is in a strong financial position.
- *Summarize any formal grievances filed by families with the board and/or Charter School Office over the term of the charter. Do not include identifying information.*

In spring 2012, a family of alleged violations of federal and state laws and regulations pertaining to the education of students with disabilities, ages 3 to 21. The allegation was sustained and a Compliance Assurance Plan was submitted on time to the NYSED.

### **3. Is the school faithful to the terms of its charter and has it adhered to applicable laws and regulations?**

#### ***a. Charter-Specific Performance Goals***

***Standard: Throughout the charter term, the school has met or come close to meeting the charter-specific goals laid out in its performance goals and charter contract.***

- *List each objective and measure contained in the school’s current performance goals relating to the school’s unique mission and vision and design elements as described in the charter. For each listed measure, state whether the school has met, is making progress toward meeting, or has not met the measure. Provide data or other evidence supporting the statement. If desired, the data or other evidence may be provided in Appendix B (Performance Evidence Goals) as a clearly labeled attachment.*

The information requested is included in Appendix B.

***b. Mission and Key Design Elements***

***Standard: The school is faithful to its mission, vision and educational philosophy, and has implemented the key design elements included in its charter.***

“The mission of COMMUNITY Charter School is to improve student learning and achievement, and to meet or exceed the NYS Common Core Learning Standards. COMMUNITY Charter School is committed to providing students with the knowledge they need for academic achievement and social – emotional development. We are dedicated to providing learning opportunities for all students via individualized learning plans, data driven instruction, and communication between home and school. Utilizing the Search Institute’s Developmental Asset model, students will acquire the necessary characteristics in order to be well-rounded, productive citizens and able to adapt to an ever-changing global community.”

Key design elements are set out in the table in Exhibit 5. They include: a) Small class size; b) Low student to instructor ratio; c) Workshop Model of Instruction; d) Differentiated Instruction; e) Individualized Learning Plans; f) Curriculum mapping across all grade levels and subject areas; g) A curriculum that addresses the needs of all learners; h) A shared definition of high quality instruction; i) A Comprehensive Evaluation System, including regular and reliable teacher observations, correlations of student outcome data to teacher performance, and multiple measures of professional practice effectiveness; j) Collaborative Teams providing peer-level instructional support; k) Formative Assessments that measure student growth are implemented in all grades and subject areas; l) A Developmental Asset measurement system; m) A Positive Behavioral Interventions program; and n) Targeted Professional Development.

***c. Admissions and Enrollment***

***Standard: The school has implemented the student enrollment strategy and admissions policy laid out in its charter and required by statute and regulations.***

- *Summarize student recruitment efforts and evaluate the extent to which the school has maintained adequate levels of enrollment per the terms of its charter, statute and regulations.*

COMMUNITY Charter School engages in comprehensive outreach and recruitment each year, including advertisements, community meetings, visits and communication with pre-school programs and collaboration with community-based and faith-based organizations. The recruitment initiatives have been successful. COMMUNITY currently has near capacity enrollment and, in some grades, it has waiting lists. See Table 9 for a history of enrollment.

***d. Legal Compliance***

***Standard: The school has complied with applicable laws, rules, and regulations and the provisions of its charter.***

With the exception of the potential incidence of conflict of interest discussed at various places in this narrative, and the failure of some former Board members to complete and signed financial disclosure documents, COMMUNITY Charter School has had no legal compliance issues during the charter term. As noted in this narrative, the potential conflict of interest was resolved and efforts are underway to secure completed and signed financial disclosure documents from the former Trustees. Also, as noted earlier, COMMUNITY Charter School has revised its mission

statement and seeks to revise elements of its charter to align with its current structure and programs and to support the Re-Start initiatives.

COMMUNITY Charter School has established procedures to ensure compliance with applicable laws, rules and regulations. For instance, the school has consistently met reporting and other deadlines related to programmatic and fiscal oversight by SED and the Office of the Comptroller. The school maintains teacher certifications and fingerprints on all employees. New employees in need of fingerprinting are monitored based upon the Board approved monitoring policy. All employees are subject to background checks prior to their employment. If there is a suspicion of unacceptable issues, the administration will terminate any previous offer of employment. COMMUNITY Charter has a longstanding and ongoing relationship with an independent legal counsel, who regularly provides the Board with legal advice, reviews documents and monitors transactions. This enables the Board to make informed decisions and maintain compliance with legal requirements.

**4. Should the school’s charter be renewed, what are its plans for the term of the renewal charter?**

***a. Key Structural Elements of the Charter***

***Standard: Key structural elements of the school, as defined in the Renewal Charter Application Exhibits, are reasonable, feasible, and achievable.***

Please see Exhibit 5 – Key Design Elements

***b. Academic Program and Ability to Operate in an Educationally Sound Manner***

***Standard: The school has clearly specified plans for successfully implementing changes to its academic program in the next charter term, and these changes indicate that the school will be able to operate in an educationally sound manner.***

As discussed in Section 1, COMMUNITY charter school is proposing dramatic changes to aspects of its academic program that a “re-start” model that is designed to generate rapid and significant gains in student achievement. Key changes include:

- Implementation of a rigorous Annual Professional Performance Review (APPR) for teachers and school leaders that will drive all aspects of the school’s “human capital management system” (HCMS). Please see Appendix H for documentation of the APPR plan that was submitted to NYSED for approval; the teachers’ union reviewed and officially approved the APPR plan, as documented by the Join Certification Documentation.
- Implementation of an HCMS that includes all terms of the APPR for annual evaluations that will drive performance-based compensation and retention decisions, as well as professional development and resource planning. See Appendix H for the agreement reached on August 14, 2012 between COMMUNITY Charter School and the teachers’ union to include these elements in a new four-year contract.
- Curriculum innovations, including mapping of the school’s curriculum across grade levels and subject areas and implementation of Collaborative Teams to improve curriculum design with a focus on effective conversion to the Common Core.
- Instructional improvements, including hiring of two Instructional Coaches for ELA and math who will work directly with teachers to improve their classroom instruction, particularly the use of Individualized Learning Plans to differentiate instruction.
- Data-driven decision making practices that include implementation of a comprehensive Data Warehouse, development of a Data Culture at the school through a common and collaborative approach to data use, implementation of new formative assessment systems that are benchmarked to properly measure growth towards NYS assessments, implementation of interim assessments every 6 to 8 weeks to help guide rapid course corrections.

- Expansion of the Developmental Asset approach from a measurement system to an effective intervention and behavioral improvement system.
- Targeted professional development that is based upon both summative evaluation data from teachers and school leaders' APPRs as well as formative data from regular observations, conferences and reviews of interim and formative assessment data.

***c. Organizational Viability and Fiscal Soundness***

***Standard: The school has provided a reasonable, feasible and achievable organizational and fiscal plan for the next charter term.***

- *Budget (Exhibit 6). Submit a proposed budget for the term of the proposed charter period as Exhibit 6, using the required format (available at <http://www.p12.nysed.gov/psc/OversightPlan.html>).*

Please see Exhibit 6.

- *If the school is making significant changes to its financial management practices, or organizational and/or governance structure, describe the proposed changes as well as the reasons for those changes. The response should address renewal standards 2a through 2k as outlined in these Guidelines. If the school is not making significant changes to its financial management practices, organizational or governance structure, the narrative response should so indicate and describe plans for sustaining and (where possible) improving its financial viability or organizational success.*

Pursuant to "Re-start" initiative described throughout this narrative, COMMUNITY Charter School is making a comprehensive series of changes in its financial management practices, organizational and governance structure, board development and governance practices and personnel policies and practices. These changes are being initiated in the 2012-2013 academic year and will be continued throughout the new charter term.<sup>9</sup> As with the academic changes discussed earlier, the entire school community is committed to the successful implementation of initiatives that will improve the financial management, operations and governance of the school. The 2012-2013 budget, which is included in this renewal application, reflects this commitment and the investment that the school will make in implementing these changes during the final year of its current charter. The attached five-year budget reflects the school's commitment and investment during the new charter term, including a commitment to continue many PICCS-related activities at its own expense following the end of the federally-funded PICCS grant that currently enables it to receive access to certain training, resources and services free of charge. Both the 2012-2013 budget and the five-year budget reflect the school's commitment to not only maintaining the performance-based compensation element of PICCS beyond the PICCS grant term, but also to providing supplemental performance-based compensation. The five-year budget also reflects the capacity-building aspect of the Re-start initiative, with many costs such as board training being heavily "front-loaded" to build capacity in early years so that the school can maintain the initiatives with less reliance on outside consultants and the Re-start Director.

**Changes in Financial Management Practices**

1. During the Fall of 2012, COMMUNITY Charter School will engage in a thorough review of the school's fiscal and oversight policies and practices and professional development to ensure that these policies and practices are clearly understood and implemented by all Trustees, the Head of School, the Business Manager, relevant contractors (e.g. the school's

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<sup>9</sup> For any changes in practice that require material changes to the charter agreement and require approval by SED, formal requests have been submitted or will be submitted and proper SED authorization will be secured prior to enactment of the change.

accountants and attorneys) and other relevant school stakeholders. The policies and practices will be modified, as needed, to ensure effective fiscal management and appropriate division of responsibilities between staff and the Board. The review will clarify that the business manager reports directly to the Head of School and is responsible for preparing annual budgets and overseeing day-to-day fiscal management activities. The Board has oversight responsibility regarding all financial management issues. The attached organizational chart reflects this division of labor and reporting structure. The school will develop and implement professional development for the Head of School, the Board Chairperson, the Head of the Board Finance Committee and the Business Manager in 2012-2013 to ensure that they each understand their respective roles, obligations and responsibilities related to financial management policies and practices and that they can carry out their roles effectively.

2. COMMUNITY Charter School's Conflict of Interest policy has been reviewed to ensure its alignment with the requirements of the Charter School Law and the General Municipal Law and to affirm the school's commitment to avoiding any potential conflicts of interest. The attached By-laws include the school's Conflict of Interest policy. All required financial disclosure forms for current Board members have been completed and will be maintained and updated at least annually. An ad-hoc committee has been formed to secure financial disclosure forms from Trustees who resigned without completing them and to monitor completion and maintenance of financial disclosure forms. A separate ad-hoc Board committee has been created to investigate any alleged or perceived instances of conflict of interest, and the school's attorney has briefed the board about its obligations regarding conflicts of interest. As described below, a comprehensive program of board training will be implemented each year of the new charter term (and in 2012-13) to ensure that all Trustees are aware of and capable of meeting their obligations regarding Conflicts of Interest. Any Trustee's violation of the Conflict of Interest policy will be grounds for removal from the board. Also, a standing agenda item at all board meetings will be a report by the Head of School of current or future major purchases or contracts and the competitive process used to select the vendor or contractor. Except in cases where goods or services are sufficiently unique to warrant a "sole source" purchase or contract, at least three written estimates or "bids" will be solicited and considered prior to any major purchase or contract.

#### Changes in Governance and Organizational Structure

##### ***Changes in Board Structure***

1. Currently, COMMUNITY Charter School Board is comprised of five Trustees (SED approval of one Trustee is pending). Commencing in 2012-2013, the Board will be expanded to comprise at least seven members. This expansion will ensure greater depth and diversity of experience among Board members and improve the effectiveness of Board committees. The Board will engage in a thorough review of the capacity and experience of current Board members to identify gaps in expertise that can be filled by the new Trustees. A recruitment campaign will identify and recruit Buffalo residents with appropriate expertise and experience and elect them to serve as Trustees. To this end, COMMUNITY Charter School is establishing a partnership with Leadership Buffalo, a 25 year old not-for-profit organization that identifies and trains leaders to serve in the business, government, education and not-for-profit sectors. Through this partnership, COMMUNITY Charter School will have access to a network of leaders that includes the more than 2,000 graduates of Leadership Buffalo's training programs. Over the course of the next charter term, COMMUNITY Charter School will monitor, assess and seek to build on its partnership with Leadership Buffalo, and it will seek out additional alliances to support its Board recruitment efforts.
2. Recognizing that turnover of Board membership and leadership, and consequent gaps in filling vacant Board positions, have been issues of concern during the current and prior charter terms, COMMUNITY Charter School is committed to ensuring that identification and

recruitment of highly qualified prospective Board members occurs on an ongoing and formal basis. To this end, the Board will establish a formal **Board Development Committee** in 2012-2013, which will remain active throughout the new charter term. The Board Development Committee will meet regularly to review the current membership status of the Board and to develop and implement strategies to increase awareness of the school with prospective Board members and to identify, “vet,” select and constantly update a group of “on deck” prospective Trustees. The above-referred partnership with Leadership Buffalo will be useful in developing a network of highly-qualified prospective Board members.

3. COMMUNITY Charter School will establish an **Advisory Board**, comprised of non-Trustees with experience and/or expertise in areas that will be helpful to the Board and the School. Recruitment of Advisory Board members will be tied directly to findings from the above-referred review of Board strengths and gaps—i.e. the school will seek to identify and recruit persons with expertise and experience that addresses identified gaps. The school will leverage its relationship with Leadership Buffalo and other community-based organizations in Buffalo to “cast a wide net” for Advisory Board members. In addition to providing the Board and Head of School with input to promote effective governance, planning, operations and instructional decision-making, the Advisory Board will support COMMUNITY Charter School’s Board recruitment efforts by providing opportunities for prospective Trustees to learn about and become invested in the school.

#### ***Changes in School Leadership Structure***

1. The school leadership structure and organizational chart will be modified for the 2012-2013 academic year, and the new organizational chart reflects the school’s leadership structure throughout the new charter term. The modified leadership structure has a **Leadership Team** comprising the following positions:
  - a. *Head of School*—The title of Principal has been changed to Head of School. The Board believes that this title best reflects the scope of responsibility of the position, which focuses more directly on instructional leadership and direction, with the Re-start Director, of the Re-start program and the implementation of comprehensive school improvement initiatives. In December 2011, Ann Marie Wiesinger, who had formerly served as the Assistant Principal for Curriculum and Instruction, was appointed to Interim Principal, then Principal and later Head of School. As Head of School, Ms. Wiesinger is responsible for day to day management of schools activities with particular emphasis on supporting teachers and instructional staff, conducting effective classroom observations, holding pre- and post-observation conferences with teachers, setting individual teacher growth targets (with teacher input in coordination with the school’s implementation of the Danielson Framework), helping Collaborative Teams work through the school’s process of using data and other instructional leadership practices. ***The Head of School also directs the activities of the school’s Leadership Team.*** The Head of School will also work closely with the Re-Start Director to implement, review (on an ongoing basis) and modify (as needed) school improvement initiatives. The Head of School will coordinate teacher evaluation activities each year based on the Danielson Framework and will engage in school leader evaluation based on the Val-Ed evaluation process described earlier in this narrative.
  - b. *Chief Information Officer (CIO)*—The position of CIO will be established for the 2012-2013 academic year and will remain in place through the new charter term. The primary role of the CIO will be to work closely with the Head of School and administrative leadership team to inform classroom instruction and improve student performance, as well as the overall school functions and operations. The CIO will work closely with the Head of School and administrative leadership staff to inform classroom instruction and improve student performance. The CIO’s responsibilities will include leadership and

- oversight in the implementation of the school's Instructional Technology Plan. The CIO will manage all areas of instructional data and technology for the school and will be responsible for the collection, analysis and reporting of student data. The CIO will also coordinate all Federal grants including entitlement grants and the school's participation in the Teacher Incentive Fund-supported PICCS project.
- c. *Assistant Principal for Management and Operations*—This person, reporting directly to the Head of School, will oversee day-to-day operations at the school and, in coordination with the Assistant Principal for Asset Development, will play a key role in promoting a culture of learning pro-social behavior growth at the school. The Assistant Principal for Management and Operations will oversee disciplinary action and enforce the Code of Conduct. She or he will also work closely with all school leadership and staff to support effective and efficient management of school activities and the establishment of a positive, orderly and nurturing school environment.
  - d. *Assistant Principal for Asset Development*—The position of Developmental Asset Specialist was changed to Assistant Principal for Asset Development to provide greater authority to address student behavior proactively and to give greater administrative support in conducting teacher evaluations. Among the responsibilities of this position are to coordinate conflict resolution and peer mediation.
2. The Head of School will be supported during 2012-2013 and 2013-2014 by: a) a Restart Project Director, whose responsibility will be to coordinate all aspects of the school reforms described in this narrative and to provide coaching to the Head of School, Trustees, leadership and staff; and b) a Re-start Site-based Coordinator, who will spend considerable time on-site at the school providing support and coaching to school leadership and staff.
  3. The organizational chart has been revised to reflect the reporting structure as it relates to the Business Manager. As noted above, the Business Manager reports directly to the Head of School

#### ***Changes in Board Development and Governance Practices***

1. Each current Trustee will sign a Board Member Agreement at or before the commencement of the new charter term. Each new Trustee will sign a Board Member Agreement upon being elected to serve on the Board. The Board Member Agreement incorporates by reference the COMMUNITY Charter School Individual Trustee Performance Expectations. Both documents are attached.
2. An induction process for new board members will be implemented. Initially, the induction process will consist of outside experts (i.e. consultants and perhaps experienced board members of "effective" charter schools) working with new board members. As the knowledge and capacity of the COMMUNITY Charter School board improves through board training, etc., an internal board mentoring process can be created to support new board members.
3. A comprehensive board evaluation process will be developed and implemented each year focusing on the performance and effectiveness of individual board members and of the board as a whole. The evaluation will be conducted by an outside agent using agreed-upon methods, performance measures and rubrics. As part of the evaluation, board and committee meetings will be observed and board practice will be assessed. **Continuing service as a Trustee will be tied in large part to evaluation results, with consistent rankings of "effective" or better being a condition of remaining on the Board..** In addition, each Board member will conduct a formal self-evaluation each year.
4. Board training will be implemented throughout the new charter term to improve the knowledge of the board regarding statutory and regulatory requirements, charter content and commitments and effective governance practices AND to address needs and gaps identified in the board evaluations. In addition to Board training related specifically to key elements of

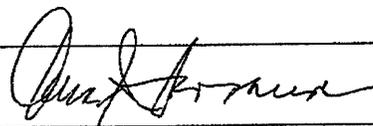
the Re-start initiatives, training of Trustees regarding effective governance and oversight will be provided through a partnership with Leadership Buffalo in coordination with the Community Foundation of Greater Buffalo, the John Oshai Foundation, the United Way of Buffalo and Erie County and the NYS Charities Bureau Chief of the Governor's Office. (See attached letter from the Executive Director of Leadership Buffalo.)

5. An extensive review of board policies (e.g. by-laws, Code of Ethics, FOIA and Open Meetings Law policies, policies related to the keeping and maintaining board minutes, conflict of interest policy, procedure for responding to complaints, etc.) will be made during 2012-2013 and continuing through the first year of the new charter term to ensure that they are consistent with legal and regulatory requirements (including changes required in current Charter Law) **and** that they are aligned with board and school practices. While this review will be facilitated by an outside consultant, Board members will be actively involved in all stages of the review process. Review of at least one policy will be a standing agenda item at regular Board meetings, with reports by the Head of School or designees regarding implementation of relevant policies. Board training will focus on ensuring that each board member is aware of these policies and requirements.
6. Board training will also focus on ensuring that all Trustees are knowledgeable about the elements of the Re-start program, with particular emphasis on teacher and Head of School evaluation and on the oversight role of the Board during and after the Re-start transition. At each regular Board meeting, the Head of School will report on the progress and implementation of the Re-start program, including information about and results from interim school-wide assessments, information about the number of teachers judged "ineffective" (particularly during the early stages of the Re-start program), the status of evaluation of teachers and administrators, the linkage of professional development for teachers to evaluation results and all activities of the Leadership Team related to the Re-start initiative.

**Appendix A: Application for Charter Renewal Certification Statement**

<b>Charter School Name</b>	<b>COMMUNITY Charter School</b>
<b>School Location (City/Town/Borough if NYC)</b>	<b>404 Edison Ave. Buffalo, NY 14215</b>
<b>Date School Opened</b>	<b>September 1, 2002</b>
<b>Charter Term History (list terms of initial and all renewal current charters)</b>	<b>2001-2006 2006-2007 2007-2009 2009-2013</b>
<b>Current Enrollment</b>	<b>336</b>
<b>Charter Maximum Enrollment*</b>	<b>342</b>
<b>Charter District(s) or Region* or Community School District if NYC</b>	<b>Buffalo Public Schools</b>
<b>Charter Grade Span*</b>	<b>K - 6</b>
<b>Current Grades Served *</b>	<b>K - 6</b>
<b>District(s) Served or Community School Districts if NYC</b>	<b>Buffalo Public Schools</b>
<b>*Maximum enrollment, grade span, and district(s) or region for which the school is chartered.</b>	

I hereby certify that the information submitted in this Application for Charter Renewal is true to the best of my knowledge and belief; that this application has been approved by the school's Board of Trustees; and that, if awarded a renewed charter, the school shall continue to be open to all students on a space available basis, and shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, or proficiency in the English language, and academic achievement. This is a true statement, made under the penalties of perjury.

<b>Signature of Chair of Board of Trustees (or designated signatory)</b>	
<b>Date</b> 8/10/12	<b>August 10, 2012</b>
<b>Print/Type Name</b>	<b>Carmen J. Iannaccone</b>
<b>Title (if designated)</b>	<b>Board of Trustees President</b>
<b>Date of approval by Board of Trustees</b>	<b>August 10, 2012</b>

## Appendix B: Performance Goals Evidence

### Academic Goals Table

<b>Evidence of Attainment of Academic Goals during Current Charter Term</b>			
Academic goal or objective	Measure used to evaluate progress toward attainment of goal or objective	Progress toward attainment of goal or objective	If not met, describe efforts to be undertaken to meet goal or objective
At the end of Year 4 of the renewed charter, 75% of all students in Grades 3-6 will score at or above Level 3 in all NYS assessments for ELA and math.	Outcomes on NYS assessments.	Partial attainment. See data provided in Section 1.	Re-Start initiative, specifically as described in Section 1, will be implemented in order to make significant and rapid increases in student attainment.
For those students in Grades 3-6 that are not scoring at a proficiency level (level 3 or 4) on the NYS assessments for ELA and math, there will be a 5% increase in the total number of students scoring at a proficient level (level 3 or 4) for these assessments the following year until proficiency is achieved.	Outcomes on NYS assessments.	Partial attainment. See data provided in Section 1.	Re-Start initiative, specifically as described in Section 1, will be implemented in order to make significant and rapid increases in student attainment.
COMMUNITY Charter School will continue to substantially outperform the Buffalo City School District annually on the New York State ELA, math, science and social studies assessment.	Outcomes on NYS assessments.	Partial attainment. See data provided in Section 1.	Re-Start initiative, specifically as described in Section 1, will be implemented in order to make significant and rapid increases in student attainment.

### Organizational Goals Table

<b>Evidence of Attainment of Organizational Goals during Current Charter Term</b>			
Organizational goal or objective	Measure used to evaluate progress toward attainment of goal or objective	Progress toward attainment of goal or objective	If not met, describe efforts to be undertaken to meet goal or objective
Complete a building project to expand the learning environment at the school.	Completion of project	Met the Goal	
Continue to market COMMUNITY Charter School to the surrounding neighborhood and achieve enrollment at or near capacity	Enrollment	Met the Goal	
Secure an administrative team that is effective in improving student achievement and meeting the diverse academic and social emotional needs of the students	Organizational development and student achievement	Progress was made towards meeting the goal. Effective team is in place.	Re-Start initiative will provide training and support to the administrative team and will support student achievement,
Align the curriculum with the New York State Common Core Learning Standards	Aligned curriculum	Progress was made toward this goal. Curriculum alignment mapping and related activities are underway	Continued and expanded staff development and use of curriculum alignment resources.
Align programs and charter	Programs and charter requirements are aligned	Progress was made. Modified mission statement is better aligned with programs and Re-Start goals	Revised mission statement and Re-Start initiatives

### Financial Goals Table

<b>Evidence of Attainment of Financial Goals during Current Charter Term</b>			
Financial goal or objective	Measure used to evaluate progress toward attainment of goal or objective	Progress toward attainment of goal or objective	If not met, describe efforts to be undertaken to meet goal or objective
Achieving and maintaining financial stability	Positive fund balances and adequate cash flows; Other evidence of effective financial management	Met the goal	
Operate with realistic budgets and engage in financial management planning.	Effective budgeting and fiscal stability	Met the goal	

### Charter-Specific Goals Table

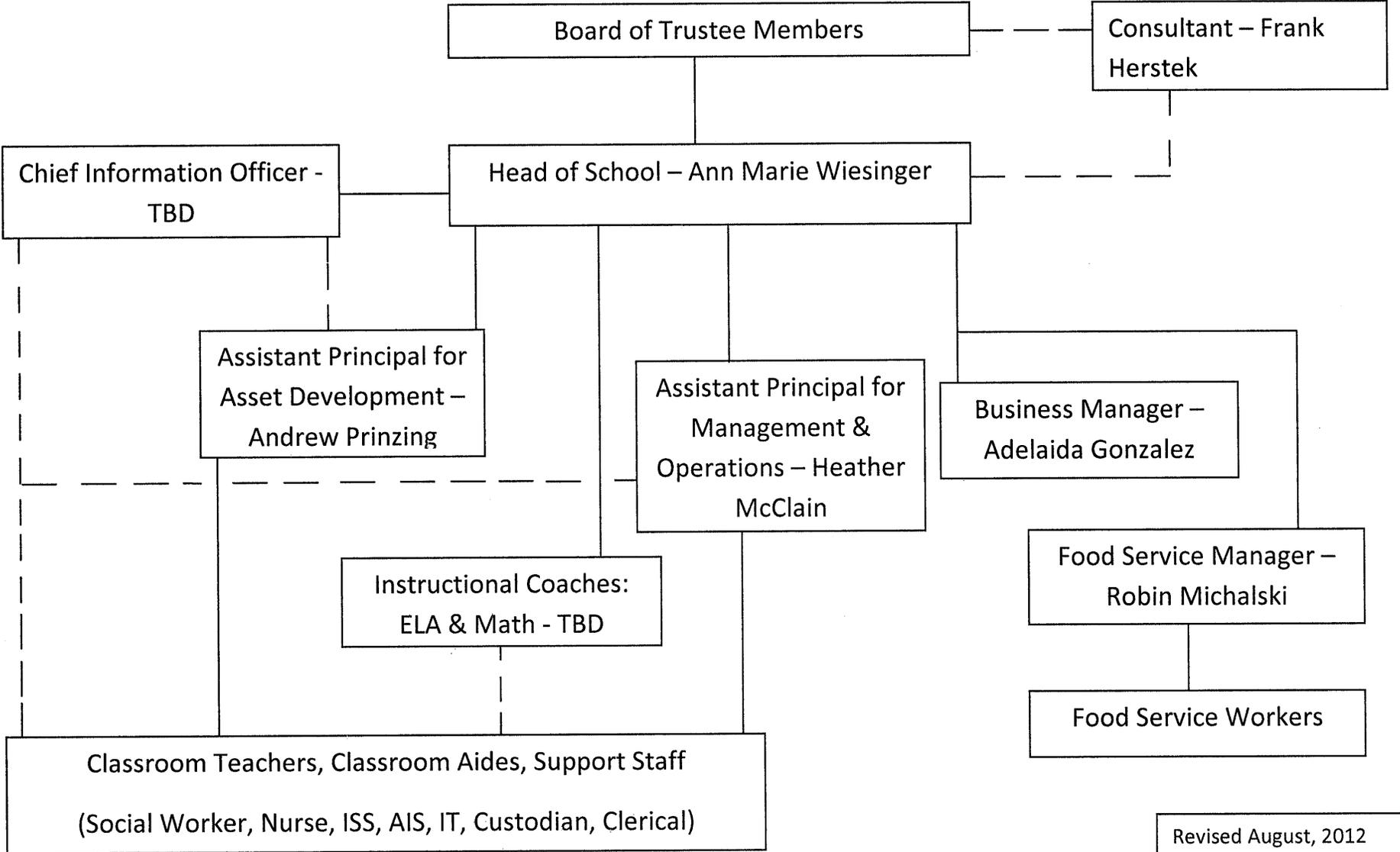
<b>Evidence of Attainment of Financial Goals during Current Charter Term</b>			
Financial goal or objective	Measure used to evaluate progress toward attainment of goal or objective	Progress toward attainment of goal or objective	If not met, describe efforts to be undertaken to meet goal or objective

### Appendix C: Enrollment of Students with Special Needs

List the number of special education students, number of students receiving services under Section 504 of the Rehabilitation Act (Section 504), and number of students identified as English language learners (ELL) for each year it is available for the current charter term.

<b>School Year</b>	<b>Year 1 2008-2009</b>	<b>Year 2 2009-2010</b>	<b>Year 3 2010-2011</b>	<b>Year 4 2011-2012</b>
<b>Student Enrollment</b>				
<b>Special Education</b>	47	42	44	41
<b>Section 504</b>	1	3	4	7
<b>English Language Learners</b>	0	0	0	0
<b>Total School Enrollment</b>	48	45	48	48

# COMMUNITY CHARTER SCHOOL ORGANIZATIONAL CHART



# School Leader Evaluation

## Proposed Model for Independent Charter Schools

Compliant with NYS Education Law 3012-c

Prepared by CEI-PEA

As of June 20, 2012

### Overall HEDI Score

Under NYS education law 3012-c, the State has established scoring ranges (scoring bands) for an overall composite rating of each teacher as “Highly Effective,” “Effective,” “Developing,” or “Ineffective.” Known as the HEDI rating system, the overall score ranges have been set by State as listed below. The HEDI rating system for each subcomponent is correlated to the State’s overall ranges in order to ensure alignment throughout all elements of a teacher’s evaluation.

2011-2012 and 2012-2013 where No Value-added Growth Measure	Overall Composite Score
Highly Effective	91-100
Effective	75-90
Developing	65-74
Ineffective	0-64

### Sub-Component Point Assignments

Total Points	What is Measured
20	<b>STUDENT GROWTH – SCHOOL-WIDE</b>
20	<b>STUDENT ATTAINMENT – SCHOOL-WIDE</b>
60	<p><b>ASSESSMENT OF PRINCIPAL LEADERSHIP AND MANAGEMENT</b></p> <p><b>In-School Reviews of Leadership (35 points)</b></p> <ul style="list-style-type: none"> <li>- <u>Two announced observations conducted by a trained, independent observer</u> who will use rubrics developed by CEI-PEA that have been reviewed and approved by national experts in school leader evaluation.                             <ul style="list-style-type: none"> <li>o One observation will focus on implementation of Danielson Framework for Teaching.</li> <li>o The other observation will focus on leadership at a group meeting.</li> </ul> </li> <li>- At least <u>one unannounced visit conducted by a Board Member (“supervisor”)</u> who will produce a narrative summary of his/her visit to be included as part of the data for the Summative Assessment (see below).</li> <li>- Points allocated to <u>Summative Assessment</u> conducted in Spring by supervisor in consultation with the school leader, using (at a minimum) data from above listed in-school reviews. The independent observer will help facilitate the Summative Assessment conference.</li> </ul> <p><b>Survey of Leadership (25 points)</b></p> <ul style="list-style-type: none"> <li>- Uses Val-ED, an independently-administered survey to assess school leader’s performance.</li> <li>- Includes self-assessment by the school leader and blind survey of teachers and the school leader’s supervisor.</li> <li>- Scoring correlated to national representative sample.</li> <li>- Points allocated to <u>Overall Mean Score</u>.</li> </ul>
<b>100</b>	<b>TOTAL POINTS</b>

# Student Growth – School-Wide

## 20 points

### Student Growth – School Wide

**Student Achievement Data Source:** Growth data for all grades and students served in the school.

**Growth Targets:** As part of their teacher evaluation, every teacher in the school must establish Classroom/Cohort Growth targets that account for the growth of each individual student on either NYS Assessments or approved third-party assessments that are correlated to Student Learning Outcome (SLO) targets. School-wide growth will be taken as the aggregate of all growth targets through the following equation:

$$\frac{(\text{TOTAL \# OF STUDENTS* THAT MEET OR EXCEED THEIR GROWTH TARGET})}{(\text{TOTAL NUMBER OF STUDENTS TESTED})} \times 100 = \frac{\% \text{ OF STUDENTS THAT ACHIEVED THEIR GROWTH TARGET}}{\% \text{ OF STUDENTS THAT ACHIEVED THEIR GROWTH TARGET}}$$

*\*Note that "total # of students" is equivalent to the total number of student growth targets across all grade levels and subject areas, not individual students. For example, a student may be assessed multiple times (Math, ELA, science, social studies, etc.). The "student" total corresponds with the number of growth targets, not the individual person.*

**HEDI Score:** The % of students that meet their growth targets is assigned to a 0-20 score on the HEDI scale (see below), which in turn corresponds to one of four categories—Highly Effective, Effective, Developing or Ineffective.

<p><b>Highly Effective:</b> 86-100% of students meet their Growth Target.</p> <p><b>Effective:</b> 49% -85% of students meet their Growth Target</p> <p><b>Developing:</b> 15% - 44% of students meet their Growth Target.</p> <p><b>Ineffective:</b> 14% or less of students meet their Growth Target.</p>																				
HIGHLY EFFECTIVE			EFFECTIVE									DEVELOPING					INEFFECTIVE			
20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	0
95-100%	90-94%	86-89%	85%	80-84%	75-79%	70-74%	65-69%	60-64%	55-59%	50-54%	45-49%	40-44%	35-39%	30-34%	25-29%	20-24%	15-19%	10-14%	5-9%	0-4%

# Student Attainment – School Wide

## 20 points

### School Leader for Grades K - 6

Student Achievement Data Source: NYS Assessments for Math and ELA (grades 3-6).

% Determination Method:

$$\frac{(\text{TOTAL \# OF STUDENTS (3-6) SCORING AT OR ABOVE LEVEL 3})}{(\text{TOTAL NUMBER OF STUDENTS (3-6) TESTED})} \times 100 = \% \text{ OF STUDENTS AT OR ABOVE GRADE LEVEL}$$

**HEDI Score:** The % of students that achieve at or above level 3 on State Assessments is assigned to a 0-20 score on the HEDI scale (see below), which in turn corresponds to one of four categories—Highly Effective, Effective, Developing or Ineffective.

<p><b>Highly Effective:</b> 86-100% of students achieve at or above level 3 on State Assessments.</p> <p><b>Effective:</b> 49% -85% of students achieve at or above level 3 on State Assessments</p> <p><b>Developing:</b> 15% - 44% of students achieve at or above level 3 on State Assessments.</p> <p><b>Ineffective:</b> 14% or less of students achieve at or above level 3 on State Assessments.</p>																				
HIGHLY EFFECTIVE			EFFECTIVE									DEVELOPING					INEFFECTIVE			
20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	0
95-100%	90-94%	86-89%	85%	80-84%	75-79%	70-74%	65-69%	60-64%	55-59%	50-54%	45-49%	40-44%	35-39%	30-34%	25-29%	20-24%	15-19%	10-14%	5-9%	0-4%

# Assessment of Principal Leadership & Management

## 60 points

### IN-SCHOOL REVIEWS OF LEADERSHIP (35 points)

- Two announced observations conducted by a trained, independent observer who will use rubrics developed by CEI-PEA that have been reviewed and approved by national experts in school leader evaluation.
  - o One observation will focus on implementation of Danielson Framework for Teaching.
  - o The other observation will focus on leadership at a group meeting.
- At least one unannounced visit conducted by a Board Member (“supervisor”) who will produce a narrative summary of his/her visit to be included as part of the data for the Summative Assessment (see below).
- Points allocated to Summative Assessment conducted in Spring by supervisor in consultation with the school leader, using (at a minimum) data from above listed in-school reviews. The independent observer will help facilitate the Summative Assessment conference.

### Observation on Danielson Implementation

**Data Source:** Scores from observation rubric. The rubric assesses the school leader’s ability to effectively implement the Danielson Framework in the areas listed in the table below. For each area, the school leader is given “Quality Points” based on their assessed level (0-3). The Quality Points are totaled (0-24) and then converted to HEDI points that area aligned with the overall composite scoring bands established by the NYSED.

Area of Assessment	Below Basic	Basic	Proficient	Distinguished	QUALITY POINTS
Knowledge of Evaluation Process	0	1	2	3	0-3
Support for Sustainable Improvements	0	1	2	3	0-3
Fostering of Instructional Excellence	0	1	2	3	0-3
Respect and Rapport with Teachers	0	1	2	3	0-3
Establishment of Teacher Accountability	0	1	2	3	0-3
Goal Setting for Performance Improvement	0	1	2	3	0-3
Communication of Evaluation Purpose and Procedures	0	1	2	3	0-3
Improvement Plan Development	0	1	2	3	0-3
<b>TOTAL QUALITY POINTS</b>					<b>0-24</b>

**For formative assessment purposes only,** the Quality Points convert to the following ranges:

**Highly Effective** – 22-24 Quality Points

**Effective** – 18-21 Quality Points

**Developing** – 16-17 Quality Points

**Ineffective** – 15 or less Quality Points.

## Observation of Leading a Group Meeting

**Data Source:** Scores from observation rubric. The rubric assesses the school leader’s ability to effectively lead a meeting based on the areas listed below. For each area, the school leader is given “Quality Points” based on their assessed level (0-3). The Quality Points are totaled (0-30) and then converted to HEDI points that area aligned with the overall composite scoring bands established by the NYSED.

Area of Assessment	Below Basic	Basic	Proficient	Distinguished	QUALITY POINTS
Agenda	0	1	2	3	0-3
Purpose	0	1	2	3	0-3
Leadership Tools	0	1	2	3	0-3
Leadership Confidence	0	1	2	3	0-3
Ability to Listen	0	1	2	3	0-3
Respect	0	1	2	3	0-3
Team Building/Team Process	0	1	2	3	0-3
Problem Solving	0	1	2	3	0-3
Written Communication	0	1	2	3	0-3
Oral Presentation	0	1	2	3	0-3
<b>TOTAL QUALITY POINTS</b>					<b>0-30</b>

**For formative assessment purposes only**, the Quality Points convert to the following ranges:

**Highly Effective** – 27-30 Quality Points

**Effective** – 23-26 Quality Points

**Developing** – 19-22 Quality Points

**Ineffective** – 21 or less Quality Points.

## Unannounced School Visit(s)

**Data Source:** At least one unannounced school visit will be conducted by a member of the school’s Board of Trustees who is trained by CEI-PEA to effectively conduct a school visit. He or she will then prepare a narrative summary of his/her visit to be included as part of the data for the Summative Assessment (see next page).

# SUMMATIVE ASSESSMENT

## In-School Reviews of Leadership (35 points)

**Data Source:** Evidence and data collected through (at a minimum) the two observations and one school visit described above.

**Process:** In Spring of each year, the school leader will conference with his/her supervisor to review all evidence and establish a Summative Assessment by scoring the school leader in the Key Components of school leadership, as defined by Val-ED (Vanderbilt Assessment of Leadership in Education), which is one of the NYSED approved principal practice rubrics (see: <http://usny.nysed.gov/rttt/teachers-leaders/practicerubrics/>). The independent observer will help facilitate the Summative Assessment conference. The school leader will be scored at one of four levels, which correspond to a numerical value: Highly Effective (3), Effective (2), Developing (1) or Ineffective (0). The school leader is provided with a "Quality Point" score within each Component, which is converted to a HEDI score within the standard. Based upon a weighting system listed below, an overall HEDI score will be calculated for this sub-component.

### 1. High Standards for Student Learning.

Functions	Ineffective	Developing	Effective	Highly Effective	QUALITY POINTS
Plans targets of faculty performance that emphasize improvement in student learning	0	1	2	3	0-3
Creates expectations that faculty maintain high standards for student learning.	0	1	2	3	0-3
Encourages students to successfully achieve rigorous goals for student learning	0	1	2	3	0-3
Challenges low expectations for special needs students.	0	1	2	3	0-3
Communicates with families and the community about goals for rigorous student learning	0	1	2	3	0-3
Monitors student learning against high standards of achievement	0	1	2	3	0-3
<b>SUB-TOTAL QUALITY POINTS</b>					<b>0-18</b>

### 2. Rigorous Curriculum

Functions	Ineffective	Developing	Effective	Highly Effective	QUALITY POINTS
Develops a rigorous curriculum for all students	0	1	2	3	0-3
Implements a rigorous curriculum in all classes	0	1	2	3	0-3
Supports teachers to teach a curriculum consistent with state and national content standards	0	1	2	3	0-3
Advocates a rigorous curriculum that honors the diversity of students and their families	0	1	2	3	0-3
Discusses the importance of addressing the same academic content in special and regular programs	0	1	2	3	0-3
Evaluates the rigor of the curriculum	0	1	2	3	0-3
<b>SUB-TOTAL QUALITY POINTS</b>					<b>0-18</b>

### 3. Quality Instruction

Functions	Ineffective	Developing	Effective	Highly Effective	QUALITY POINTS
Plans a schedule that enables quality instruction	0	1	2	3	0-3
Coordinates efforts to improve instruction in all classes	0	1	2	3	0-3
Supports collaboration among faculty to improve instruction that maximizes student learning	0	1	2	3	0-3
Advocates opportunities for high quality instruction beyond the regular school day and year	0	1	2	3	0-3
Discusses instructional practices during faculty meetings	0	1	2	3	0-3
Evaluates teachers' instructional practices	0	1	2	3	0-3
<b>SUB-TOTAL QUALITY POINTS</b>					<b>0-18</b>

### 4. Culture of Learning & Professional Behavior

Functions	Ineffective	Developing	Effective	Highly Effective	QUALITY POINTS
Plans a positive environment in which student learning is the central focus	0	1	2	3	0-3
Builds a culture that honors academic achievement	0	1	2	3	0-3
Allocates resources to build a culture focused on student learning	0	1	2	3	0-3
Advocates a culture of learning that respects diversity of students	0	1	2	3	0-3
Discusses standards of professional behavior with faculty	0	1	2	3	0-3
Assesses the culture of the school from students' perspectives	0	1	2	3	0-3
<b>SUB-TOTAL QUALITY POINTS</b>					<b>0-18</b>

### 5. Connections to External Communities

Functions	Ineffective	Developing	Effective	Highly Effective	QUALITY POINTS
Develops a plan for community outreach programs consistent with instructional goals	0	1	2	3	0-3
Implements programs to help address community needs	0	1	2	3	0-3
Allocates resources that build family and community partnerships to advance student learning	0	1	2	3	0-3
Promotes mechanisms for reaching families who are least comfortable at school	0	1	2	3	0-3
Listens to feedback from the community	0	1	2	3	0-3
Uses data on parent involvement in teacher evaluations	0	1	2	3	0-3
<b>SUB-TOTAL QUALITY POINTS</b>					<b>0-18</b>

### 6. Performance Accountability

Functions	Ineffective	Developing	Effective	Highly Effective	QUALITY POINTS
Develops a plan for individual and collective accountability among faculty for student learning	0	1	2	3	0-3
Uses faculty input to create methods to hold faculty accountable	0	2	2	3	0-3
Allocates time to evaluate student learning	0	1	2	3	0-3
Challenges faculty who blame others for student failure	0	1	2	3	0-3
Communicates to faculty how accountability results will be used for school improvement	0	1	2	3	0-3
Analyzes the influence of faculty evaluations on the rigor of the curriculum	0	1	2	3	0-3
<b>SUB-TOTAL QUALITY POINTS</b>					<b>0-18</b>

## Total Quality Points

Add up the quality points from each Component to arrive at the total Quality Points.

<b>Component</b>	<b>QUALITY POINTS</b>
1. High Standards for Student Learning	0-18
2. Rigorous Curriculum	0-18
3. Quality Instruction	0-18
4. Culture of Learning & Professional Behavior	0-18
5. Connections to External Communities	0-18
6. Performance Accountability	0-18
<b>TOTAL QUALITY POINTS</b>	<b>0-108</b>

## From Quality Points → HEDI Score

On the following page, locate the total Quality Point figure in the left column. The corresponding HEDI score is immediately to the right of that figure. The color bands indicate the ranges of Highly Effective, Effective, Developing and Ineffective.

**SUMMATIVE ASSESSMENT**  
From Quality Points → HEDI Score

	QUALITY POINTS	HEDI SCORE
<b>HIGHLY EFFECTIVE</b>	108	35.0
	107	34.7
	106	34.4
	105	34.0
	104	33.7
	103	33.4
	102	33.1
	101	32.7
	100	32.4
	99	32.1
<b>EFFECTIVE</b>	98	31.8
	97	31.4
	96	31.1
	95	30.8
	94	30.5
	93	30.1
	92	29.8
	91	29.5
	90	29.2
	89	28.8
	88	28.5
	87	28.2
	86	27.9
<b>DEVELOPING</b>	85	27.5
	84	27.2
	83	26.9
	82	26.6
	81	26.3
	80	25.9
	79	25.6
	78	25.3
	77	25.0
	76	24.6
	75	24.3
	74	24.0
	73	23.7
72	23.3	
71	23.0	
70	22.7	

	QUALITY POINTS	HEDI SCORE
<b>INEFFECTIVE</b>	69	22.4
	68	22.0
	66	21.4
	65	21.1
	64	20.7
	63	20.4
	62	20.1
	61	19.8
	60	19.4
	59	19.1
	58	18.8
	57	18.5
	56	18.1
	55	17.8
	54	17.5
	53	17.2
	52	16.9
	51	16.5
	50	16.2
	49	15.9
48	15.6	
47	15.2	
46	14.9	
45	14.6	
43	13.9	
42	13.6	
41	13.3	
40	13.0	
35-39	11.3	
30-34	9.7	
25-29	8.1	
20-24	6.5	
15-19	4.9	
10-14	3.2	
5-9	1.6	
0-4	0.0	

## Val-Ed Survey (25 points)

**Data Source:** VAL-ED (Vanderbilt Assessment of Leadership in Education)

**Process:** The VAL-ED assessment includes a principal self-assessment and survey of teachers and supervisors (Board members). Data from VAL-ED is designed to provide a summary of effectiveness of a principal's learning-centered leadership behaviors during the current school year.

VAL-ED provides a total score across all respondents as well as separately by respondent group. The scores from the teachers are based on the average across all teacher respondents. The total score, core component, and key process effectiveness ratings are interpreted against a national representative sample that included principals, supervisors, and teachers, providing a percentile rank. The results are also interpreted against a set of performance standards ranging from Below Basic to Distinguished. The scores associated with performance levels were determined by a national panel of principals, supervisors and teachers.

For the purposes of the APPR, the principal's overall Mean Score from all of the six core components and six key processes will be used to determine his or her HEDI score. These components and processes are:

Key Components	Key Processes
High Standards for Student Learning	Planning
Rigorous Curriculum	Implementing
Quality Instruction	Supporting
Culture of Learning & Professional Behavior	Advocating
Connections to External Communities	Communicating
Performance Accountability	Monitoring

**HEDI Score:** VAL-ED provides an overall Mean Score on a 5-point scale of 1=Ineffective; 2=Minimally Effective; 3=Satisfactorily Effective; 4=Highly Effective; 5=Outstandingly Effective. The overall Mean Score will then be aligned with one of the four HEDI categories—Highly Effective, Effective, Developing or Ineffective—using the chart below (0-29 points). The cut-offs are based upon a national field trial conducted by Discovery Education that included 300 principals and resulted in 17% of principals at the Ineffective level, 33% at the Developing level, 36% at the Proficient level, and 14% at the Highly Effective level.

	HIGHLY EFFECTIVE			EFFECTIVE					DEVELOPING		
HEDI	25	24	23	22.5	22	21	20	19	18.5	17	16
Mean Score	4.8-5	4.4-4.7	4-4.3	3.99	3.9	3.8	3.7	3.6	3.59	3.4	3.3

	INEFFECTIVE														
HEDI	15.9	15.5	15	14.5	14	13.5	13	12.5	12	11.5	11	10.5	10	5	0
Mean Score	3.2	3.1	3	2.9	2.8	2.7	2.6	2.5	2.4	2.3	2.2	2.1	2	1.5-1.9	0-1.4

### Appendix F: Staffing and Staff Turnover

List the following information for each year of the current charter period: number of administrators, teachers, and other staff (actual number and FTEs) and number of departures of administrators, teachers, and other staff, during and at the end of each school year. Provide a brief explanation of administrator and teacher departures.

School Year	Year 1 2008-2009	Year 2 2009-2010	Year 3 2010-2011	Year 4 2011-2012
<b>Administrators</b>				
<b>Number and FTEs</b>	3	3	4	4
<b>Departures during school year</b>	1	0	0	2
<b>Departures at end of school year</b>	0	0	2	0
<b>Explanation:</b>	Administrative departures due to other employment opportunities or dismissal			
<b>Teachers</b>				
<b>Number and FTEs</b>	26	27	27	27
<b>Departures during school year</b>	1	0	0	0
<b>Departures at end of school year</b>	1	1	1	2
<b>Explanation:</b>	Teacher departures due to other employment opportunities or dismissal			
<b>Other Staff</b>				
<b>Number and FTEs</b>	11	11	11	11
<b>Departures during school year</b>	0	0	1	1
<b>Departures at end of school year</b>	1	0	1	1
<b>Explanation:</b>	Staff departures due to other employment opportunities, non-renewal of contract or dismissal.			

### Appendix G: Board of Trustees Membership Table

List the board membership and the number of board members joining and leaving the board in each school year of the current charter period.

<b>Current Board Members</b>					
Trustee Name	Trustee Email Address	Position on the Board (e.g., Officers or constituent representatives)	Voting (Yes/ No)	Committee affiliation(s)	Number of terms served and length of each, including date of election and expiration
Carmen J. Iannaccone		President	Yes	Metrics	Elected 2008 Serving 2 <sup>nd</sup> Term
Michael J. Littman		Vice President	Yes	Marketing	Elected 2007 Serving 2 <sup>nd</sup> Term
Daniel S. Ricigliano		Treasurer	Yes	Finance / Labor Management	Elected 2004 Serving 3 <sup>rd</sup> Term
Tasha S. Miller		Secretary	Yes	Metrics	Elected 2012 Serving 1 <sup>st</sup> Term
Anthony Jones* *Pending SED approval		Trustee	Yes	Labor Management / Marketing	Elected 2012* Serving 1 <sup>st</sup> Term *Pending SED Approval
<b>Total Members joining the board during charter term</b>					2* *1 pending SED approval
<b>Total Members departing the board during charter term</b>					3

**Appendix H**

**COMMUNITY Charter School Instructional Staff  
Association**

**Contract Agreement on August 14, 2012**

2011 - 2015

1. Both parties agree to a 4 yr. agreement
2. Both parties agree to a one time \$1500 retro check
3. Both parties agree to a \$1500 payment for a masters degree during the life of the previous contract and this new 4 yr. contract less amounts already paid.
4. Salary: Both parties agree to teachers receiving \$1000 added to salary each year. The following Performance Bonuses shall be offered:
  - ① Any teacher who is at a level of developing <sup>according to APPR</sup> shall receive a ~~one time~~ payment each year of \$1,000.
  - ② Any teacher who is at a level of effective according to APPR shall receive a ~~one time~~ <sup>per</sup> payment each year of \$1,500.
  - ③ Any teacher who is at a level of highly effective according to APPR shall receive a ~~one time~~ payment each year of \$2,000.
5. Health Insurance: \$450/1,000 ~~per~~ month  
Any increases in premiums will be split 50% - 50%.
6. Both parties agree to \$30/\$75 for Dental a month

7. Both parties agree to school's proposal  
on APPR as of 8/14/12

Area

By Ally Conti  
Date 8/14/12

School

By [Signature]  
Date 8/14/12

**Appendix H**

**Teacher Annual Professional Performance Review  
Plan Submission to NYSED**

Home

 Ann Marie Wiesinger

Account Settings

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# New York State Education Department

## Annual Professional Performance Review Plan Portal

This submission is currently locked from editing

### COMMUNITY Charter School (A-7782966037)

#### APPR Plan Submission 2012

**Instructions:** The APPR plan materials consist of a set of online forms called "tasks." Use the links in the task list below to move through the tasks. You do not have to enter the information in the order presented. You may edit the tasks as many times as needed and leave your unfinished APPR plan online until you are ready to submit a complete APPR plan to NYSED.

As you work on each task, **SAVE YOUR DRAFT OFTEN** by scrolling to the bottom of the task and clicking "Save and Continue Editing."

**If you click on any of the tabs/buttons at the top or side of your screen (Resources, Help, Home, Add Document) without first saving your draft, YOU MAY LOSE DATA.**

To print a section of your draft APPR plan, go to the File menu at the top of your screen and print as you would any other document.

To save a partially completed task and move onto another task, click "Save and Continue Editing," then click Home (top right) and "Go to application."

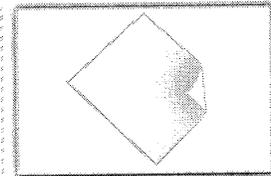
To save a completed task, click "Submit"; its status will change to "Complete," but you can still go back and edit it.

To download a zipped file of all Complete tasks for which you have clicked "Submit," click the Download Application button (right).

For best results you should use standard web browsers from your workstation or laptop. Certain mobile devices such as tablets, and smartphones may not have the capability to upload documents to the APPR.

**Note: Your APPR plan will not be submitted for NYSED review and approval electronically until you have submitted all of the required tasks, including the final task entitled "Submit Complete APPR Plan to NYSED for Review."**

In addition to completing the online forms, you will need to upload certain documents. The task forms will prompt you to upload your signed and scanned APPR District Certification Form, your district's or BOCES' teacher and principal improvement plan forms, and any extra pages needed to list additional grades/subjects. Any other documents that you wish to include with your APPR plan for informational purposes must be uploaded using the Add Document button (below right). For a list of supported file types, go to the Resources tab (above) and click Technical Tips. Note: All information requested in the online forms, with rare exceptions, must be submitted using the online forms. It is not acceptable to instead provide the requested



Download Application

This submission is 100.0% complete.

#### Members

 Ann Marie Wiesinger (Owner)

Create Another Submission

information in uploaded documents, except that where a district has adopted an APPR pursuant to law and the Commissioner's regulations, it may submit its APPR through a non-electronic filing in accordance with subdivision 1 of section 101-b of the Education Law.

**Note regarding copyrighted documents:** NYSED will post approved APPR plans—including all uploaded attachments—on the Internet. Please ensure that you have obtained any necessary permissions for copyrighted or proprietary APPR-related documents to be posted by NYSED. **If you do not have the necessary permissions to post a document, do not upload that document with your APPR plan.**

At the **Resources** tab, you will also find the APPR District Certification Form, APPR Review FAQ, and a downloadable Word version of each task that you can use as a worksheet. This will allow you to prepare and share your work in progress without being required to be signed into the submission portal. However, when you are ready to submit electronically, you will need to do the tasks online. You can copy and paste text (but not tables or images) from the Word worksheet into the online text boxes.

**The materials you submit—once they are approved—will constitute the district's or BOCES' complete APPR plan for the 2012-13 school year. As you fill in the online forms and upload attachments, please keep in mind that these are the same materials that will be posted on the district or BOCES website and referred to by the teachers and principals who are being evaluated. Any information that is part of your APPR plan must be included here and submitted to NYSED, whether in one of the online forms or as an attachment.**

Task	Actions	Status
1. School District Information	<a href="#">View</a>	Complete
2. State Growth or Comparable Measures - Teachers	<a href="#">View</a>	Complete
3. Locally Selected Measures - Teachers	<a href="#">View</a>	Complete
4. Other Measures of Effectiveness- Teachers	<a href="#">View</a>	Complete
5. Composite Scoring - Teachers	<a href="#">View</a>	Complete
6. Additional Requirements - Teachers	<a href="#">View</a>	Complete
7. State Growth or Comparable Measures - Principals	<a href="#">View</a>	Complete
8. Locally Selected Measures - Principals	<a href="#">View</a>	Complete
9. Other Measures of Effectiveness - Principals	<a href="#">View</a>	Complete
10. Composite Scoring - Principals	<a href="#">View</a>	Complete
11. Additional Requirements - Principals	<a href="#">View</a>	Complete
12. Joint Certification of APPR Plan	<a href="#">View</a>	Complete
13. Submit Complete APPR Plan to NYSED for Review		Complete

**Task**

**Actions**

**Status**

Please ensure that you have completed all online forms and uploaded your Joint Certification Form and your district's or BOCES' teacher and principal improvement plan forms prior to submitting your application to NYSED for review.

**Note:** You can only complete this task after finishing all required tasks in this stage.

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**Activity**

Ann Marie Wiesinger submitted COMMUNITY Charter School Wednesday, August 15, 2012 - 03:33:08 AM

COMMUNITY Charter School was moved to **Assigner Round 1** Wednesday, August 15, 2012 - 03:33:04 AM

Ann Marie Wiesinger created COMMUNITY Charter School Wednesday, June 06, 2012 - 04:05:43 AM

**DISTRICT CERTIFICATION FORM: Please download this form, sign and upload to APPR form**

By signing this document, the school district or BOCES certifies that this document constitutes the district's or BOCES' complete Annual Professional Performance Review (APPR) Plan, that all provisions of the APPR that are subject to collective negotiations have been resolved pursuant to the provisions of Article 14 of the Civil Service Law and that such APPR Plan complies with the requirements of Education Law §3012-c and Subpart 30-2 of the Rules of the Board of Regents and has been adopted by the governing body of the school district or BOCES. By signing this document, the collective bargaining agent(s) of the school district or BOCES, where applicable, certify that this document constitutes the district's or BOCES' complete Annual Professional Performance Review (APPR) Plan, that collective negotiations have been completed on all provisions of the APPR that are subject to collective bargaining, and that such APPR Plan complies with the requirements of Education Law §3012-c and Subpart 30-2 of the Rules of the Board of Regents and has been adopted by the governing body of the school district or BOCES.

The school district or BOCES and its collective bargaining agent(s), where applicable, also certify that upon information and belief, all statements made herein are true and accurate and that any applicable collective bargaining agreements for teachers and principals are consistent with and/or have been amended and/or modified or otherwise resolved to the extent required by Article 14 of the Civil Service Law, as necessary to require that all classroom teachers and building principals will be evaluated using a comprehensive annual evaluation system that rigorously adheres to Education Law §3012-c and Subpart 30-2 of the Rules of the Board of Regents.

**The school district or BOCES and its collective bargaining agent(s), where applicable, also make the following specific certifications with respect to their APPR Plan:**

- Assure that the evaluation system will be used as a significant factor for employment decisions and teacher and principal development
- Assure that the entire APPR plan will be completed for each teacher or principal as soon as practicable, but in no case later than September 1 of the school year next following the school year for which the classroom teacher or building principal's performance is being measured
- Assure that the district or BOCES will provide the teacher's or principal's score and rating on the locally selected measures subcomponent, if available, and on the other measures of teacher and principal effectiveness subcomponent for a teacher's or principal's annual professional performance review, in writing, no later than the last school day of the school year for which the teacher or principal is being measured
- Assure that the APPR plan will be posted on the district's or BOCES' website by September 10 or within 10 days after it is approved by the Commissioner, whichever is later
- Assure that accurate teacher and student data will be provided to the Commissioner in a format and timeline prescribed by the Commissioner
- Assure that the district or BOCES will report the individual subcomponent scores and the total composite effectiveness score for each classroom teacher and building principal in a manner prescribed by the Commissioner
- Certify that the district provides an opportunity for every classroom teacher and building principal to verify the subjects and/or student rosters assigned to them
- Assure that teachers and principals will receive timely and constructive feedback as part of the evaluation process
- Assure that any training course for lead evaluator certification addresses each of the requirements in the regulations, including specific considerations in evaluating teachers and principals of English Language Learners and students with disabilities
- Assure that educators who receive a Developing or Ineffective rating will receive a TIP or PIP plan, in accordance with the regulations, as soon as practicable but in no case later than 10 school days from the opening of classes in the school year following the performance year
- Assure that all evaluators and lead evaluators will be properly trained and that lead evaluators will be certified and recertified as necessary in accordance with the regulations
- Assure that the district or BOCES has appeal procedures that are consistent with the regulations and that they provide for the timely and expeditious resolution of an appeal
- Assure that, for teachers, all NYS Teaching Standards are assessed at least once per year, and, for principals, all Leadership Standards are assessed at least once per year
- Assure that it is possible for a teacher or principal to obtain each point in the scoring ranges, including 0 for each subcomponent and that the APPR Plan describes the process for assigning points for each subcomponent
- Assure that locally-selected measures are rigorous and comparable across all classrooms (for teachers, the same locally-selected measure is used across a subject and/or grade level; for principals, the same locally-selected measure must be used for all principals in the same or similar program or grade configuration)

- Assure that, if more than one type of locally-selected measure is used for different groups of teachers within a grade/subject, the measures are comparable based on the Standards of Educational and Psychological Testing
- Assure that, if more than one type of locally-selected measure is used for principals in the same or similar grade configuration or program, the measures are comparable based on the Standards of Educational and Psychological Testing
- Assure that the process for assigning points for all subcomponents and the composite scores will use the narrative HEDI descriptions described in the regulations to effectively differentiate educators' performance in ways that improve student learning and instruction
- Assure that district or BOCES will develop SLOs according to the rules and/or guidance established by SED and that past academic performance and / or baseline academic data of students is taken into account when developing an SLO
- Assure that Student Growth/Value Added Measure will be used where applicable
- Assure that any material changes to this APPR Plan will be submitted to the Commissioner for approval as soon as practicable and/or in a timeframe prescribed by the Commissioner
- Assure that this APPR Plan applies to all classroom teachers and building principals as defined in the regulation and SED guidance
- Assure that the district or BOCES will provide the Department with any information necessary to conduct annual monitoring pursuant to the regulations
- If this APPR Plan is being submitted subsequent to July 1, 2012, assure that this was the result of unresolved collective bargaining negotiations

**Signatures, dates**

Superintendent Signature: Date: 8-14-12

*Ann Marie Wiesinger*

Teachers Union President Signature: Date: 8/14/12

*Darcy Contie*

Administrative Union President Signature: Date:

Board of Education President Signature: Date:

*John Horvath* 8/14/12

## **Appendix H**

# **Annual Professional Performance Review Plan**

# **COMMUNITY Charter School and COMMUNITY Charter School Instructional Staff Association**



## **Teacher Annual Professional Performance Review Plan**

### **Agreement:**

Pursuant to NYS education law 3012-c, the COMMUNITY Charter School and the COMMUNITY Charter School Instructional Staff Association has established a comprehensive evaluation system for classroom teachers. The School and Association will continuously evaluate this new system. Changes to this agreement may be effected with the mutual agreement of the parties on an annual basis.

Teachers will receive training on Student Learning Objectives, The Danielson Framework for Teaching and other APPR related systems at the start of the 2012-2013 school year and thereafter as necessary to achieve complete understanding. The School and the Association shall discuss the schedule of training opportunities and seek feedback from Covered Unit employees and administrators about additional training needs and other APPR related systems.

# **Contents of the Plan**

1. Teacher and Student Data Elements
2. Reporting Subcomponent and Composite APPR Score
3. Assessment Development, Security, and Scoring Procedures
4. Teacher Evaluation Process
5. Composite Scoring
6. Teacher Improvement Plan (TIP)
7. Appeals Process
8. Joint Certification

Appendix A: Guidance on Teacher Student Data Linkages

Appendix B: Template for Creating Student Learning Objectives

Appendix C: Danielson Framework for Teaching Rubric

Appendix D: Teacher Improvement Plan

## **1. TEACHER & STUDENT DATA ELEMENTS**

The School shall provide accurate data to the State Education Department in a format and timeline prescribed by the Commissioner. The School shall also provide an opportunity for every covered teacher to verify the subjects and/or student rosters assigned to him/her prior to the administration of State assessments on the form attached hereto as Appendix A.

The Head of School or his/her designee shall be in charge of collecting the required data, overseeing changes in and maintenance of the local data management systems, and ensuring the accuracy of the data. The Head of School shall have the authority to assign tasks and deadlines, as required.

A “teacher of record” is defined as an individual (or individuals, such as in co-teaching assignments) who has been assigned responsibility for a student’s learning in a subject/course with aligned performance measures.

Students are reported as linked to a teacher in two ways (i.e., “enrollment” linkage and “attendance” linkage):

- “Enrollment linkage” is defined as the amount of time (prior to the administration of the assessment to be used for evaluation purposes) that a teacher is assigned to the class and a student is enrolled in that class.
- “Attendance linkage” is defined as the amount of time (prior to the administration of the assessment to be used for evaluation purposes) that a teacher is assigned to a class, the student is enrolled in the class, and the student attends the class.

## **2. REPORTING SUBCOMPONENT AND COMPOSITE SCORES**

The Head of School shall be responsible for reporting to the SED the individual subcomponent scores and the total composite effectiveness score for each covered classroom teacher in the School, and shall do so in a format and timeline prescribed by the Commissioner.

## **3. ASSESSMENT DEVELOPMENT, SECURITY & SCORING PROCEDURES**

The Head of School or his/her designee is responsible for ensuring that all security requirements set forth in the SED Administrative Manuals are strictly followed for NYS Assessments administered in the School. The established protocols for storage, distribution, and administration of the assessments prohibit the possible dissemination to students before administration of the assessments.

The Head of School or his/her designee is also responsible for organizing scoring procedures in order to ensure that School scorers are trained to score the assessments and that they have no vested interest in the outcome of the assessments they score and to ensure that students have no knowledge of assessment tasks.

Assessments will be developed in accordance with guidance provided by the Commissioner and New York State Education Department.

The Commissioner's Regulations prohibit teachers and Head of Schools from distributing any test items to students that will later contribute to the teacher's/Head of School's annual performance evaluation. As such, the School can release sample items and sample test forms that will help familiarize students with the testing format; however, the Schools cannot release actual operational test items, including performance tasks and writing prompts to students, ahead of time.

Commissioner's Regulations prohibit teachers and Head of Schools from scoring assessments where they have a vested interest in the outcome, even in cases where the teacher is the only one in the School with the specific content expertise. Teachers should not score their own students' assessments, and a Head of School should not score the assessments that are part of their own evaluations. Teachers and Head of Schools may only view students' assessments after the assessment scores have been finalized.

The Head of School or his/her designee will create security processes for ensuring that any assessments and/or measures used to evaluate teachers and Head of Schools are not disseminated to students before administration, and that any assessments or measures, including those used for performance-based or performance task assessments that are used to establish a baseline for student growth are not disseminated to students before administration and that teachers and Head of Schools do not have a vested interest in the outcome of the assessments they score.

#### **4. TEACHER EVALUATION PROCESS**

Under NYS education law 3012-c, the State has established scoring ranges (scoring bands) for an overall composite rating of each teacher as "Highly Effective," "Effective," "Developing," or "Ineffective." Known as the HEDI rating system, the overall score ranges have been set by State as listed below. The HEDI rating system for each subcomponent is correlated to the State's overall ranges in order to ensure alignment throughout all elements of a teacher's evaluation.

## A. Composite Effectiveness Score

APPRs conducted under this plan shall differentiate teacher effectiveness using a composite effectiveness score that takes into account multiple measures of effectiveness. The Composite Effectiveness Score is the sum score of the required three subparts set forth below (Table 1).

Based on such Composite Effectiveness Score, a classroom teacher shall be rated as Highly Effective, Effective, Developing or Ineffective as defined by the scoring bands in Table 2 (below).

**Table 1: Sub-Components & Point Assignments**

<b>Total Points</b>	<b>What is Measured</b>
<b>20</b>	<b>NYS-Required Student Growth Sub-Component</b> <ul style="list-style-type: none"> <li>- NYS Assessments for growth measures in grades 4-6</li> <li>- SLOs based on Erie 1 BOCES Regional Assessments</li> </ul>
<b>20</b>	<b>AIMSweb Student Growth Sub-Component</b> <ul style="list-style-type: none"> <li>- SLOs based on AIMSweb assessments in all grades and subject areas.</li> </ul>
<b>60</b>	<b>Danielson Framework for Teaching Sub-Component</b> Using the Danielson Framework for Teaching, a trained evaluator will conduct the following in order to arrive at a summative evaluation score for the teacher: <ul style="list-style-type: none"> <li>- Two classroom observations: one announced; one unannounced</li> <li>- Pre-Observation and Post-Observation conferences for the announced observation.</li> </ul> <b>Point Allocation:</b> Domain 1 – Planning and Preparation – 10 points Domain 2 – Classroom Environment – 20 points Domain 3 – Instruction – 20 points Domain 4 – Professional Responsibilities – 10 points
<b>100</b>	<b>TOTAL POINTS</b>

**Table 2: Composite Effectiveness Score & Rating Chart**

<b>2011-2012 and 2012-2013 where No Value-added Growth Measure</b>	<b>Overall Composite Score</b>
<b>Highly Effective</b>	91-100
<b>Effective</b>	75-90
<b>Developing</b>	65-74
<b>Ineffective</b>	0-64

## **B. NYS-Required Student Growth Sub-component**

### **NYS-Provided Measures Of Student Growth for Grades 4-6**

For teachers in grades 4 - 6 Common Branch, ELA, and Math, NYSED will provide a growth score. That score will incorporate students' academic history compared to similarly academically achieving students and will use special considerations for students with disabilities, English language learners, students in poverty, and, in the future, any other student-, classroom-, and school-level characteristics approved by the Board of Regents. NYSED will also provide a HEDI subcomponent rating category and score from 0 to 25 points.

While most teachers of 4-6 Common Branch, ELA and Math will have state-provided measures, some may teach other courses in addition where there is no state-provided measure. Teachers with 50 – 100% of students covered by State-provided growth measures and teachers with 0 – 49% of students covered by State-provided growth measures. Teachers with 50 – 100% of students covered by State-provided growth measures will receive a growth score from the State for the full Growth subcomponent score of their evaluation. Teachers with 0 – 49% of students covered by State-provided growth measures must have SLOs for the Growth subcomponent of their evaluation and one SLO must use the State-provided measure if applicable for any courses. (See guidance for more detail on teachers with State-provided measures AND SLOs.)

Please note that if the Board of Regents does not approve a value-added measure for these grades/subjects for 2012-13, the State-provided growth measure will be used for 20 points in this subcomponent. NYSED will provide a HEDI subcomponent rating category and score from 0 to 20 points.

### **Student Learning Objectives based on Erie 1 BOCES Regional Assessment As Comparable Growth Measures**

For teachers that do not receive NYSED-provided growth scores, Student Learning Objectives will be the other comparable growth measures. This will apply for teachers in the following grades and subjects: grades K-3, core subjects where no State assessment or Regents exam exist and teachers of special subjects. The assessment tools used for established SLOs for this sub-component will be the Erie 1 BOCES Regional Assessments. (Please note that for teachers with more than one grade and subject, SLOs must cover the courses taught with the largest number of students, combining sections with common assessments, until a majority of students are covered.)

### ***SLO Template***

Student Learning Objectives (SLO) shall be constructed in accordance with guidelines from the Commissioner and New York State Education Department. The template for creating SLOs is attached hereto as **Appendix B**. SLO writers will identify the information needed in order to develop the baseline, rationale and targets on each SLO. Completed SLOs will be submitted to the Head of School and analyzed using the NYSED SLO rubric. If such analysis results in the need to change an SLO, the Head of School and affected teacher(s) will work collaboratively to improve the SLO.

### ***HEDI Scoring Bands for Growth SLO***

Targets for SLOs shall be determined by teachers in the same grade level/subject or course and approved by the Head of School. Targets will be established in accordance

with guidance from the Commissioner and State Education Department. Regardless of how the target for individual courses/grade levels/subject areas is established, the scoring band listed in Table 3 will be utilized to determine the number of points assigned to teachers.

**Table 3: HEDI Point Assignments  
for NYS-Required Student Growth Sub-Component  
where Growth is Measured by %**

0 - 40%		41 - 60 %		61 - 80%		81 - 100%	
<b>INEFFECTIVE</b> Results are well-below state average for similar students (or District goals if no state test)		<b>DEVELOPING</b> Results are below state average for similar students (or District goals if no state test)		<b>EFFECTIVE</b> Results meet state average for similar students (or District goals if no state test)		<b>HIGHLY EFFECTIVE</b> Results are well-above state average for similar students (or District goals if no state test)	
<b>0</b>	<b>≤14%</b>	<b>3</b>	<b>41%-45%</b>	<b>9</b>	<b>61%-63%</b>	<b>18</b>	<b>81%-85%</b>
<b>1</b>	<b>15-27%</b>	<b>4</b>	<b>45%-48%</b>	<b>10</b>	<b>64%-66%</b>	<b>19</b>	<b>86%-90%</b>
<b>2</b>	<b>28-40%</b>	<b>5</b>	<b>49%-51%</b>	<b>11</b>	<b>67%-68%</b>	<b>20</b>	<b>&gt;90%</b>
		<b>6</b>	<b>52%-54%</b>	<b>12</b>	<b>69%-70%</b>		
		<b>7</b>	<b>55%-57%</b>	<b>13</b>	<b>71%-72%</b>		
		<b>8</b>	<b>58%-60%</b>	<b>14</b>	<b>73%-74%</b>		
				<b>15</b>	<b>75%-76%</b>		
				<b>16</b>	<b>77%-78%</b>		
				<b>17</b>	<b>79%-80%</b>		

The HEDI scoring band was created by first establishing the highest percentage of students who need to meet the target in order for a teacher to be considered “Effective” at 80%, which would yield 17 points, and then establishing the lowest percentage of students who would need to meet the target in order for a teacher to be considered “Effective” at 61%, which would yield 9 points. Point values between 9 and 17 were then determined associated with percentages of students who met the target ranging from 64% to 78%.

Point values for the rating of “Ineffective” range from 0-2, corresponding with a low of ≤14% of students who met the target and a high of 40% of students who met the target. Point values for the rating of “Developing” range from 3-8 with a low of 41% of students who met the target and a high of 60% of students who met the target. Point values for the rating of “Highly Effective” range from 18-20 with a low of 81% of students who met the target and a high of >90% of students who met the target.

The HEDI scoring band in Table 4 will be utilized for SLO targets that are calculated according to a 1-4 scale rather than a percentage of students who meet the target.

**Table 4: HEDI Point Assignments  
for NYS-Required Student Growth Sub-Component  
where Growth is Measured on 1-4 Scale**

Ineffective 0-2		Developing 3-8		Effective 9-17		Highly Effective 18-20	
Total Average Rubric Score	Conversion score for composite	Total Average Rubric Score	Conversion score for composite	Total Average Rubric Score	Conversion score for composite	Total Average Rubric Score	Conversion score for composite
1	0	1.6	4	2.5	9	3.5	18
1.2	1	1.8	5	2.7	10	3.7	19
1.3	2	2	6	2.8	11	4	20
1.5	3	2.2	7	2.9	12		
		2.4	8	3	13		
				3.1	14		
				3.2	15		
				3.3	16		
				3.4	17		

*Translating Results of Multiple SLOs Into One Overall Rating for Growth Component*  
The evaluator will assess the results of Each SLO separately, arriving at a HEDI rating and point value between 0-20 points. Each SLO must then be weighted proportionately based on the number of students included in all SLOs. This will provide one overall growth component score between 0-20 points. The rating always rounds to the nearest whole number;  $\geq 5$  rounds up and  $\leq 5$  rounds down. See Table 5 for steps in translated results of multiple SLOs into one overall rating for the NYS-Required Student Growth Component.

**Table 5: Steps to Translate Results of Multiple SLOs into Overall Rating**

Sample Teacher with Three SLOs	SLO 1: (30 students)	SLO 2 (25 students)	SLO 3: (20 Students)
<b>Step 1:</b> Assess results of each SLO separately	17/20 points Effective	15/20 points Effective	19/20 points Highly Effective
<b>Step 2:</b> Weight each SLO proportionately	30 students/75 TOTAL students = 40% of overall	25 students/75 TOTAL students = 33% of overall	20 students/75 TOTAL students = 27% of overall
<b>Step 3:</b> Calculate proportional points for each SLO	17 points x 40% = 7 points	15 points x 33% = 5 points	19 points x 27% = 5 points
<b>Overall Growth Component Score</b> (Round to nearest whole number): 17 points, Effective			

*Locally Developed Controls For Comparable Growth Measures*

Note: The only allowable controls or adjustments for Comparable Growth Measures are those used in State Growth measures, which include: student prior academic history, students with disabilities, English language learners, students in poverty, and, in the future, any other student-, classroom-, and school-level characteristics approved by the Board of Regents. If SLO targets for students with disabilities, English Language Learners, or poverty students are adjusted in particular courses, the SLO must cite the rationale for including such factors and the process for mitigating potentially problematic incentives.

### **C. AIMSweb Student Growth Measures Subcomponent**

#### **Student Learning Objectives based on AIMSweb Assessment for Growth Measures**

For this sub-component, all teachers will use the AIMSweb assessment to establish SLOs. These SLOs must be different from the SLOs established for the NYS-Required Student Growth Measures Subcomponent (See Section B). The same processes as described in Section B for establishing SLOs and applying a HEDI score and rating will apply to SLOs created for AIMSweb. Please see Section B – “SLO Template,” “HEDI Scoring Bands for Growth SLO,” “Translating Results of Multiple SLOs Into One Overall Rating for Growth Component,” and “Locally Developed Controls For Comparable Growth Measures” for specific instructions on the SLO development and implementation processes.

## D. Danielson Framework for Teaching Sub-Component

The School shall assess teachers under this subcomponent as required under §30-2.5(d) of the Commissioner's regulations. This subcomponent score shall be based on multiple measures and aligned with the New York State Teaching standards.

The School shall use the approved teacher rubric entitled Danielson's Framework for Teaching (2011 revised edition), included as **Appendix C**.

Using the Danielson Framework for Teaching, a trained evaluator will conduct the following (at a minimum) in order to arrive at a summative evaluation score for the teacher:

- Two classroom observations: one announced; one unannounced
- Pre-Observation and Post-Observation conferences for the announced observation.

The summative evaluation will provide a rating for the teacher in all 22 components across the 4 Domains according to the Danielson Rating levels of Unsatisfactory, Basic, Proficient and Distinguished. In turn, each of these levels will be converted to a "Quality Point" (0-3) that is used to calculate the teacher's HEDI score and rating that accounts for the weight given to the domain (10 or 20 points) as well as alignment with the HEDI Composite Score cut offs for each proficiency level.

### Sub-Component HEDI Score Ranges

The total points in this sub-component is calculated by totaling the HEDI points awarded in each of the four Domains.

Domain 1 – 10 points

Domain 2 – 20 points

Domain 3 – 20 points

Domain 4 – 10 points

**TOTAL POSSIBLE – 60 points**



### **Scoring Ranges based on Total Points**

Highly Effective: 59 to 60 points.

Effective: 57 to 58 points

Developing: 56 to 50 points

Ineffective: 49 points or less

The summative evaluation will provide a rating for the teacher in all 22 components across the 4 Domains according to the Danielson Rating levels of Unsatisfactory, Basic, Proficient and Distinguished. In turn, each of these levels will be converted to a "Quality Point" (0-3) that is used to calculate the teacher's HEDI score and rating that accounts for the weight given to the domain (10 or 20 points) as well as alignment with the HEDI Composite Score cut offs for each proficiency level. See Tables 6-9.

**Table 6: Domain 1 – Planning and Preparation (Quality Points Weight = 1)**

Component	Unsatisfactory	Basic	Proficient	Distinguished	QUALITY POINTS	WEIGHTED QUALITY POINTS (Score)
Domain 1 - A	0	1	2	3	0-3	0-3
Domain 1 - B	0	1	2	3	0-3	0-3
Domain 1 - C	0	1	2	3	0-3	0-3
Domain 1 - D	0	1	2	3	0-3	0-3
Domain 1 - E	0	1	2	3	0-3	0-3
Domain 1 - F	0	1	2	3	0-3	0-3
<b>TOTAL QUALITY POINTS</b>					<b>0-18</b>	<b>0-18</b>

**Table 7: Domain 2 – Classroom Environment (Quality Points Weight = 2)**

Component	Unsatisfactory	Basic	Proficient	Distinguished	QUALITY POINTS	WEIGHTED QUALITY POINTS (Score)
Domain 2 - A	0	1	2	3	0-3	0-6
Domain 2 - B	0	1	2	3	0-3	0-6
Domain 2 - C	0	1	2	3	0-3	0-6
Domain 2 - D	0	1	2	3	0-3	0-6
Domain 2 - E	0	1	2	3	0-3	0-6
<b>TOTAL QUALITY POINTS</b>					<b>0-15</b>	<b>0-30</b>

**Table 8: Domain 3 – Instruction (Quality Points Weight = 2)**

Component	Unsatisfactory	Basic	Proficient	Distinguished	QUALITY POINTS	WEIGHTED QUALITY POINTS (Score)
Domain 3 - A	0	1	2	3	0-3	0-6
Domain 3 - B	0	1	2	3	0-3	0-6
Domain 3 - C	0	1	2	3	0-3	0-6
Domain 3 - D	0	1	2	3	0-3	0-6
Domain 3 - E	0	1	2	3	0-3	0-6
<b>TOTAL QUALITY POINTS</b>					<b>0-15</b>	<b>0-30</b>

**Table 9: Domain 4 – Professional Responsibilities (Quality Points Weight = 1)**

Component	Unsatisfactory	Basic	Proficient	Distinguished	QUALITY POINTS	WEIGHTED QUALITY POINTS (Score)
Domain 4 - A	0	1	2	3	0-3	0-3
Domain 4 - B	0	1	2	3	0-3	0-3
Domain 4 - C	0	1	2	3	0-3	0-3
Domain 4 - D	0	1	2	3	0-3	0-3
Domain 4 - E	0	1	2	3	0-3	0-3
Domain 4 - F	0	1	2	3	0-3	0-3
<b>TOTAL QUALITY POINTS</b>					<b>0-18</b>	<b>0-18</b>

Take the total Weighted Quality Points from across all four Domains (Tables 6-9) and locate it on the chart that follows (Table 10). The HEDI score to the right of the Weighted Quality Points is the teacher's HEDI Score for this sub-component.

**Table 10: HEDI Score and Rating for Danielson Framework for Teaching**

	WEIGHTED QUALITY POINT	HEDI SCORE
HIGHLY EFFECTIVE	91-96	60
	86-90	59
	82-85	59
EFFECTIVE	72-81	58
	60-71	58
	52-61	57
DEVELOPING	51	56
	50	56
	48-49	55
	46-47	54
	44-45	54
	42-43	53
	40-41	53
	38-39	52
	36-37	51
	34-35	51
	32-33	50
	INEFFECTIVE	31
30		49
39		48
38		48
37		47
36		46
35		46
34		45
33		44
32		44
31		43
30		43
29		41
28		41
27		40
26		39
25		39
24		38
23	38	
22	37	
21	36	

INEFFECTIVE	20	36
	19	35
	18	34
	17	34
	16	33
	15	33
	14	32
	13	31
	12	31
	11	30
	10	29
	9	29
	8	28
	7	27
	6	26
	5	26
	4	25
	3	22
	2	21
	1	20
0	0	

## Observation Protocols

- The pre-observation conference shall occur within the five (5) work days preceding the observation. The Teacher shall submit to the evaluator the complete Domain 1 of the Danielson rubric.
- A minimum of one unannounced observation of no more than 45 minutes in length. No unannounced observation shall be carried out during the first week or the last week of the school year, or on the two (2) days prior to Thanksgiving, winter (2) or spring breaks, or on the day following these breaks.
- Any certified administrator employed by the School can conduct observations of teachers. Under no circumstances shall an independently contracted evaluator be used.
- In any building with multiple administrators, the School will whenever practicable, ensure that a teacher's observation is rotated annually among the building administrators.
- Teachers shall receive scores and any narrative feedback within 10 working days of the actual observation. In the case of formal, announced observations, a post-observation conference will be conducted within 10 working days.
- If an evaluator makes a judgment that the overall score places the teacher at ineffective or developing, it is understood that narrative written feedback shall accompany the score, that includes but is not limited to, feedback which explains the judgment and which offers suggestions for more effective practice.

## 5. TEACHER IMPROVEMENT PLAN (TIP)

The School shall provide timely and constructive feedback to classroom teachers on their APPR by providing each teacher with his or her scores on the attached form within 30 days of the School receiving the teacher's State subcomponent score.

For those classroom teachers with a composite score of Developing or Ineffective the School shall develop and implement a Teacher Improvement Plan (TIP) as required under §30-2.10. The School shall formulate and commence implementation of a TIP for such teacher as soon as practicable but in no case later than 10 school days after the opening of classes in the school year following the school year for which such teacher's performance is being measured.

Upon receiving a rating of "developing" or "ineffective" a teacher shall be provided with a TIP. The TIP shall be provided as soon as practicable, but in no case later than ten days after the date on which teachers are required to report prior to the opening of classes for the school year. The Parties understand and agree that the sole and exclusive purpose of the TIP is the improvement of teaching practice and that issuance of a TIP is not a disciplinary action. The TIP shall be developed in consultation with the teacher. A union representative shall be afforded at the teacher's request. The Association president shall be timely informed whenever a teacher is placed on a TIP and, with the agreement of the teacher, shall be provided with a copy of the TIP.

A TIP shall clearly specify: (i) the area(s) in need of improvement; (ii) the performance goals, expectations, benchmarks, standards and timelines the teacher must meet in order to achieve an effective rating; (iii) how improvement will be measured and monitored, and provide for periodic reviews of progress; and (iv) the appropriate differentiated professional development opportunities, materials, resources and supports the School will make available to assist the teacher including, where appropriate, the assignment of a mentor teacher.

The teacher, administrator, mentor (if one has been assigned) and an Association representative (if requested by the teacher) shall meet, according to the schedule identified in the TIP, to assess the effectiveness and appropriateness of the TIP, for the purpose of assisting the teacher to achieve the goals set forth in the TIP. Based on the outcome of this assessment, the TIP shall be modified accordingly.

A teacher who believes that the terms of a TIP are arbitrary, unreasonable, inappropriate or defective, or that the School has failed to meet its obligation to properly implement the terms of the TIP, may seek relief through an appeal to the Board of Trustees. The decision of the Board of Trustees on the merits of the TIP shall be final.

All costs associated with the implementation of a TIP including, but not limited to, tuition, fees, books, and travel, shall be borne by the School in their entirety.

## 6. APPEALS PROCESS

A teacher is not authorized to trigger the appeal process until he or she receives a composite score. Depending on the assessment used, a score may not be available until after the end of the school year. Teachers must receive their composite scores no later than September 1 of the school year next following the school year for which they are being evaluated. Therefore, the appeal process will be triggered on or before September 1, when the teacher receives his or her composite score.

Only a unit member who is covered by N.Y. Education Law § 3012c (“Covered Unit Member” or “teacher”) may appeal the result of a performance review and/or an improvement plan pursuant to the following procedure:

a. A Covered Unit Member may challenge only the substance of an APPR, the School’s adherence to the statutory standards and methodologies required for such review, the School’s compliance with its own procedures and timelines for conducting the APPR and the Regulations of the Commissioner of Education and/or the issuance or implementation of a teacher improvement plan (“TIP”). Such challenge must be submitted in writing to the Administrator performing the review, together with any supporting documentation. The challenge must explain in detail the specific reason(s) why the matter identified is the subject of the challenge. A teacher may not file multiple appeals regarding the same APPR or TIP. All grounds for appeal must be raised with specificity within one appeal. Any information in a teacher observation that affects a teacher’s rating that has not been shared with the teacher at the time the observation is reviewed with the teacher may not be included in the teacher’s summative review. Any grounds not raised at the time the appeal is filed shall be deemed waived. All supporting information must also be submitted at the time the appeal is filed. Any information not submitted at the time the appeal is filed shall not be considered. As part of the documentation supporting an appeal, the teacher may also submit mitigating circumstances that he or she believes to be relevant to the appeal, including but not limited to, class size, students and classes assigned, student attendance, teacher leave/personal time, new initiatives/requirements and physical environment. In an appeal, the teacher has the burden of demonstrating a clear legal right to the relief requested and the burden of establishing the facts upon which he or she seeks relief. The challenge must be submitted within fifteen calendar days of the receipt of the APPR and/or TIP which is the subject of the challenge, or other act complained of, or it is deemed waived. For purposes of this Memorandum of Agreement, calendar days shall exclude the periods of the Winter, February and April recesses. The Administrator involved will schedule a meeting to discuss the challenge. A Covered Unit Member may select an Association representative to participate in the meeting. Within fifteen calendar days of the meeting, the Administrator who issued the APPR and/or TIP shall submit to the teacher a detailed written response to the Appeal. The response must include any additional documents or written materials specific to the point(s) of disagreement that support the response and are relevant to the resolution of the appeal. For a teacher who received a rating of “highly effective”, or “effective” the Administrator’s determination shall be final. If that teacher disagrees with the response, the teacher may submit a written statement outlining the basis for that disagreement to be included in his or her file along with the disputed Annual Professional Performance Review.

b. If a Covered Unit Member received a rating of “ineffective” or “developing” and disagrees with the Administrator’s response to the challenge, the teacher may submit the challenge, the Administrator’s response, and a written statement explaining in detail the reason(s) for disagreement with the response to a Professional Standards Review Panel (“PSRP”), comprised of two (2) District Administrators (other than the initial evaluator) and two (2) representatives from the Association. Within ten (10) days of its receipt of same, the PSRP shall review the entire record of the appeal to determine whether the APPR and/or associated process had been followed. If the PSRP determines that the APPR process was followed correctly, the appeal shall be denied. If the PRSP determines that the APPR process was violated, the appeal shall be sustained. In the event an appeal is sustained, the PSRP shall make a recommendation to the Board of Trustees related to the APPR. If the covered unit member disagrees with the PSRP’s findings, the member may take their appeal to the Board of Trustees within seven calendar days of receipt of the PSRP’s response. A meeting will be scheduled to discuss the appeal. The Covered Unit Member may select an Association representative to participate in the meeting. In resolving any appeal hereunder, among other things, the Board of Trustees will have the discretion to award any points lost to a teacher by reasons of a procedural error committed by an administrator during the APPR process. The Board of Trustees shall render a final determination on the challenge within ten calendar days thereafter.

c. A challenge or determination under this appeal process shall not be the subject of a grievance, and the arbitration provisions of the Collective Negotiations Agreement shall not apply to any such challenge or determination, with one exception. If the Teacher receives two consecutive “ineffective” ratings and the School intends to terminate or not renew, the member may utilize the Grievance and Arbitration provisions.

## 7. DISTRICT CERTIFICATION FORM

By signing this document, the school District or BOCES certifies that this document constitutes the District's or BOCES' complete Annual Professional Performance Review (APPR) Plan, that all provisions of the APPR that are subject to collective negotiations have been resolved pursuant to the provisions of Article 14 of the Civil Service Law and that such APPR Plan complies with the requirements of Education Law §3012-c and Subpart 30-2 of the Rules of the Board of Regents and has been adopted by the governing body of the school District or BOCES. By signing this document, the collective bargaining agent(s) of the school District or BOCES, where applicable, certify that this document constitutes the District's or BOCES' complete Annual Professional Performance Review (APPR) Plan, that collective negotiations have been completed on all provisions of the APPR that are subject to collective bargaining, and that such APPR Plan complies with the requirements of Education Law §3012-c and Subpart 30-2 of the Rules of the Board of Regents and has been adopted by the governing body of the school District or BOCES.

The school District or BOCES and its collective bargaining agent(s), where applicable, also certify that upon information and belief, all statements made herein are true and accurate and that any applicable collective bargaining agreements for teachers and Head of Schools are consistent with and/or have been amended and/or modified or otherwise resolved to the extent required by Article 14 of the Civil Service Law, as necessary to require that all classroom teachers and building Head of Schools will be evaluated using a comprehensive annual evaluation system that rigorously adheres to Education Law §3012-c and Subpart 30-2 of the Rules of the Board of Regents.

**The school District or BOCES and its collective bargaining agent(s), where applicable, also make the following specific certifications with respect to their APPR Plan:**

- Assure that the evaluation system will be used as a significant factor for employment decisions and teacher and Head of School development
- Assure that the entire APPR plan will be completed for each teacher or Head of School as soon as practicable, but in no case later than September 1 of the school year next following the school year for which the classroom teacher or building Head of School's performance is being measured
- Assure that the District or BOCES will provide the teacher's or Head of School's score and rating on the locally selected measures subcomponent, if available, and on the other measures of teacher and Head of School effectiveness subcomponent for a teacher's or Head of School's annual professional performance review, in writing, no later than the last school day of the school year for which the teacher or Head of School is being measured
- Assure that the APPR plan will be posted on the District's or BOCES' website by September 10 or within 10 days after it is approved by the Commissioner, whichever is later
- Assure that accurate teacher and student data will be provided to the Commissioner in a format and timeline prescribed by the Commissioner
- Assure that the District or BOCES will report the individual subcomponent scores and the total composite effectiveness score for each classroom teacher and building Head of School in a manner prescribed by the Commissioner
- Certify that the District provides an opportunity for every classroom teacher and building Head of School to verify the subjects and/or student rosters assigned to them
- Assure that teachers and Head of Schools will receive timely and constructive feedback as part of the evaluation process
- Assure that any training course for lead evaluator certification addresses each of the requirements in the regulations, including specific considerations in evaluating teachers and Head of Schools of English Language Learners and students with disabilities
- Assure that educators who receive a Developing or Ineffective rating will receive a TIP or PIP plan, in accordance with the regulations, as soon as practicable but in no case later than 10 school days from the opening of classes in the school year following the performance year
- Assure that all evaluators and lead evaluators will be properly trained and that lead evaluators will be certified and recertified as necessary in accordance with the regulations
- Assure that the District or BOCES has appeal procedures that are consistent with the regulations and that they provide for the timely and expeditious resolution of an appeal
- Assure that, for teachers, all NYS Teaching Standards are assessed at least once per year, and, for Head of Schools, all Leadership Standards are assessed at least once per year
- Assure that it is possible for a teacher or Head of School to obtain each point in the scoring ranges, including 0 for each subcomponent and that the APPR Plan describes the process for assigning points for each subcomponent

- Assure that locally-selected measures are rigorous and comparable across all classrooms (for teachers, the same locally-selected measure is used across a subject and/or grade level; for Head of Schools, the same locally-selected measure must be used for all Head of Schools in the same or similar program or grade configuration)
- Assure that, if more than one type of locally-selected measure is used for different groups of teachers within a grade/subject, the measures are comparable based on the Standards of Educational and Psychological Testing
- Assure that, if more than one type of locally-selected measure is used for Head of Schools in the same or similar grade configuration or program, the measures are comparable based on the Standards of Educational and Psychological Testing
- Assure that the process for assigning points for all subcomponents and the composite scores will use the narrative HEDI descriptions described in the regulations to effectively differentiate educators' performance in ways that improve student learning and instruction
- Assure that District or BOCES will develop SLOs according to the rules and/or guidance established by SED and that past academic performance and / or baseline academic data of students is taken into account when developing an SLO
- Assure that Student Growth/Value Added Measure will be used where applicable
- Assure that any material changes to this APPR Plan will be submitted to the Commissioner for approval as soon as practicable and/or in a timeframe prescribed by the Commissioner
- Assure that this APPR Plan applies to all classroom teachers and building Head of Schools as defined in the regulation and SED guidance
- Assure that the District or BOCES will provide the Department with any information necessary to conduct annual monitoring pursuant to the regulations
- If this APPR Plan is being submitted subsequent to July 1, 2012, assure that this was the result of unresolved collective bargaining negotiations

**Signatures, dates – SEE UPLOADED SIGNED COPY**

Superintendent Signature:      Date:

Teachers Union President Signature:      Date:

Administrative Union President Signature:      Date:

Board of Education President Signature:      Date:

Legal Reference(s): Education Law §3012-c; 8 N.Y.C.R.R. Part 30-2 and Section 100.2(f).

## APPENDIX A

### Teacher-Student Data Linkage

Section 6401(e)(2)(D) of the America COMPETES Act (20 U.S.C. 9871) requires that the New York State Education Department (NYSED) establish a longitudinal data system that includes for its local education agencies (LEAs; i.e., school Districts, BOCES, and charter schools), among other things:

- (1) A teacher identifier system with the ability to match teachers to students; and
- (2) Student-level transcript information, including information on courses completed and grades earned.

In addition, the American Recovery and Reinvestment Act of 2009 (ARRA) requires a State that receives State Fiscal Stabilization Fund funds (which includes, but is not limited to, the competitive Race to the Top program) to provide assurances using the following indicators and descriptors for Education Reform Area (A) – Achieving Equity in Teacher Distribution:

Indicator (a)(3) – New York must indicate that the systems used to evaluate the performance of teachers include student achievement outcomes or student growth data as an evaluation criterion; and

Indicator (a)(6) – New York must indicate that the systems used to evaluate the performance of Head of Schools include student achievement outcomes or student growth data as an evaluation criterion.

Education Law §3012-c requires that, beginning with the 2011-12 school year, classroom teachers in grades 4-8 of common branch subjects or English language arts (ELA) or mathematics who are employed by school Districts have forty percent of their composite score of effectiveness be based on student achievement measures as follows: (i) twenty percent based upon student growth data on State assessments or other comparable measures of student growth; and (ii) twenty percent based on locally selected measures of student achievement that are determined to be rigorous and comparable across classrooms. These percentages are adjusted to twenty-five and fifteen, respectively, in the first school year for which the Board of Regents has approved use of a value-added growth model. Beginning with the 2012-13 school year, these evaluation requirements will apply to all classroom teachers and Head of Schools in school Districts and BOCES.

Finally, the data elements described in this memorandum are necessary to support the policy development and reform agenda of the Board of Regents. These initiatives include the implementation of the statewide instructional reporting system and professional development network required by the State's Race to the Top award.  
*Teacher of Record Determinations*

In order for New York to meet its federal and State requirements, as well as to ensure that the policies on teacher/Head of School evaluation system are fair and understandable, NYSED needs to implement clear procedures for determining the teachers and Head of Schools who are responsible for student instruction for evaluation purposes.

A *Teacher of Record* is defined for the 2011-12 school year as those teachers who are primarily and directly responsible for a student's learning activities that are aligned to the performance measures of a course, consistent with guidelines prescribed by the Commissioner. Making teacher of record determinations is complicated by the fact that effective instruction is often the outcome of a complex set of instructional relationships among multiple teachers and students that change over time. Local school District data systems were not originally designed for these purposes.

In addition to the student demographic, enrollment, program service, and assessment information already collected for school/District accountability purposes, it is necessary to collect additional data elements to support Teacher of Record determinations for teacher and Head of School evaluations under Education Law §3012-c. These new data elements include information about the multiple teachers who may be assigned to a course section, as well as changes in teacher assignment, student enrollment, and student attendance over the duration of a course.

#### Strategies for Data Verification

As with all reported school year data, superintendents and charter school Head of Schools must establish school and District verification processes to ensure that complete and accurate TSDL information, as summarized in the table above, are submitted to NYSED prior to the verification deadlines. RIC or Big 5 City School District data center staff with whom the school District or charter school has contracted can assist with these efforts.

Because of the complexity and importance of TSDL information, regulations require that teachers be involved in data verification efforts. In order to make this process more manageable, it is highly recommended that data be reviewed and verified throughout the school year, rather than immediately prior to the verification deadline.

In order to ensure the accuracy of the TSDL, two types of information, described in more detail in Appendix B of this memorandum, must be reviewed and verified by teachers and other relevant school and District personnel:

- **Basic roster information**, including which students are linked to which teachers with what beginning and end dates.
- **Linkage Durations** (to be used for research purposes for the 2011-12 school year), or the total course time, prior to the administration of the assessment or the end of the school year, that each student was linked to a teacher.

#### *Daily Verification of Rosters*

Teachers review and verify student rosters in their local student management system each time they take class attendance or, if class attendance is not taken, each time they take daily attendance. If rosters are verified in the local student management system on a class and/or daily basis, the task of verification will be much more manageable.

#### *NYSED Teacher-Student Roster Verification Reports (with weekly data refreshes)*

In addition to daily verification, teachers, Head of Schools, and school/District data coordinators will have access to Teacher-Student Roster Verification Reports that are updated at least weekly\*.

Teacher-Student Roster Verification Reports **for school and District data coordinators** can be found within the Level 2 reporting environment through links provided by the local RIC or Big 4 City School District data center. These school- and District-wide reports may be displayed for specific teachers or courses or for all teachers and courses that have been submitted to the SIRS.

Teacher-Student Roster Verification Reports **for teachers** are available at the single sign-on location for our Education Data Portal (EDP) at <http://edp.nysed.gov>. Reports will be refreshed at least weekly to reflect updates or corrections made prior to the verification deadline. Please see <http://www.p12.nysed.gov/irs/teacher> and Appendix C

#### *Data Certification*

Consistent with the reporting of all other school year data, superintendents and charter school Head of Schools will be responsible for certifying the completeness and accuracy of all TSDL information. To do so, and consistent with other data collection and reporting initiatives, superintendents and charter school Head of Schools will need to create internal processes to gather assurances from teachers and Head of Schools that they (1) have reviewed the information prior to the verification deadline and determined it to be complete and accurate, and (2) understand that the data will be used for evaluation and other analytic purposes.

Please note that existing Level 2 verification reports, including school and District accountability reports, may be used by school/District data coordinators to assist with the verification of student demographic, enrollment, program service, other special education, and assessment information prior to the verification deadlines listed above.

#### *Verification Strategies*

The accuracy of TSDL information depends on correct data being stored in the school or District student management system and correct data being exported from those systems for reporting to NYSED. If the data contained in the verification reports are inaccurate, please check that the information described below is correct in your student management system.

The accuracy of **basic roster information**, including teacher-student linkage start and end dates, is dependent upon:

- The creation of an accurate master schedule that includes all teachers assigned to courses and all students enrolled in those courses;
- The ongoing maintenance of both the master and student schedules, including accurate entry of start and end dates when students drop or add courses or teacher assignments change.

The accuracy of **linkage duration information** (to be used for research purposes for the 2011-12 school year) requires accurate basic roster information, as well as the following additional information to be correct in the student management system (see Appendix B for more information):

- The amount of time that a course meets daily or, if the course schedule fluctuates daily, the weekly average for the course;
- Instructional calendars, or the total number of days that a course is scheduled to meet;
- Duration adjustments, to be used if a particular student or teacher participates in a course for only a portion of the course's schedule;

- and Student course attendance.

Since linkage duration calculations are created by the school's or District's student management system consistent with State rules and not directly by NYSED, LEAs, in coordination with their RIC or Big 5 City School District data centers, are strongly encouraged to request evidence from student management system vendors that the duration calculations are accurate. If your vendor product is meeting State requirements, linkage duration information will accurately reflect the course and roster information contained in your school's master schedule.

*Data Correction*

As with all other school year data, if the information displayed in the Teacher-Student Roster Verification Reports is incomplete or inaccurate, the data should be corrected in the local source system (e.g., the student management system) and submitted again to NYSED. Schools and Districts are responsible for creating and communicating clear processes and identifying contact people for identifying data inaccuracies and correcting this information prior to the verification deadline.

## Appendix B: New York State Student Learning Objective Template

<i>All SLOs MUST include the following basic components:</i>	
<b>Population</b>	<i>These are the students assigned to the course section(s) in this SLO - all students who are assigned to the course section(s) must be included in the SLO. (Full class rosters of all students must be provided for all included course sections.)</i>
<b>Learning Content</b>	<i>What is being taught over the instructional period covered? Common Core/National/State standards? Will this goal apply to all standards applicable to a course or just to specific priority standards?</i>
<b>Interval of Instructional Time</b>	<i>What is the instructional period covered (if not a year, rationale for semester/quarter/etc)?</i>
<b>Evidence</b>	<i>What specific assessment(s) will be used to measure this goal? The assessment must align to the learning content of the course.</i>

<p><b>Baseline</b></p>	<p><i>What is the starting level of students' knowledge of the learning content at the beginning of the instructional period?</i></p>																				
<p><b>Target(s)</b></p>	<p><i>What is the expected outcome (target) of students' level of knowledge of the learning content at the end of the instructional period?</i></p>																				
<p><b>HEDI Scoring</b></p>	<p><i>How will evaluators determine what range of student performance "meets" the goal (effective) versus "well-below" (ineffective), "below" (developing), and "well-above" (highly effective)?</i></p>																				
	<p><b>HIGHLY EFFECTIVE</b></p>			<p><b>EFFECTIVE</b></p>									<p><b>DEVELOPING</b></p>					<p><b>INEFFECTIVE</b></p>			
	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	0
> 90	86-90	81-85	79-80	77-78	75-76	73-74	71-72	69-70	67-68	64-66	61-63	58-60	55-57	52-54	49-51	45-48	41-44	28-40	15-27	≤ 14	
<p><b>Rationale</b></p>	<p><i>Describe the reasoning behind the choices regarding learning content, evidence, and target and how they will be used together to prepare students for future growth and development in subsequent grades/courses, as well as college and career readiness.</i></p>																				

<p>1a Knowledge of Content and Pedagogy</p>	<p>In planning and practice, teacher makes content errors or does not correct errors made by students.</p> <p>Teacher's plans and practice display little understanding of prerequisite relationships important to student's learning of the content.</p> <p>Teacher displays little or no understanding of the range of pedagogical approaches suitable to student's learning of the content.</p>	<p>Teacher is familiar with the important concepts in the discipline but displays lack of awareness of how these concepts relate to one another.</p> <p>Teacher's plans and practice indicate some awareness of prerequisite relationships, although such knowledge may be inaccurate or incomplete.</p> <p>Teacher's plans and practice reflect a limited range of pedagogical approaches to the discipline or to the students.</p>	<p>Teacher displays solid knowledge of the important concepts in the discipline and the ways they relate to one another.</p> <p>Teacher's plans and practice reflect accurate understanding of prerequisite relationships among topics and concepts.</p> <p>Teacher's plans and practice reflect familiarity with a wide range of effective pedagogical approaches in the discipline.</p>	<p>Teacher displays extensive knowledge of the important concepts in the discipline and the ways they relate both to one another and to other disciplines.</p> <p>Teacher's plans and practice reflect understanding of prerequisite relationships among topics and concepts and provide a link to necessary cognitive structures needed by students to ensure understanding.</p> <p>Teacher's plans and practice reflect familiarity with a wide range of effective pedagogical approaches in the discipline, anticipating student misconceptions.</p>	
<p>1b Demonstrating Knowledge of Students</p>	<p>Teacher demonstrates little or no understanding of how students learn, and little knowledge of students' backgrounds, cultures, skills, language proficiency, interests, and special needs, and does not seek such understanding.</p>	<p>Teacher indicates the importance of understanding how students learn and the students' backgrounds, cultures, skills, language proficiency, interests, and special needs, and attains this knowledge for the class as a whole.</p>	<p>Teacher understands the active nature of student learning, and attains information about levels of development for groups of students. The teacher also purposefully seeks knowledge from several sources of students' backgrounds, cultures, skills, language proficiency, interests, and special needs, and attains this knowledge for groups of students.</p>	<p>Teacher actively seeks knowledge of students' levels of development and their backgrounds, cultures, skills, language proficiency, interests, and special needs from a variety of sources. This information is acquired for individual students.</p>	
<p>1c Setting Instructional Outcomes</p>	<p>Outcomes represent low expectations for students and lack of rigor, and not all of them reflect important learning in the discipline.</p> <p>Outcomes are stated as activities rather than as student learning.</p> <p>Outcomes reflect only one type of learning and only one discipline or strand and are suitable for only some students.</p>	<p>Outcomes represent moderately high expectations and rigor.</p> <p>Some reflect important learning in the discipline and consist of a combination of outcomes and activities.</p> <p>Outcomes reflect several types of learning, but teacher has made no attempt at coordination or integration.</p> <p>Most of the outcomes are suitable for most of the students in the class in accordance with global assessments of student learning.</p>	<p>Most outcomes represent rigorous and important learning in the discipline.</p> <p>All the instructional outcomes are clear, are written in the form of student learning, and suggest viable methods of assessment.</p> <p>Outcomes reflect several different types of learning and opportunities for coordination.</p> <p>Outcomes take into account the varying needs of groups of students.</p>	<p>All outcomes represent rigorous and important learning in the discipline.</p> <p>The outcomes are clear, are written in the form of student learning, and permit viable methods of assessment.</p> <p>Outcomes reflect several different types of learning and, where appropriate, represent opportunities for both coordination and integration.</p> <p>Outcomes take into account the varying needs of individual students.</p>	
<p>1d Knowledge of Resources</p>	<p>Teacher is unaware of school or district resources for classroom use, for the expansion of his or her own knowledge, or for students.</p>	<p>Teacher displays basic awareness of school or district resources available for classroom use, for the expansion of his or her own knowledge, and for students, but no knowledge of resources available more broadly.</p>	<p>Teacher displays awareness of resources—not only through the school and district but also through sources external to the school and on the Internet—available for classroom use, for the expansion of his or her own knowledge, and for students.</p>	<p>Teacher displays extensive knowledge of resources—not only through the school and district but also in the community, through professional organizations and universities, and on the Internet—for classroom use, for the expansion of his or her own knowledge, and for students.</p>	

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">1e Designing Coherent Instruction</p>	<p>The series of learning experiences is poorly aligned with the instructional outcomes and does not represent a coherent structure.</p> <p>The activities are not designed to engage students in active intellectual activity and have unrealistic time allocations. Instructional groups do not support the instructional outcomes and offer no variety.</p>	<p>Some of the learning activities and materials are suitable to the instructional outcomes and represent a moderate cognitive challenge but with no differentiation for different students. Instructional groups partially support the instructional outcomes, with an effort by the teacher at providing some variety.</p> <p>The lesson or unit has a recognizable structure; the progression of activities is uneven, with most time allocations reasonable.</p>	<p>Teacher coordinates knowledge of content, of students, and of resources, to design a series of learning experiences aligned to instructional outcomes and suitable to groups of students.</p> <p>The learning activities have reasonable time allocations; they represent significant cognitive challenge, with some differentiation for different groups of students.</p> <p>The lesson or unit has a clear structure, with appropriate and varied use of instructional groups.</p>	<p>Plans represent the coordination of in-depth content knowledge, understanding of different students' needs, and available resources (including technology), resulting in a series of learning activities designed to engage students in high-level cognitive activity.</p> <p>Learning activities are differentiated appropriately for individual learners. Instructional groups are varied appropriately with some opportunity for student choice.</p> <p>The lesson's or unit's structure is clear and allows for different pathways according to diverse student needs.</p>	
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">If Designing Student Assessments</p>	<p>Assessment procedures are not congruent with instructional outcomes; the proposed approach contains no criteria or standards.</p> <p>Teacher has no plan to incorporate formative assessment in the lesson or unit nor any plan to use assessment results in designing future instruction.</p>	<p>Some of the instructional outcomes are assessed through the proposed approach, but others are not.</p> <p>Assessment criteria and standards have been developed, but they are not clear.</p> <p>Approach to the use of formative assessment is rudimentary, including only some of the instructional outcomes.</p> <p>Teacher intends to use assessment results to plan for future instruction for the class as a whole.</p>	<p>Teacher's plan for student assessment is aligned with the instructional outcomes; assessment methodologies may have been adapted for groups of students.</p> <p>Assessment criteria and standards are clear. Teacher has a well-developed strategy for using formative assessment and has designed particular approaches to be used.</p> <p>Teacher intends to use assessment results to plan for future instruction for groups of students.</p>	<p>Teacher's plan for student assessment is fully aligned with the instructional outcomes and has clear criteria and standards that show evidence of student contribution to their development.</p> <p>Assessment methodologies have been adapted for individual students, as needed.</p> <p>The approach to using formative assessment is well designed and includes student as well as teacher use of the assessment information.</p> <p>Teacher intends to use assessment results to plan future instruction for individual students.</p>	

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<p><b>2a Environment of Respect and Rapport</b></p>	<p>Patterns of classroom interactions, both between the teacher and students and among students, are mostly negative, inappropriate, or insensitive to students' ages, cultural backgrounds, and developmental levels. Interactions are characterized by sarcasm, put-downs, or conflict.</p> <p>Teacher does not deal with disrespectful behavior.</p>	<p>Patterns of classroom interactions, both between the teacher and students and among students, are generally appropriate but may reflect occasional inconsistencies, favoritism, and disregard for students' ages, cultures, and developmental levels.</p> <p>Students rarely demonstrate disrespect for one another.</p> <p>Teacher attempts to respond to disrespectful behavior, with uneven results. The net result of the interactions is neutral, conveying neither warmth nor conflict.</p>	<p>Teacher-student interactions are friendly and demonstrate general caring and respect. Such interactions are appropriate to the ages of the students.</p> <p>Students exhibit respect for the teacher. Interactions among students are generally polite and respectful.</p> <p>Teacher responds successfully to disrespectful behavior among students. The net result of the interactions is polite and respectful, but impersonal.</p>	<p>Classroom interactions among the teacher and individual students are highly respectful, reflecting genuine warmth and caring and sensitivity to students as individuals.</p> <p>Students exhibit respect for the teacher and contribute to high levels of civil interaction between all members of the class. The net result of interactions is that of connections with students as individuals.</p>	<p>N/A</p>
<p><b>2b Establishing a Culture for Learning</b></p>	<p>The classroom culture is characterized by a lack of teacher or student commitment to learning and/or little or no investment of student energy into the task at hand. Hard work is not expected or valued.</p> <p>Medium or low expectations for student achievement are the norm, with high expectations for learning reserved for only one or two students.</p>	<p>The classroom culture is characterized by little commitment to learning by teacher or students.</p> <p>The teacher appears to be only going through the motions, and students indicate that they are interested in completion of a task, rather than quality.</p> <p>The teacher conveys that student success is the result of natural ability rather than hard work; high expectations for learning are reserved for those students thought to have a natural aptitude for the subject.</p>	<p>The classroom culture is a cognitively busy place where learning is valued by all, with high expectations for learning being the norm for most students.</p> <p>The teacher conveys that with hard work students can be successful.</p> <p>Students understand their role as learners and consistently expend effort to learn.</p> <p>Classroom interactions support learning and hard work.</p>	<p>The classroom culture is a cognitively vibrant place, characterized by a shared belief in the importance of learning.</p> <p>The teacher conveys high expectations for learning by all students and insists on hard work.</p> <p>Students assume responsibility for high quality by initiating improvements, making revisions, adding detail, and/or helping peers.</p>	
<p><b>2c Managing Classroom Procedures</b></p>	<p>Much instructional time is lost through inefficient classroom routines and procedures.</p> <p>There is little or no evidence that the teacher is managing instructional groups, transitions, and/or the handling of materials and supplies effectively.</p> <p>There is little evidence that students know or follow established routines.</p>	<p>Some instructional time is lost through only partially effective classroom routines and procedures.</p> <p>The teacher's management of instructional groups, transitions, and/or the handling of materials and supplies is inconsistent, the result being some disruption of learning.</p> <p>With regular guidance and prompting, students follow established routines.</p>	<p>There is little loss of instructional time because of effective classroom routines and procedures.</p> <p>The teacher's management of instructional groups and the handling of materials and supplies are consistently successful.</p> <p>With minimal guidance and prompting, students follow established classroom routines.</p>	<p>Instructional time is maximized because of efficient classroom routines and procedures.</p> <p>Students contribute to the management of instructional groups, transitions, and the handling of materials and supplies.</p> <p>Routines are well understood and may be initiated by students.</p>	
<p><b>2d Managing Student Behavior</b></p>	<p>There appear to be no established standards of conduct and little or no teacher monitoring of student behavior.</p> <p>Students challenge the standards of conduct.</p> <p>Response to students' misbehavior is repressive or disrespectful of student dignity.</p>	<p>Standards of conduct appear to have been established, but their implementation is inconsistent.</p> <p>Teacher tries, with uneven results, to monitor student behavior and respond to student misbehavior.</p> <p>There is inconsistent implementation of the standards of conduct.</p>	<p>Student behavior is generally appropriate.</p> <p>The teacher monitors student behavior against established standards of conduct.</p> <p>Teacher response to student misbehavior is consistent, proportionate, respectful to students, and effective.</p>	<p>Student behavior is entirely appropriate.</p> <p>Students take an active role in monitoring their own behavior and that of other students against standards of conduct.</p> <p>Teachers' monitoring of student behavior is subtle and preventive.</p> <p>Teacher's response to student misbehavior is sensitive to individual student needs and respects students' dignity.</p>	
<p><b>2e Organizing Physical Space</b></p>	<p>The physical environment is unsafe, or many students don't have access to learning resources.</p> <p>There is poor coordination between the lesson activities and the arrangement of furniture and resources, including computer technology.</p>	<p>The classroom is safe, and essential learning is accessible to most students.</p> <p>The teacher's use of physical resources, including computer technology, is moderately effective.</p> <p>Teacher makes some attempt to modify the physical arrangement to suit learning activities, with partial success.</p>	<p>The classroom is safe, and learning is accessible to all students; teacher ensures that the physical arrangement is appropriate to the learning activities.</p> <p>Teacher makes effective use of physical resources, including computer technology.</p>	<p>The classroom is safe, and learning is accessible to all students, including those with special needs.</p> <p>Teacher makes effective use of physical resources, including computer technology. The teacher ensures that the physical arrangement is appropriate to the learning activities.</p> <p>Students contribute to the use or adaptation of the physical environment to advance learning.</p>	

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<p>3a Communicating with Students</p>	<p>The instructional purpose of the lesson is unclear to students, and the directions and procedures are confusing.</p> <p>The teacher's explanation of the content contains major errors.</p> <p>The teacher's spoken or written language contains errors of grammar or syntax.</p> <p>The teacher's vocabulary is inappropriate, vague, or used incorrectly, leaving students confused.</p>	<p>The teacher's attempt to explain the instructional purpose has only limited success, and/or directions and procedures must be clarified after initial student confusion.</p> <p>The teacher's explanation of the content may contain minor errors; some portions are clear; other portions are difficult to follow.</p> <p>The teacher's explanation consists of a monologue, with no invitation to the students for intellectual engagement.</p> <p>Teacher's spoken language is correct; however, his or her vocabulary is limited, or not fully appropriate to the students' ages or backgrounds.</p>	<p>The teacher clearly communicates instructional purpose of the lesson, including where it is situated within broader learning, and explains procedures and directions clearly.</p> <p>Teacher's explanation of content is well scaffolded, clear and accurate, and connects with students' knowledge and experience.</p> <p>During the explanation of content, the teacher invites student intellectual engagement.</p> <p>Teacher's spoken and written language is clear and correct and uses vocabulary appropriate to the students' ages and interests.</p>	<p>The teacher links the instructional purpose of the lesson to student interests; the directions and procedures are clear and anticipate possible student misunderstanding.</p> <p>The teacher's explanation of content is thorough and clear, developing conceptual understanding through artful scaffolding and connecting with students' interests.</p> <p>Students contribute to extending the content and help explain concepts to their classmates.</p> <p>The teacher's spoken and written language is expressive, and the teacher finds opportunities to extend students' vocabularies.</p>	
<p>3b Questioning and Discussion Techniques</p>	<p>Teacher's questions are of low cognitive challenge, require single correct responses, and are asked in rapid succession.</p> <p>Interaction between teacher and students is predominantly recitation style, with the teacher mediating all questions and answers.</p> <p>A few students dominate the discussion.</p>	<p>Teacher's questions lead students through a single path of inquiry, with answers seemingly determined in advance.</p> <p>Alternatively, the teacher attempts to frame some questions designed to promote student thinking and understanding, but only a few students are involved.</p> <p>Teacher attempts to engage all students in the discussion and to encourage them to respond to one another, but with uneven results.</p>	<p>Although the teacher may use some low-level questions, he or she asks the students questions designed to promote thinking and understanding.</p> <p>Teacher creates a genuine discussion among students, providing adequate time for students to respond and stepping aside when appropriate.</p> <p>Teacher successfully engages most students in the discussion, employing a range of strategies to ensure that most students are heard.</p>	<p>Teacher uses a variety or series of questions or prompts to challenge students cognitively, advance high-level thinking and discourse, and promote metacognition.</p> <p>Students formulate many questions, initiate topics, and make unsolicited contributions.</p> <p>Students themselves ensure that all voices are heard in the discussion.</p>	
<p>3c Engaging Students in Learning</p>	<p>The learning tasks and activities, materials, resources, instructional groups and technology are poorly aligned with the instructional outcomes or require only rote responses.</p> <p>The pace of the lesson is too slow or too rushed.</p> <p>Few students are intellectually engaged or interested.</p>	<p>The learning tasks and activities are partially aligned with the instructional outcomes but require only minimal thinking by students, allowing most to be passive or merely compliant.</p> <p>The pacing of the lesson may not provide students the time needed to be intellectually engaged.</p>	<p>The learning tasks and activities are aligned with the instructional outcomes and designed to challenge student thinking, the result being that most students display active intellectual engagement with important and challenging content and are supported in that engagement by teacher scaffolding.</p> <p>The pacing of the lesson is appropriate, providing most students the time needed to be intellectually engaged.</p>	<p>Virtually all students are intellectually engaged in challenging content through well-designed learning tasks and suitable scaffolding by the teacher and fully aligned with the instructional outcomes.</p> <p>In addition, there is evidence of some student initiation of inquiry and of student contribution to the exploration of important content.</p> <p>The pacing of the lesson provides students the time needed to intellectually engage with and reflect upon their learning and to consolidate their understanding.</p> <p>Students may have some choice in how they complete tasks and may serve as resources for one another.</p>	
<p>3d Using Assessment in Instruction</p>	<p>There is little or no assessment or monitoring of student learning; feedback is absent or of poor quality.</p> <p>Students do not appear to be aware of the assessment criteria and do not engage in self-assessment.</p>	<p>Assessment is used sporadically by teacher and/or students to support instruction through some monitoring of progress in learning.</p> <p>Feedback to students is general, students appear to be only partially aware of the assessment criteria used to evaluate their work, and few assess their own work.</p> <p>Questions, prompts, and assessments are rarely used to diagnose evidence of learning.</p>	<p>Assessment is used regularly by teacher and/or students during the lesson through monitoring of learning progress and results in accurate, specific feedback that advances learning.</p> <p>Students appear to be aware of the assessment criteria; some of them engage in self-assessment.</p> <p>Questions, prompts, assessments are used to diagnose evidence of learning.</p>	<p>Assessment is fully integrated into instruction through extensive use of formative assessment.</p> <p>Students appear to be aware of, and there is some evidence that they have contributed to, the assessment criteria.</p> <p>Students self-assess and monitor their progress.</p> <p>A variety of feedback, from both their teacher and their peers, is accurate, specific, and advances learning.</p> <p>Questions, prompts, assessments are used regularly to diagnose evidence of learning by individual students.</p>	

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<p style="writing-mode: vertical-rl; transform: rotate(180deg);"><b>3e Demonstrating Flexibility and Responsiveness</b></p>	<p>Teacher adheres to the instruction plan in spite of evidence of poor student understanding or lack of interest.</p> <p>Teacher ignores student questions; when students experience difficulty, the teacher blames the students or their home environment.</p>	<p>Teacher attempts to modify the lesson when needed and to respond to student questions and interests, with moderate success.</p> <p>Teacher accepts responsibility for student success but has only a limited repertoire of strategies to draw upon.</p>	<p>Teacher promotes the successful learning of all students, making minor adjustments as needed to instruction plans and accommodating student questions, needs, and interests.</p> <p>Drawing on a broad repertoire of strategies, the teacher persists in seeking approaches for students who have difficulty learning.</p>	<p>Teacher seizes an opportunity to enhance learning, building on a spontaneous event or student interests, or successfully adjusts and differentiates instruction to address individual student misunderstandings.</p> <p>Teacher persists in seeking effective approaches for students who need help, using an extensive repertoire of instructional strategies and soliciting additional resources from the school or community.</p>	
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4a Reflecting on Teaching	<p>Teacher does not know whether a lesson was effective or achieved its instructional outcomes, or he/she profoundly misjudges the success of a lesson.</p> <p>Teacher has no suggestions for how a lesson could be improved.</p>	<p>Teacher has a generally accurate impression of a lesson's effectiveness and the extent to which instructional outcomes were met.</p> <p>Teacher makes general suggestions about how a lesson could be improved.</p>	<p>Teacher makes an accurate assessment of a lesson's effectiveness and the extent to which it achieved its instructional outcomes and can cite general references to support the judgment.</p> <p>Teacher makes a few specific suggestions of what could be tried another time the lesson is taught.</p>	<p>Teacher makes a thoughtful and accurate assessment of a lesson's effectiveness and the extent to which it achieved its instructional outcomes, citing many specific examples from the lesson and weighing the relative strengths of each.</p> <p>Drawing on an extensive repertoire of skills, teacher offers specific alternative actions, complete with the probable success of different courses of action.</p>	N/A
4b Maintaining Accurate Records	<p>Teacher's system for maintaining information on student completion of assignments and student progress in learning is nonexistent or in disarray.</p> <p>Teacher's records for non-instructional activities are in disarray, resulting in errors and confusion.</p>	<p>Teacher's system for maintaining information on student completion of assignments and student progress in learning is rudimentary and only partially effective.</p> <p>Teacher's records for non-instructional activities are adequate but require frequent monitoring to avoid errors.</p>	<p>Teacher's system for maintaining information on student completion of assignments, student progress in learning, and non-instructional records is fully effective.</p>	<p>Teacher's system for maintaining information on student completion of assignments, student progress in learning, and non-instructional records is fully effective.</p> <p>Students contribute information and participate in maintaining the records.</p>	
4c Communicating with Families	<p>Teacher communication with families—about the instructional program, about individual students—is sporadic or culturally inappropriate.</p> <p>Teacher makes no attempt to engage families in the instructional program.</p>	<p>Teacher makes sporadic attempts to communicate with families about the instructional program and about the progress of individual students but does not attempt to engage families in the instructional program. Communications are one-way and not always appropriate to the cultural norms of those families.</p>	<p>Teacher communicates frequently with families about the instructional program and conveys information about individual student progress.</p> <p>Teacher makes some attempts to engage families in the instructional program.</p> <p>Information to families is conveyed in a culturally appropriate manner.</p>	<p>Teacher's communication with families is frequent and sensitive to cultural traditions, with students contributing to the communication.</p> <p>Response to family concerns is handled with professional and cultural sensitivity.</p> <p>Teacher's efforts to engage families in the instructional program are frequent and successful.</p>	
4d Participating in Professional Community	<p>Teacher's relationships with colleagues are negative or self-serving.</p> <p>Teacher avoids participation in a professional culture of inquiry, resisting opportunities to become involved.</p> <p>Teacher avoids becoming involved in school events or school and district projects.</p>	<p>Teacher maintains cordial relationships with colleagues to fulfill duties that the school or district requires.</p> <p>Teacher becomes involved in the school's culture of professional inquiry when invited to do so.</p> <p>Teacher participates in school events and school and district projects when specifically asked to do so.</p>	<p>Teacher's relationships with colleagues are characterized by mutual support and cooperation; teacher actively participates in a culture of professional inquiry.</p> <p>Teacher volunteers to participate in school events and in school and district projects, making a substantial contribution.</p>	<p>Teacher's relationships with colleagues are characterized by mutual support and cooperation, with the teacher taking initiative in assuming leadership among the faculty.</p> <p>Teacher takes a leadership role in promoting a culture of professional inquiry.</p> <p>Teacher volunteers to participate in school events and district projects making a substantial contribution, and assuming a leadership role in at least one aspect of school or district life.</p>	
4e Growing and Developing Professionally	<p>Teacher engages in no professional development activities to enhance knowledge or skill.</p> <p>Teacher resists feedback on teaching performance from either supervisors or more experienced colleagues.</p> <p>Teacher makes no effort to share knowledge with others or to assume professional responsibilities.</p>	<p>Teacher participates in professional activities to a limited extent when they are convenient.</p> <p>Teacher accepts, with some reluctance, feedback on teaching performance from both supervisors and colleagues.</p> <p>Teacher finds limited ways to contribute to the profession.</p>	<p>Teacher seeks out opportunities for professional development to enhance content knowledge and pedagogical skill.</p> <p>Teacher welcomes feedback from colleagues—either when made by supervisors or when opportunities arise through professional collaboration.</p> <p>Teacher participates actively in assisting other educators.</p>	<p>Teacher seeks out opportunities for professional development and makes a systematic effort to conduct action research.</p> <p>Teacher seeks out feedback on teaching from both supervisors and colleagues.</p> <p>Teacher initiates important activities to contribute to the profession.</p>	

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<p style="text-align: center;">4f Showing Professionalism</p>	<p>Teacher displays dishonesty in interactions with colleagues, students, and the public.</p> <p>Teacher is not alert to students' needs and contributes to school practices that result in some students' being ill served by the school.</p> <p>Teacher makes decisions and recommendations based on self-serving interests. Teacher does not comply with school and district regulations.</p>	<p>Teacher is honest in interactions with colleagues, students, and the public.</p> <p>Teacher attempts, though inconsistently, to serve students. Teacher does not knowingly contribute to some students' being ill served by the school.</p> <p>Teacher's decisions and recommendations are based on limited but genuinely professional considerations.</p> <p>Teacher complies minimally with school and district regulations, doing just enough to get by.</p>	<p>Teacher displays high standards of honesty, integrity, and confidentiality in interactions with colleagues, students, and the public.</p> <p>Teacher is active in serving students, working to ensure that all students receive a fair opportunity to succeed.</p> <p>Teacher maintains an open mind in team or departmental decision making.</p> <p>Teacher complies fully with school and district regulations.</p>	<p>Teacher takes a leadership role with colleagues and can be counted on to hold to the highest standards of honesty, integrity, and confidentiality.</p> <p>Teacher is highly proactive in serving students, seeking out resources when needed. Teacher makes a concerted effort to challenge negative attitudes or practices to ensure that all students, particularly those traditionally underserved, are honored in the school.</p> <p>Teacher takes a leadership role in team or departmental decision making and helps ensure that such decisions are based on the highest professional standards.</p> <p>Teacher complies fully with school and district regulations, taking a leadership role with colleagues.</p>	
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## APPENDIX D TEACHER IMPROVEMENT PLAN (TIP)

The sole purpose of the TIP is the improvement of teaching practice. The goal is to provide resources and support for teachers who have been rated as "ineffective". The evaluator and teacher will jointly determine the strategies to be undertaken to correct the deficiencies.

Name of Teacher: \_\_\_\_\_  
 Grade/subject: \_\_\_\_\_  
 Evaluator: \_\_\_\_\_  
 Association Representative: \_\_\_\_\_  
 Date: \_\_\_\_\_

List the area(s) needing improvement. If there are several, indicate the priority order for addressing them

Priority	Area needing improvement	Performance goal

Describe the plan for improvement with specific, measurable objectives; timeline, location, any other personnel involved and process the teacher must meet in order to achieve an effective rating.

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Describe the professional development opportunities, materials, resources, and supports, the District will make available.

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Assignment of mentor? Yes \_\_\_\_\_ No \_\_\_\_\_

Name of mentor \_\_\_\_\_

The teacher, evaluator, mentor (if applicable) and an Association representative (if requested by the teacher) shall meet \_\_\_\_\_ to assess the effectiveness and appropriateness of the TIP in assisting the teacher to achieve the goals set forth in the TIP. Based on the outcome of this Assessment, the TIP shall be modified accordingly.

Evaluator's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Teacher's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**This plan will begin on :** \_\_\_\_\_

Meeting dates					
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Evaluator Comments: \_\_\_\_\_ Date: \_\_\_\_\_

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\_\_\_\_\_

Teacher Comments: \_\_\_\_\_ Date: \_\_\_\_\_

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\_\_\_\_\_

Evaluator Comments: \_\_\_\_\_ Date: \_\_\_\_\_

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Teacher Comments: \_\_\_\_\_ Date: \_\_\_\_\_

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Evaluator Comments: \_\_\_\_\_ Date: \_\_\_\_\_

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Teacher Comments: \_\_\_\_\_ Date: \_\_\_\_\_

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Evaluator Comments: \_\_\_\_\_ Date: \_\_\_\_\_

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Teacher Comments: Date: \_\_\_\_\_

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Evaluator Comments: Date: \_\_\_\_\_

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Teacher Comments: Date: \_\_\_\_\_

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**Recommendations for results of TIP**

The Teacher has met the performance goals identified through the TIP. \_\_\_\_\_

The Teacher has not met the performance goals. \_\_\_\_\_

Next Steps: (if goals not met)

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Evaluator's Signature \_\_\_\_\_ Date: \_\_\_\_\_

Teacher's Signature \_\_\_\_\_ Date: \_\_\_\_\_

Teacher's signature does not constitute agreement but merely signifies he/she has examined and discussed the materials with his/her evaluator. Teachers shall have the right to insert written explanation or response to written feedback of the evaluator within 10 days, which may be considered during the Appeals process.

## **Appendix H**

# **School Leader Evaluation**

# School Leader Evaluation

## Proposed Model for Independent Charter Schools

Compliant with NYS Education Law 3012-c

Prepared by CEI-PEA

As of June 20, 2012

### Overall HEDI Score

Under NYS education law 3012-c, the State has established scoring ranges (scoring bands) for an overall composite rating of each teacher as "Highly Effective," "Effective," "Developing," or "Ineffective." Known as the HEDI rating system, the overall score ranges have been set by State as listed below. The HEDI rating system for each subcomponent is correlated to the State's overall ranges in order to ensure alignment throughout all elements of a teacher's evaluation.

2011-2012 and 2012-2013 where No Value-added Growth Measure	Overall Composite Score
Highly Effective	91-100
Effective	75-90
Developing	65-74
Ineffective	0-64

### Sub-Component Point Assignments

Total Points	What is Measured
20	<b>STUDENT GROWTH – SCHOOL-WIDE</b>
20	<b>STUDENT ATTAINMENT – SCHOOL-WIDE</b>
60	<p><b>ASSESSMENT OF PRINCIPAL LEADERSHIP AND MANAGEMENT</b></p> <p><b>In-School Reviews of Leadership (35 points)</b></p> <ul style="list-style-type: none"> <li>- <u>Two announced observations conducted by a trained, independent observer</u> who will use rubrics developed by CEI-PEA that have been reviewed and approved by national experts in school leader evaluation.                             <ul style="list-style-type: none"> <li>o One observation will focus on implementation of Danielson Framework for Teaching.</li> <li>o The other observation will focus on leadership at a group meeting.</li> </ul> </li> <li>- At least <u>one unannounced visit conducted by a Board Member</u> ("supervisor") who will produce a narrative summary of his/her visit to be included as part of the data for the Summative Assessment (see below).</li> <li>- Points allocated to <u>Summative Assessment</u> conducted in Spring by supervisor in consultation with the school leader, using (at a minimum) data from above listed in-school reviews. The independent observer will help facilitate the Summative Assessment conference.</li> </ul> <p><b>Survey of Leadership (25 points)</b></p> <ul style="list-style-type: none"> <li>- Uses Val-ED, an independently-administered survey to assess school leader's performance.</li> <li>- Includes self-assessment by the school leader and blind survey of teachers and the school leader's supervisor.</li> <li>- Scoring correlated to national representative sample.</li> <li>- Points allocated to <u>Overall Mean Score</u>.</li> </ul>
<b>100</b>	<b>TOTAL POINTS</b>

# Student Growth – School-Wide

## 20 points

### Student Growth – School Wide

**Student Achievement Data Source:** Growth data for all grades and students served in the school.

**Growth Targets:** As part of their teacher evaluation, every teacher in the school must establish Classroom/Cohort Growth targets that account for the growth of each individual student on either NYS Assessments or approved third-party assessments that are correlated to Student Learning Outcome (SLO) targets. School-wide growth will be taken as the aggregate of all growth targets through the following equation:

$$\frac{(\text{TOTAL \# OF STUDENTS* THAT MEET OR EXCEED THEIR GROWTH TARGET})}{(\text{TOTAL NUMBER OF STUDENTS TESTED})} \times 100 = \frac{\% \text{ OF STUDENTS THAT ACHIEVED THEIR GROWTH TARGET}}{100}$$

*\*Note that "total # of students" is equivalent to the total number of student growth targets across all grade levels and subject areas, not individual students. For example, a student may be assessed multiple times (Math, ELA, science, social studies, etc.). The "student" total corresponds with the number of growth targets, not the individual person.*

**HEDI Score:** The % of students that meet their growth targets is assigned to a 0-20 score on the HEDI scale (see below), which in turn corresponds to one of four categories—Highly Effective, Effective, Developing or Ineffective.

<p><b>Highly Effective:</b> 86-100% of students meet their Growth Target.</p> <p><b>Effective:</b> 49% -85% of students meet their Growth Target</p> <p><b>Developing:</b> 15% - 44% of students meet their Growth Target.</p> <p><b>Ineffective:</b> 14% or less of students meet their Growth Target.</p>																				
HIGHLY EFFECTIVE			EFFECTIVE									DEVELOPING					INEFFECTIVE			
20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	0
95-100%	90-94%	86-89%	85%	80-84%	75-79%	70-74%	65-69%	60-64%	55-59%	50-54%	45-49%	40-44%	35-39%	30-34%	25-29%	20-24%	15-19%	10-14%	5-9%	0-4%

# Student Attainment – School Wide

## 20 points

### School Leader for Grades K - 6

Student Achievement Data Source: NYS Assessments for Math and ELA (grades 3-6).

% Determination Method:

$$\frac{(\text{TOTAL \# OF STUDENTS (3-6) SCORING AT OR ABOVE LEVEL 3}}{\text{TOTAL NUMBER OF STUDENTS (3-6) TESTED}} \times 100 = \% \text{ OF STUDENTS AT OR ABOVE GRADE LEVEL}$$

**HEDI Score:** The % of students that achieve at or above level 3 on State Assessments is assigned to a 0-20 score on the HEDI scale (see below), which in turn corresponds to one of four categories—Highly Effective, Effective, Developing or Ineffective.

<p><b>Highly Effective:</b> 86-100% of students achieve at or above level 3 on State Assessments.</p> <p><b>Effective:</b> 49% -85% of students achieve at or above level 3 on State Assessments</p> <p><b>Developing:</b> 15% - 44% of students achieve at or above level 3 on State Assessments.</p> <p><b>Ineffective:</b> 14% or less of students achieve at or above level 3 on State Assessments.</p>																				
HIGHLY EFFECTIVE			EFFECTIVE									DEVELOPING					INEFFECTIVE			
20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	0
95-100%	90-94%	86-89%	85%	80-84%	75-79%	70-74%	65-69%	60-64%	55-59%	50-54%	45-49%	40-44%	35-39%	30-34%	25-29%	20-24%	15-19%	10-14%	5-9%	0-4%

# Assessment of Principal Leadership & Management

## 60 points

### IN-SCHOOL REVIEWS OF LEADERSHIP (35 points)

- Two announced observations conducted by a trained, independent observer who will use rubrics developed by CEI-PEA that have been reviewed and approved by national experts in school leader evaluation.
  - o One observation will focus on implementation of Danielson Framework for Teaching.
  - o The other observation will focus on leadership at a group meeting.
- At least one unannounced visit conducted by a Board Member (“supervisor”) who will produce a narrative summary of his/her visit to be included as part of the data for the Summative Assessment (see below).
- Points allocated to Summative Assessment conducted in Spring by supervisor in consultation with the school leader, using (at a minimum) data from above listed in-school reviews. The independent observer will help facilitate the Summative Assessment conference.

### Observation on Danielson Implementation

**Data Source:** Scores from observation rubric. The rubric assesses the school leader’s ability to effectively implement the Danielson Framework in the areas listed in the table below. For each area, the school leader is given “Quality Points” based on their assessed level (0-3). The Quality Points are totaled (0-24) and then converted to HEDI points that area aligned with the overall composite scoring bands established by the NYSED.

Area of Assessment	Below Basic	Basic	Proficient	Distinguished	QUALITY POINTS
Knowledge of Evaluation Process	0	1	2	3	0-3
Support for Sustainable Improvements	0	1	2	3	0-3
Fostering of Instructional Excellence	0	1	2	3	0-3
Respect and Rapport with Teachers	0	1	2	3	0-3
Establishment of Teacher Accountability	0	1	2	3	0-3
Goal Setting for Performance Improvement	0	1	2	3	0-3
Communication of Evaluation Purpose and Procedures	0	1	2	3	0-3
Improvement Plan Development	0	1	2	3	0-3
<b>TOTAL QUALITY POINTS</b>					<b>0-24</b>

**For formative assessment purposes only,** the Quality Points convert to the following ranges:

**Highly Effective** – 22-24 Quality Points

**Effective** – 18-21 Quality Points

**Developing** – 16-17 Quality Points

**Ineffective** – 15 or less Quality Points.

## Observation of Leading a Group Meeting

**Data Source:** Scores from observation rubric. The rubric assesses the school leader's ability to effectively lead a meeting based on the areas listed below. For each area, the school leader is given "Quality Points" based on their assessed level (0-3). The Quality Points are totaled (0-30) and then converted to HEDI points that area aligned with the overall composite scoring bands established by the NYSED.

Area of Assessment	Below Basic	Basic	Proficient	Distinguished	QUALITY POINTS
Agenda	0	1	2	3	0-3
Purpose	0	1	2	3	0-3
Leadership Tools	0	1	2	3	0-3
Leadership Confidence	0	1	2	3	0-3
Ability to Listen	0	1	2	3	0-3
Respect	0	1	2	3	0-3
Team Building/Team Process	0	1	2	3	0-3
Problem Solving	0	1	2	3	0-3
Written Communication	0	1	2	3	0-3
Oral Presentation	0	1	2	3	0-3
<b>TOTAL QUALITY POINTS</b>					<b>0-30</b>

**For formative assessment purposes only**, the Quality Points convert to the following ranges:

**Highly Effective** – 27-30 Quality Points

**Effective** – 23-26 Quality Points

**Developing** – 19-22 Quality Points

**Ineffective** – 21 or less Quality Points.

## Unannounced School Visit(s)

**Data Source:** At least one unannounced school visit will be conducted by a member of the school's Board of Trustees who is trained by CEI-PEA to effectively conduct a school visit. He or she will then prepare a narrative summary of his/her visit to be included as part of the data for the Summative Assessment (see next page).

# SUMMATIVE ASSESSMENT

## In-School Reviews of Leadership (35 points)

**Data Source:** Evidence and data collected through (at a minimum) the two observations and one school visit described above.

**Process:** In Spring of each year, the school leader will conference with his/her supervisor to review all evidence and establish a Summative Assessment by scoring the school leader in the Key Components of school leadership, as defined by Val-ED (Vanderbilt Assessment of Leadership in Education), which is one of the NYSED approved principal practice rubrics (see: <http://usny.nysed.gov/rttt/teachers-leaders/practicerrubrics/>). The independent observer will help facilitate the Summative Assessment conference. The school leader will be scored at one of four levels, which correspond to a numerical value: Highly Effective (3), Effective (2), Developing (1) or Ineffective (0). The school leader is provided with a "Quality Point" score within each Component, which is converted to a HEDI score within the standard. Based upon a weighting system listed below, an overall HEDI score will be calculated for this sub-component.

### 1. High Standards for Student Learning.

Functions	Ineffective	Developing	Effective	Highly Effective	QUALITY POINTS
Plans targets of faculty performance that emphasize improvement in student learning	0	1	2	3	0-3
Creates expectations that faculty maintain high standards for student learning.	0	1	2	3	0-3
Encourages students to successfully achieve rigorous goals for student learning	0	1	2	3	0-3
Challenges low expectations for special needs students.	0	1	2	3	0-3
Communicates with families and the community about goals for rigorous student learning	0	1	2	3	0-3
Monitors student learning against high standards of achievement	0	1	2	3	0-3
<b>SUB-TOTAL QUALITY POINTS</b>					<b>0-18</b>

### 2. Rigorous Curriculum

Functions	Ineffective	Developing	Effective	Highly Effective	QUALITY POINTS
Develops a rigorous curriculum for all students	0	1	2	3	0-3
Implements a rigorous curriculum in all classes	0	1	2	3	0-3
Supports teachers to teach a curriculum consistent with state and national content standards	0	1	2	3	0-3
Advocates a rigorous curriculum that honors the diversity of students and their families	0	1	2	3	0-3
Discusses the importance of addressing the same academic content in special and regular programs	0	1	2	3	0-3
Evaluates the rigor of the curriculum	0	1	2	3	0-3
<b>SUB-TOTAL QUALITY POINTS</b>					<b>0-18</b>

### 3. Quality Instruction

Functions	Ineffective	Developing	Effective	Highly Effective	QUALITY POINTS
Plans a schedule that enables quality instruction	0	1	2	3	0-3
Coordinates efforts to improve instruction in all classes	0	1	2	3	0-3
Supports collaboration among faculty to improve instruction that maximizes student learning	0	1	2	3	0-3
Advocates opportunities for high quality instruction beyond the regular school day and year	0	1	2	3	0-3
Discusses instructional practices during faculty meetings	0	1	2	3	0-3
Evaluates teachers' instructional practices	0	1	2	3	0-3
<b>SUB-TOTAL QUALITY POINTS</b>					<b>0-18</b>

### 4. Culture of Learning & Professional Behavior

Functions	Ineffective	Developing	Effective	Highly Effective	QUALITY POINTS
Plans a positive environment in which student learning is the central focus	0	1	2	3	0-3
Builds a culture that honors academic achievement	0	1	2	3	0-3
Allocates resources to build a culture focused on student learning	0	1	2	3	0-3
Advocates a culture of learning that respects diversity of students	0	1	2	3	0-3
Discusses standards of professional behavior with faculty	0	1	2	3	0-3
Assesses the culture of the school from students' perspectives	0	1	2	3	0-3
<b>SUB-TOTAL QUALITY POINTS</b>					<b>0-18</b>

### 5. Connections to External Communities

Functions	Ineffective	Developing	Effective	Highly Effective	QUALITY POINTS
Develops a plan for community outreach programs consistent with instructional goals	0	1	2	3	0-3
Implements programs to help address community needs	0	1	2	3	0-3
Allocates resources that build family and community partnerships to advance student learning	0	1	2	3	0-3
Promotes mechanisms for reaching families who are least comfortable at school	0	1	2	3	0-3
Listens to feedback from the community	0	1	2	3	0-3
Uses data on parent involvement in teacher evaluations	0	1	2	3	0-3
<b>SUB-TOTAL QUALITY POINTS</b>					<b>0-18</b>

### 6. Performance Accountability

Functions	Ineffective	Developing	Effective	Highly Effective	QUALITY POINTS
Develops a plan for individual and collective accountability among faculty for student learning	0	1	2	3	0-3
Uses faculty input to create methods to hold faculty accountable	0	2	2	3	0-3
Allocates time to evaluate student learning	0	1	2	3	0-3
Challenges faculty who blame others for student failure	0	1	2	3	0-3
Communicates to faculty how accountability results will be used for school improvement	0	1	2	3	0-3
Analyzes the influence of faculty evaluations on the rigor of the curriculum	0	1	2	3	0-3
<b>SUB-TOTAL QUALITY POINTS</b>					<b>0-18</b>

## Total Quality Points

Add up the quality points from each Component to arrive at the total Quality Points.

<b>Component</b>	<b>QUALITY POINTS</b>
1. High Standards for Student Learning	0-18
2. Rigorous Curriculum	0-18
3. Quality Instruction	0-18
4. Culture of Learning & Professional Behavior	0-18
5. Connections to External Communities	0-18
6. Performance Accountability	0-18
<b>TOTAL QUALITY POINTS</b>	<b>0-108</b>

## From Quality Points → HEDI Score

On the following page, locate the total Quality Point figure in the left column. The corresponding HEDI score is immediately to the right of that figure. The color bands indicate the ranges of Highly Effective, Effective, Developing and Ineffective.

**SUMMATIVE ASSESSMENT**  
From Quality Points → HEDI Score

	QUALITY POINTS	HEDI SCORE
<b>HIGHLY EFFECTIVE</b>	108	35.0
	107	34.7
	106	34.4
	105	34.0
	104	33.7
	103	33.4
	102	33.1
	101	32.7
	100	32.4
	99	32.1
<b>EFFECTIVE</b>	98	31.8
	97	31.4
	96	31.1
	95	30.8
	94	30.5
	93	30.1
	92	29.8
	91	29.5
	90	29.2
	89	28.8
	88	28.5
	87	28.2
	86	27.9
	85	27.5
	84	27.2
<b>DEVELOPING</b>	83	26.9
	82	26.6
	81	26.3
	80	25.9
	79	25.6
	78	25.3
	77	25.0
	76	24.6
	75	24.3
	74	24.0
73	23.7	
72	23.3	
71	23.0	
70	22.7	

	QUALITY POINTS	HEDI SCORE
<b>INEFFECTIVE</b>	69	22.4
	68	22.0
	66	21.4
	65	21.1
	64	20.7
	63	20.4
	62	20.1
	61	19.8
	60	19.4
	59	19.1
	58	18.8
	57	18.5
	56	18.1
	55	17.8
	54	17.5
	53	17.2
	52	16.9
	51	16.5
	50	16.2
	49	15.9
	48	15.6
	47	15.2
	46	14.9
	45	14.6
	43	13.9
42	13.6	
41	13.3	
40	13.0	
	35-39	11.3
	30-34	9.7
	25-29	8.1
	20-24	6.5
	15-19	4.9
	10-14	3.2
	5-9	1.6
	0-4	0.0

## Val-Ed Survey (25 points)

**Data Source:** VAL-ED (Vanderbilt Assessment of Leadership in Education)

**Process:** The VAL-ED assessment includes a principal self-assessment and survey of teachers and supervisors (Board members). Data from VAL-ED is designed to provide a summary of effectiveness of a principal's learning-centered leadership behaviors during the current school year.

VAL-ED provides a total score across all respondents as well as separately by respondent group. The scores from the teachers are based on the average across all teacher respondents. The total score, core component, and key process effectiveness ratings are interpreted against a national representative sample that included principals, supervisors, and teachers, providing a percentile rank. The results are also interpreted against a set of performance standards ranging from Below Basic to Distinguished. The scores associated with performance levels were determined by a national panel of principals, supervisors and teachers.

For the purposes of the APPR, the principal's overall Mean Score from all of the six core components and six key processes will be used to determine his or her HEDI score. These components and processes are:

Key Components	Key Processes
High Standards for Student Learning Rigorous Curriculum Quality Instruction Culture of Learning & Professional Behavior Connections to External Communities Performance Accountability	Planning Implementing Supporting Advocating Communicating Monitoring

**HEDI Score:** VAL-ED provides an overall Mean Score on a 5-point scale of 1=Ineffective; 2=Minimally Effective; 3=Satisfactorily Effective; 4=Highly Effective; 5=Outstandingly Effective. The overall Mean Score will then be aligned with one of the four HEDI categories—Highly Effective, Effective, Developing or Ineffective—using the chart below (0-29 points). The cut-offs are based upon a national field trial conducted by Discovery Education that included 300 principals and resulted in 17% of principals at the Ineffective level, 33% at the Developing level, 36% at the Proficient level, and 14% at the Highly Effective level.

	HIGHLY EFFECTIVE			EFFECTIVE					DEVELOPING		
HEDI	25	24	23	22.5	22	21	20	19	18.5	17	16
Mean Score	4.8-5	4.4-4.7	4-4.3	3.99	3.9	3.8	3.7	3.6	3.59	3.4	3.3

	INEFFECTIVE														
HEDI	15.9	15.5	15	14.5	14	13.5	13	12.5	12	11.5	11	10.5	10	5	0
Mean Score	3.2	3.1	3	2.9	2.8	2.7	2.6	2.5	2.4	2.3	2.2	2.1	2	1.5-1.9	0-1.4

## **Appendix H**

# **Letters of Support**



August 10, 2012

Mr. Cliff Chaung  
Director  
NYSED Charter School Office  
89 Washington Avenue, Room 471  
EBA Albany, New York 12234

Dear Mr. Chaung,

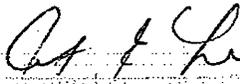
As Executive Director of Leadership Buffalo, I would like to confirm that my organization is interested in establishing a partnership with COMMUNITY Charter School, serving as a resource to fill vacancies on the charter's Board of Trustees.

Leadership Buffalo, Inc. is a non-profit organization that was founded in 1987 with one mission: to unite existing and emerging leaders from diverse backgrounds and perspectives in order to increase their knowledge of community issues, broaden their vision and enhance their ability to lead. Over 2000 graduates of Leadership Buffalo, who represent the large corporate, small entrepreneurial businesses, government, education, and not-for-profit sectors, strive to bring positive change to WNY by working with area leaders and organizations to identify the critical issues facing our community and develop action plans for strategic, positive change.

Education is so critical to the well-being and success of a community. Establishing a partnership with COMMUNITY Charter School is consistent with our mission and allows our members to be the catalyst of making a better Buffalo.

Leadership Buffalo in partnership with The Community Foundation of Greater Buffalo, the John R. Oishei Foundation, The United Way of Buffalo and Erie County, and the NYS Charities Bureau Chief of the Governor's office, are working on a pilot program to provide state wide board training with Buffalo and Western New York being the first of two areas to launch. This new initiative will allow us the ability to provide quality board members to the COMMUNITY Charter School.

Regards,



Althea E. Luehrsen  
Executive Director

Programs of Leadership Buffalo:

LEADERSHIP BUFFALO CLASS EXPERIENCE ★ YOUTH LEADERSHIP ERIE COUNTY ★ RISING LEADERS  
EXPERIENCE BUFFALO ★ LB COMMUNITY FACILITATION TEAM

237 MAIN STREET SUITE 1500 BUFFALO, NY 14203-2720 PHONE 716.849.2626 FAX 716.843.8683

lb@leadershipbuffalo.org www.leadershipbuffalo.org



**Common Council**  
CITY OF BUFFALO  
OFFICE OF PRESIDENT PRO TEMPORE

**BONNIE E. RUSSELL**  
PRESIDENT PRO TEMPORE  
UNIVERSITY DISTRICT COUNCIL MEMBER  
65 NIAGARA SQUARE, 1508 CITY HALL  
BUFFALO, NY 14202-3318  
PHONE: (716) 851-5165 • FAX: (716) 851-4580  
E-mail: [brussell@city-buffalo.com](mailto:brussell@city-buffalo.com)  
Website: <http://www.city-buffalo.com>

August 13, 2012

Cliff Chaung, Director  
NYSED Charter School Office  
89 Washington Avenue, Room 471  
EBA Albany, New York 12234

Dear Mr. Chaung,

It has come to my attention that Community Charter School is submitting a request to the New York State Education Department to renew its charter. As the University District Councilmember, I am writing to express my support for its request for renewal.

Over the past 10 years, I have seen the significant impact made by Community Charter School in the Buffalo and Western New York Communities. The school has provided families with a positive alternative to traditional public schools. It has created a nurturing environment where students are challenged academically and personally to meet their potential. In particular, the school's asset development model has provided a framework that encourages both personal excellence and family and community involvement.

Community Charter School is an established mainstay in the community. Its large enrollment demonstrates that parents support the school and understand the benefits the school provides to its students. I believe that maintaining the school will contribute greatly to the educational development of its students and the stability of its neighborhood. I therefore strongly support the renewal of the charter and implementation of its proposed academic improvement model.

Again, I urge you to approve Community Charter School's charter renewal request. Thank you.

Very truly yours,

*Bonnie E. Russell* <sup>(m)</sup>

Bonnie E. Russell  
President Pro Tempore  
University District Council

BER/mel

*"United for University"*

CHAIR  
CIVIL SERVICE

COMMITTEES  
CLAIMS  
FINANCE  
LEGISLATION  
RULES

SPECIAL COMMITTEES  
MINORITY BUSINESS ENTERPRISE  
POLICE OVERSIGHT  
TRANSPORTATION

MEMBER  
BUFFALO URBAN RENEWAL AGENCY

SENIOR LEGISLATIVE ASSISTANT  
SANDRA D. MUNSON

LEGISLATIVE ASSISTANT  
MARY ELIZABETH LAMPARELLI

**GREAT FUTURES START HERE.**

August 10, 2012

Cliff Chaung, Director  
NYSED Charter School Office  
89 Washington Avenue, Room 471  
EBA Albany, New York 12234

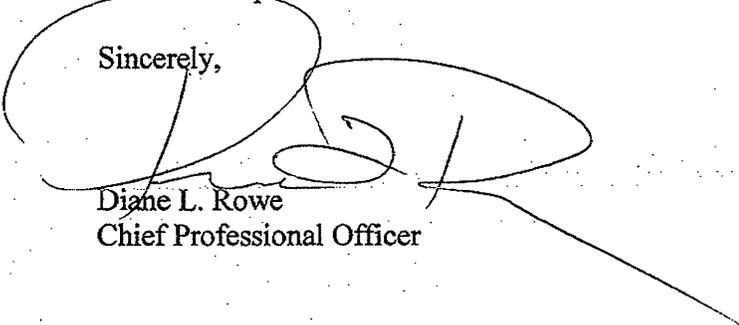
Dear Mr. Chaung,

Over the past 10 years, I have seen the significant impact made by COMMUNITY Charter School in the Buffalo and Western New York Communities. The school has provided families with a positive alternative to traditional public schools. It has created a nurturing environment where students are challenged academically and personally to meet their potential. In particular, the school's asset development model has provided a framework that encourages both personal excellence and family and community involvement.

The Boys & Girls Clubs of Buffalo has had a long term relationship with COMMUNITY Charter School. We have been their afterschool provider for the past 6 years. During this time we have been able to work collaboratively with the school to provide positive afterschool programming to hundreds of youth. Specifically over the last two years, we have been expanding our partnership to allow the Boys & Girls Clubs of Buffalo to provide more educational support that is consistent with the activities taking place during the school day. We look forward to continuing our partnership in the school and are willing to have our Chief Operating Officer serve on the advisory board.

COMMUNITY Charter School is an established mainstay in the community. Its large enrollment demonstrates that parents support the school and understand the benefits the school provides to its students. I believe that maintaining the school will contribute greatly to the educational development of its students and the stability of its neighborhood. I therefore strongly support the renewal of the charter and implementation of its proposed academic improvement model.

Sincerely,

  
Diane L. Rowe  
Chief Professional Officer



**BOYS & GIRLS CLUBS  
OF BUFFALO**

**Boys & Girls Clubs  
of Buffalo**  
282 Babcock St.  
Buffalo, NY 14210  
Tel (716) 825-1016  
Fax (716) 825-0243  
www.bgcbuffalo.org

**Officers**

George Collins Jr. Esq.  
*Chief Volunteer Officer*

Thomas Rybarczyk  
*Treasurer*

Robert Fluskey, Esq.

*Secretary*

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Peter Savarino  
Patricia Zimmerman

*Chief Professional Officer*  
Diane L. Rowe

*Emeritus Member*  
Gregory Dearlove





8/14/12

**COMMUNITY Charter School Instructional Staff Association**

Stacy Conti  
29 Lucy Lane  
Cheektowaga, NY 14225  
"Committed to COMMUNITY"

Dear Mr. Chaung,

I am writing this letter on behalf of the association and instructional staff at COMMUNITY Charter School. We are in receipt of your site visit report as well as additional phone conference citations and find it extremely important to express to you our interest in the life of our school.

COMMUNITY means we all work together, COMMUNITY means we are all committed and 100% invested in doing everything we can for our students and school. I have been a member of our COMMUNITY since the 2007-2008 school year. During the 2011-2012 school year, I have been a part of a remarkable change. In the past our main fault was the lack of leadership, we were working as individual entities. Starting in the middle of the 2011-2012 school year the necessary changes were made to ensure our school was being led by a strong administrative team. The changes in leadership have made a dramatic impact on the climate and well being of our school. I am confident that given the time needed to show growth and change COMMUNITY will shine.

The association is aware of the changes that currently are and must take place at COMMUNITY Charter School. We, as an association, are willing to do anything it takes to help make our students and school a success. We hold ourselves accountable for our student achievement and know that our dedication will yield positive results.

Thank you for your time and attention to this critical matter. Please do not hesitate to contact me at (716) 860-4154 or [pfal6135@yahoo.com](mailto:pfal6135@yahoo.com) if you have any questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "Stacy Conti".

Stacy Conti  
Association President

Mary c. Carroll  
154 Deumant Terrace  
Tonawanda, New York 14223

August 14, 2012

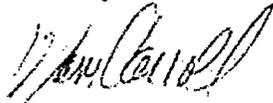
Cliff Chaung, Director  
NYSED Charter School Office  
89 Washington Street  
EBA Albany, New York 12234

Dear Mr. Chaung,

As a founding member of C.O.M.M.U.I.T.Y. Charter School I was disheartened to see the school stray from its original Charter design for Asset Development. The changes that are currently stated in the renewal document will help return the school to the original goals of creating a positive climate, which requires a commitment of staff, the board of trustees and our families to raise each student's assets to reach the level that will ensure both academic and personal success.

The current administration and the supporting organizational assistance from the Center for Educational Innovation – Public Education Association will I feel, re-establish our school as the anchor for the families of the Kensington Bailey community.

Sincerely,



Mary Carroll



# BOY SCOUTS OF AMERICA

Greater Niagara Frontier Council

Greater Niagara Frontier Council, Boy Scouts of America  
2860 Genesee St  
Buffalo NY, 14225

Mr. Cliff Chaung  
NYSED Charter School Office  
89 Washington Avenue, Room 471  
EBA Albany, New York 12234

Dear Mr. Chaung,

My name is Greg Voyzey, and I am the District Executive that coordinates the Cub Scout program in Community Charter School. I am writing to you today in support of Community Charter School's Charter Renewal. The Greater Niagara Frontier Council has had the opportunity to work with the school for the past five years and have a successful Cub Scout program present. During the school year, the Cub Scout pack meets once a week after school so students have the opportunity to participate in the program that helps prepare young people for everyday life. During the course of the year, the Scouts will learn about leadership, the nuclear family, teamwork, and participate in aspects of the program such as wearing a full uniform, building pinewood derby race cars, work on advancement, and go camping.

The faculty and staff have been supportive of the program in various ways. From helping promote the Scouting program in their homeroom to helping out at meetings, the faculty and staff play an important role to help make sure that the Scouting program continues. This past summer alone, Mr. Andrew Prinzing, Assistant Principal of Student Development, took time out of his own schedule to volunteer and go camping with the Scouts at Camp Scouthaven. The boys were able to spend four days and three nights out of the city and get to participate in fun activities such as mountain biking, archery, obstacle challenge course, fishing, and boating. If it was not for the support of the school, sending Scouts to summer camp this year would not be possible.

I thank you for taking the time to read my letter of affirmation for Community Charter School's renewal. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Greg Voyzey

District Executive  
716-512-6209  
Greg.voyzey@scouting.org

2860 Genesee Street  
Buffalo, NY 14225-3131  
Phone 716-891-4073  
Fax 716-891-4008  
www.wnyscouting.org

Prepared. For Life.™



# CITY OF



# BUFFALO

## Certificate of Occupancy

Certificate No. 12606

In accordance with appropriate laws of the State of New York and/or the Ordinances of the City of Buffalo the structure(s) located at 404 EDISON Buffalo, New York, having been inspected and found to conform substantially to applicable laws, ordinances, rules or regulations, said structure(s) is hereby certified for occupancy. This certificate is issued subject to the limitations herein specified and is valid until revoked unless automatically voided by the conditions set forth on the reverse side of this certificate.

Date issued: 08/26/2003

*Ray H. ...*

Commissioner of Permit and Inspection Services

Total Occupancy: SCHOOL

No. Units: 1

No. Stories: 2

No. Rooms: 10

Building Type: 2B

Zoning Use Dist: R-2

Smoke Detectors: 10

Construction: NON-COMBUST

Class: C5

Application Codes:

MDL Law: N

City Ordinance: Y

Zoning Ordinance: Y

NY SUBC: N

Other: N

Permit No. 12606

Permit Date: 08/26/2003

Receipt No. 404908

Date Inspected: 08/26/2003

Inspector:

ROBERT FELSCHOW

### Building Usage

Story:  
BASEMENT  
1ST FLOOR  
2ND FLOOR

Use:  
UTILITIES  
CLASSROOMS, CLINIC, OFFICES, ASSEMBLY & LUNCH ROOM  
CLASSROOMS

SEE REVERSE SIDE

**PART III – CERTIFICATIONS**

appropriate section to be completed and signed by each person as identified below.

**Section III-A. Local Municipal Code Enforcement Official**

This inspector shall enter below the name, full business mailing address and phone number of the local municipal code enforcement official having jurisdiction over this facility.

Name: SAMUEL C. MADRUSO  
Address: 36 NORTH BEAVER ST  
City/State DUNKIRK Zip Code [REDACTED] (26A-4)

**Section III-B. Fire Safety Inspector**

I hereby certify that I inspected this building on 12/6/11 (date) and the information noted in this Fire Safety Report represents, to the best of my knowledge and belief, an accurate description of the building and conditions observed.

Name: SAMUEL C. MADRUSO Telephone No.: (716) 366-5045  
(Please Print) (Include Area Code)  
Title: CODE ENFORCEMENT OFFICER  
Address: 36 NORTH BEAVER ST. Signature: [Signature] (26B-4)  
DUNKIRK 14048  
Zip Code

**Section III-C. Building Administrator, or Designee**

I hereby certify that this building was inspected 12/6/11 (date) as indicated in Section A above.

Name: Carol A. Smith Telephone No.: (716) 833-5967  
(Please Print) (Include Area Code)  
Title: Principal  
Address: 404 Edison Avenue  
Buffalo, Ny 14215 Signature: [Signature] (26C-4)  
Zip Code

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# COUNTY OF ERIE



## HEALTH DEPARTMENT PERMIT

---

The person or corporation hereinafter named is hereby granted permission to conduct the business of a(n) Food Service Establishment at the address stated below.

This permit is issued on the express condition that the permittee conducting said business will comply with any and all applicable State, Local, and Municipal Laws, Ordinances, Codes, Rules and Regulations and may be revoked or suspended by the Commissioner of Health of the County of Erie for any failure on the part of the permittee to meet such legal requirements.

This permit No. 14147801 expires on 08/31/2013 unless suspended or revoked.

Community Charter School  
404 Edison Avenue  
Buffalo NY 14215

Gale R Burstein, MD, MPH  
Commissioner of Health

OWNER/OPERATOR:  
Community Charter School

OPERATION(S):  
Over 50 seats

PERMIT CONDITION(S):

---

**THIS PERMIT IS NOT TRANSFERABLE AND MUST BE POSTED IN A CONSPICUOUS PLACE.**

---

## Appendix L – Up-to-Date Flammable Compounds and Liquids Certification

Not Applicable



# CERTIFICATE OF LIABILITY INSURANCE

COMMU-3

OP ID: BS

DATE (MM/DD/YYYY)  
08/14/12

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

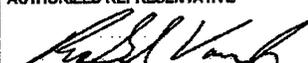
<b>PRODUCER</b> <b>Vanner Insurance Agency</b> <b>11 Pinchot Court, Suite 100</b> <b>Amherst, NY 14228</b> <b>Jason N Reid</b>	<b>716-688-8888</b> <b>716-688-9001</b>	<b>CONTACT NAME:</b> <b>PHONE (A/C, No, Ext):</b> <b>E-MAIL ADDRESS:</b>	<b>FAX (A/C, No):</b>
	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURED</b> <b>Community Charter School</b> <b>404 Edison Ave</b> <b>Buffalo, NY 14215</b>	<b>INSURER A: Philadelphia Indemnity Ins Co</b>		<b>18058</b>
	<b>INSURER B:</b>		
	<b>INSURER C:</b>		
	<b>INSURER D:</b>		
	<b>INSURER E:</b>		
	<b>INSURER F:</b>		

**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			PHPK887606	07/01/12	07/01/13	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Emp Ben. \$ 1/2
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
A	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS			PHPK887606	07/01/12	07/01/13	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS						
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE			PHUB388133	07/01/12	07/01/13	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
	<input checked="" type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000						
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

<b>CERTIFICATE HOLDER</b>  <b>PROOF OF COVERAGE</b>	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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# EVIDENCE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)  
08/14/2012

THIS EVIDENCE OF PROPERTY INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE ADDITIONAL INTEREST NAMED BELOW. THIS EVIDENCE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS EVIDENCE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE ADDITIONAL INTEREST.

AGENCY <b>Vanner Insurance Agency</b> 11 Pinchot Court, Suite 100 Amherst, NY 14228 Jason N Reid		PHONE (A/C, No, Ext): <b>716-688-8888</b>		COMPANY <b>Philadelphia Indemnity Ins Co</b> One Bala Plaza, Suite 100 Cynwyd, PA 19004	
FAX (A/C, No): <b>716-688-9001</b>		E-MAIL ADDRESS: <b>info@vannerinsurance.com</b>			
CODE:		SUB CODE:			
AGENCY CUSTOMER ID #: <b>COMMU-3</b>		LOAN NUMBER		POLICY NUMBER <b>PHPK887506</b>	
INSURED <b>Community Charter School</b> 404 Edison Ave Buffalo, NY 14215		EFFECTIVE DATE <b>07/01/12</b>	EXPIRATION DATE <b>07/01/13</b>	<input type="checkbox"/> CONTINUED UNTIL TERMINATED IF CHECKED	
THIS REPLACES PRIOR EVIDENCE DATED:					

### PROPERTY INFORMATION

LOCATION/DESCRIPTION <b>404 Edison Ave</b> <b>Buffalo, NY 14215</b>	<b>School</b>
---	---------------

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EVIDENCE OF PROPERTY INSURANCE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

### COVERAGE INFORMATION

COVERAGE / PERILS / FORMS	AMOUNT OF INSURANCE	DEDUCTIBLE
Premise 1 Building 1	4067000	1000
BUILDING	2448759	72
BI W/EE	1740000	1000
BUS PERS PROP	7819506	50000
EARTHQUAKE	7819506	25000
Flood		
SEE REMARKS		

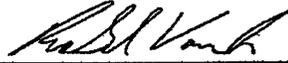
### REMARKS (Including Special Conditions)

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### CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

### ADDITIONAL INTEREST

NAME AND ADDRESS	<input type="checkbox"/> MORTGAGEE	<input type="checkbox"/> ADDITIONAL INSURED
	<input type="checkbox"/> LOSS PAYEE	
LOAN #		
AUTHORIZED REPRESENTATIVE 		

## CERTIFICATE OF COMPLETION

Re: Asbestos Abatement/Encapsulation at 404 Edison Buffalo, NY

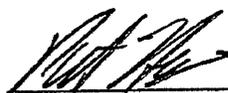
On July 18-19, 2003, FiberTech Environmental Services, Inc. performed an asbestos abatement project at the above referenced site location. The project consisted of the following:

- Removal of approximately 200 SF of Boiler Insulation
- Removal of approximately 120 LF of Pipe Insulation
- Removal of approximately 110 SF of Ceiling Tile

The asbestos was isolated from adjacent areas within critical barriers of 6-mil polyethylene sheeting secured with duct tape. The insulation was removed by the glove-bag procedure under wet conditions and HEPA negative air filtration. All material was placed in double, labeled 6-mil polyethylene bags, transported to and disposed of at an approved asbestos landfill. Once asbestos containing building materials had been thoroughly cleaned, it was painted with a binding encapsulant in order to lock down any invisible fibers that might remain. A final air sample was collected by third party air monitoring firm and submitted to an accredited analytical laboratory to confirm and document air quality levels of <0.010 fibers/cc or lower background level whichever is greater. Copies of the final air sample report and waste disposal manifest shall be provided to you.

This project conformed to all NYSDOL, OSHA & EPA rules & regulations pertaining to the removal of asbestos containing material. If you may have any questions, please feel free to call me.

Respectfully submitted,

 7-22-03

Patrick Haynes  
Project Manager/Date

## Appendix O – Lead Paint Inspection

Not Applicable

## **Exhibit 1: Mission Statement**

### COMMUNITY Charter School Mission Statement

The mission of COMMUNITY Charter School is to improve student learning and achievement, and to meet or exceed the NYS Common Core Learning Standards. COMMUNITY Charter School is committed to providing students with the knowledge they need for academic achievement and social – emotional development. We are dedicated to providing learning opportunities for all students via individualized learning plans, data driven instruction, and communication between home and school. Utilizing the Search Institute’s Developmental Asset model, students will acquire the necessary characteristics in order to be well-rounded, productive citizens and able to adapt to an ever-changing global community.

The board voted to modify the mission statement on at the June 2012 regular board meeting. Please see the attached minutes.

The mission was revised following a review process that included the board, administrators and staff. The revision was made to align the mission statement with the school’s commitment to improving student learning in relation to the New York State Common Core Learning Standards and its focus on Asset Development and differentiated and data-driven instruction. The revision also aligns the mission statement with current instructional practices and priorities—for instance, removing mention of Project-based Learning, which has been discontinued. The new mission statement also more accurately captures the school’s renewed commitment to involving families effectively to support the academic achievement and social emotional development of our students.



404 Edison Avenue Buffalo, NY 14215  
Phone (716) 833-5967 Fax (716) 833-5985  
www.commcharter.org

**COMMUNITY Charter School  
Board of Trustees Meeting  
June 26, 2012**

**Call to Order/Roll Call:** The meeting was called to order at 4:01 pm by Board President, Carmen Iannaccone.

Board members present at Roll Call: Carmen Iannaccone, Daniel Ricigliano, and Tasha Miller

Guests: Ann Marie Wiesinger, Heather McClain, Andy Prinzing

**Proof of Public Notice:** made June 19, 2012, provided by Ann Marie Wiesinger

**Approval of Minutes:**

Approve Minutes of May 22, 2012 Board of Trustees Meeting.

**Motion** to approve the minutes of the May 22, 2012 Board of Trustees Meetings made by Dan Ricigliano, **seconded** by Tasha Miller, the motion passed without objection.

**Public Participation:** None

**Treasurer's Report:** Submitted by Dan Ricigliano with the following comments: The school's 11 month report shows that the school is under budget by \$390,000; the school is also under expenses by approximately \$400,000.

**Motion** to accept the Treasurer's Report **made** by Tasha Miller **seconded** by Carmen Iannaccone. The motion passed without objection.

**Presentations/Discussions:**

1. Annual Title/Grant Funding Report – Dr. Norm Czubaj, Grant Consultant

Dr. Czubaj met with the school's Title 1 Committee two weeks ago. Every year, the Title 1 Committee meets, and then provides an update to the School Board. Dr. Czubaj, who has written and filed the school's Title 1 & 2 grants announced that he has enjoyed

working with COMMUNITY Charter School, and that he will be retiring from consultant work next year.

The Universal Service Administration Contract (USAC) is generated through the federal government for telecommunication, internet, and technology. COMMUNITY Charter School has been very fortunate over the years. The school has spent close to half a million dollars to upgrade technology and servers with USAC funds.

The funding for 2012-2013 is already in place. The school's T1 line should be incorporated into the 2013-2014 Universal Service Contract. He recommended that the school explore how to best utilize the USAC money. Our current USAC grant covers the Contracts for 2 Title 1 Reading and 1.5 Title 1 Math teachers. There is a \$31,000 balance that will be carried over. Health Insurance for Title 1 teaches has been covered with this grant, but that could be subject to change if health insurance costs increase. Dr. Czabuj said USAC is not a clerical responsibility. Should the school hire a new person, He suggested that the new person should attend the USAC conference in Trenton, NJ. There is \$9,200 left over with Title 2 Funds. This can be used for consultant fees. For next year, the Title 1 projected funds will be \$209,000. Title 2 projected funds will be \$21,000.

There will be a federal audit of our Title 1 and Title 2 funds at some time within the next two years.

**Motion** to approve the Title I Report **made** by Dan Ricigliano **seconded** by Tasha Miller, passed without objection.

2. Textbook Series Adoption: Reading Street 2013 Common Core by Pearson – Ann Marie Wiesinger.

The Student Achievement Committee, an offshoot of the school's Instructional Leadership Team, has reviewed materials to see how they align with New York State Common Core Standards as well as meet the needs of our students. Rebecca Milne, from SAC, is here tonight. She was part of the SAC teams that reviewed the different reading programs. Mrs. Milne said that in reviewing the different programs, the team was looking for consistency among the different grade levels and for a program that would help grade level teams collaborate with the other grades. Also, it was important to find a program that could incorporate RTI interventions so our interventions would be aligned with classroom instruction. Reading Street 2013 Common Core by Pearson met all criteria.

With text book money- \$56 per child that comes from BPS, but the district gives us 80% money upfront, and then gives us another 10% in January (BPS keeps 10% for shipping and handling). The total allocation is approximately \$20,000; any additional funds for text books would have to come from our operating budget.

**Motion** to adopt Reading Street 2013 Common Core by Pearson **made** by Dan Ricigliano **seconded** by Tasha Miller. The motion passed without objection.

3. Instruction Technology Purchase – Ann Marie Wiesinger

Principal Wiesinger had sent the board a proposal for purchasing instructional technology. The quote was for purchasing seven smart boards with projection units. These are not actual Smart Boards but manufactured by PolyVision. To ensure quality, she has requested a presentation from PolyVision on Friday June 29. The price for seven units is \$15,253 without installation.

Discussion- Board Member Dan Ricigliano suggested that the school provide one Smart Board for every class, which would raise the amount ordered to 18. Board President Carmen Iannaccone suggested that school leadership makes sure that teachers use the smart boards and track data to measure the effectiveness of this technology on student learning. Hopefully this data can be provided as formative assessment, and our Metrics and PICCS Committees can use this data to demonstrate student learning as well.

**Motion** to approve the purchase of 18 smart boards with projectors **made** by Dan Ricigliano **seconded** by Tasha Miller. The motion passed without objection.

#### 4. Title I Reading Request- Ann Marie Wiesinger

The Title 1 Team created a summer reading program where students read 5 books and write a summary. This program is modeled after Buffalo Mayor Brown's program where students read 7 books with and provide summaries. COMMUNITY Charter students who do read seven books can still enter the mayor's program, but our school's program would be a little easier for more students to complete. The Title 1 Reading Teachers have requested money to buy prizes (2 Kindle Fire, an X-Box gaming unit).

Discussion: an issue was made by Board Member Dan Ricigliano that an X Box is not an appropriate prize. Principal Wiesinger suggested that the board approve \$500 for prizes excluding gaming systems.

**Motion** to approve the purchase of summer reading incentives **made** by Dan Ricigliano, **seconded** by Tasha Miller passed without objection.

#### 5. Potential Board of Trustee Member Anthony Jones – Ann Marie Wiesinger

Tony started the process over a year ago with Dr. Littman. His qualification and experience working with media will be a welcome addition to the board.

**Motion** to nominate Anthony Jones as a Board of Trustee Member at COMMUNITY Charter School, **made** by Tasha Miller and **seconded** by Dan Ricigliano. The motion passed without objection.

**Motion** to approve Anthony Jones as a final candidate to its Board of Trustees, with a term expiring on June 2015, pending approval by SED. The resolution approving Anthony Jones is formally adopted upon SED's approval. **Motion made** by Tasha Miller, **seconded** by Dan Ricigliano. The motion passed without objection.

#### 6. COMMUNITY Charter School Mission Statement – Ann Marie Wiesinger

Different groups of CCS staff and School Board members have looked at our current mission statement and made revisions. Principal Wiesinger presented the final revision of the mission statement to be included in the school's charter renewal.

**Motion** to approve the revised Mission Statement **made** by Tasha Miller and **seconded** by Dan Ricigliano. The motion passed without objection.

7. Proposed Change in Title / Position of Andrew Prinzing to Assistant Principal for Asset Development for 2012-2013 – Ann Marie Wiesinger

Mr. Prinzing, the school's Developmental Asset Specialist is listed as an administrator. By changing his title, Mr. Prinzing will provide a more proactive approach to dealing with student behavior and also provide more administrative support for conducting teacher evaluations. This title change is to be effective July 1.

**Motion** to approve the change in Title / Position of Andrew Prinzing **made** by Tasha Miller, **seconded** by Dan Ricigliano. The motion passed without objection.

8. Proposed creation of new position of Chief Information Officer – Ann Marie Wiesinger.

Mrs. Wiesinger presented a job description for a Chief Information Officer. The CIO will manage all areas of instructional data and technology for the school. The CIO will have basic responsibilities for the collection, distribution and interpretation of student data. This CIO will be responsible for data analysis which will be utilized to improve instruction. The CIO will coordinate all Federal grants including but not limited to Title I, Title II, and Teacher Incentive Fund (TIF).

Carmen Iannaccone spoke on behalf of Joe Salamone (not present) who addressed concerns about a singular purpose for this position.

**Motion** to approve a new position of Chief Information Officer **made** by Dan Ricigliano, **seconded** by Tasha Miller. The motion passed without objection.

9. Buffalo Hearing and Speech – Ann Marie Wiesinger

This has been an important service at COMMUNITY Charter School. This proposal is for the continuation of Buffalo Hearing and Speech services. BH&S does Tier 2 & Tier 3 interventions for RTI services. Last year we paid \$78,000 for these services.

**Motion** to approve the renewal of services from Buffalo Hearing & Speech Center for the 2012-2013 school year **made** by Dan Ricigliano **seconded** by Tasha Miller passed without objection.

10. Flynn & Friends – Ann Marie Wiesinger & Heather McClain.

Mrs. Wiesinger and Ms. McClain met with Flynn & Friends about creating a proposal for the upcoming school year. The marketing plan is for increasing our enrollment. CCS is doing very well with our numbers; the school's capacity is 342, and enrollment for 2012-

2013 is currently at 337. The school needs to market to English Language Learners as part of our marketing plan. Ms. McClain presented the proposal totaling \$77,850. Mrs. McClain mentioned that Flynn and Friends gave a cost of \$3000 for teacher websites/curriculum pages. She researched other programs that could provide these same website/curriculum pages for teachers for \$800, and suggested that the school might save money by exploring resources for marketing.

There was further discussion on ways that COMMUNITY Charter School could save if we explore the effectiveness of our marketing strategy. For example radio ads hit a wide audience, but are not as specific as other strategies. There was further discussion that we need to review the budget that we are spending on Flynn and Friends.

**Motion to table** the renewal of services from Flynn & Friends for the 2012-2013 school year **made** by Dan Ricigliano and **seconded** by Tasha Miller. The motion passed without objection.

11. Kitchen Freezer – Robin Michalski, Ann Marie Wiesinger

Bids for a new walk-in freezer and dry storage container were presented to the board. Principal Wiesinger presented the bids the school received from three companies and presented the bid from D & M Restaurant Supply for approval. The D & M bid was the lowest of the three bids at \$26,491 and was the most complete estimate of the three bids.

**Motion** to approve the purchase and installation of an outside kitchen freezer **made** by Tasha Miller **seconded** by Dan Ricigliano. The motion passed without objection.

**Board Committee Reports:**

Marketing:	Mike L./Ann Marie
Facilities:	Ann Marie
Labor/Management:	Dan R./Joe S./Ann Marie
Audit/Finance:	Dan R./Adelaida G./Ann Marie
HR/Personnel:	Joe S./Ann Marie/TBD

Audit Finance- Dan Ricigliano. Buffalo News ran a story about the State Comptroller's Audit. The school has to post the Comptroller's Report on the school's website.

Metrics- Carmen/Ann Marie

Labor Management- we met this morning for 4 hours. The negotiations continue.

HR/Personnel- we have six months to complete the sections of the charter renewal

Facilities: We contacted one company to get quotes for fixing our driveway. Both sides of the driveway need to repairs. We will be getting more bids from other companies.

Consensus Agenda Items:

**Personnel:**

**Motion** to approve the following personnel items 1-13, which are to be listed individually in the minutes of this meeting, **made** by Dan Ricigliano and **seconded** by Tasha Miller. The motion passed without objection.

**Recommend the following leave of absence for:**

1. Lora Thomas, 6<sup>th</sup> Grade Teacher, maternity leave, to begin August 20, 2012 and ending November 12, 2012.

**Recommend the non-renewal of contract of:**

2. Christina Lindberg, Teacher Aide (Jennifer Pilarski's class)
3. Miranda Glascoe, Teacher Aide (Maria Medakovich's class)
4. Karen Keenan, Kitchen Staff as per Robin Kaplan-Michalski's request
5. Nadia Vann, Office Clerk

**Recommend the appointment of:**

6. Melissa Schwab, Building Substitute, at a salary of \$38,000, effective August 20, 2012.
7. Angela M. Mauri, General Music Teacher, at a salary of \$37,000, as per the Collective Bargaining Agreement, effective August 20, 2012.
8. Kristy Nawojski, Lead Teacher for 2012-2013 school year, at a stipend of \$2000 as per the Collective Bargaining Agreement.
9. Maria Caughel, Lead Teacher for 2012-2012 school year, at a stipend of \$2000 as per the Collective Bargaining Agreement.
10. Leslie Koral, Long-term Substitute, Grade 6 (Lora Thomas), at a pro-rated salary of \$37,000 as per the Collective Bargaining Agreement, beginning August 20, 2012 and ending November 8, 2012.
11. Katie Wilkie, Office Clerk, at a salary of \$31,000, effective July 1, 2012.

**Accept the resignations of:**

12. Ashley Ruthenberg, Teacher Aide (Christina Breier's class)
13. Justine Smith, Teacher Aide (Michelle Steszewski's class)

**Other Business:**

Carol Smith: She was recently seen across the street talking to parents and texting employees. She was requesting personnel information of employees.

Code of Conduct Draft: Ann Marie will e-mail it to everybody for next board meeting.

Policy Manual Draft:

Board of Trustee Committees:

Board of Trustee: Secretary: Tasha Miller agreed to be the board secretary.

CCS Board Retreat Scheduled: MONDAY JULY 9 BOARD WORK SESSION 3:00-600 PM here at school.

**Executive Session: NONE**

Motion made by \_\_\_\_\_, to enter into Executive Session at \_\_\_\_\_ pm, seconded by \_\_\_\_\_.

Motion made by \_\_\_\_\_, to exit Executive Session at \_\_\_\_\_ pm, seconded by \_\_\_\_\_.

Motion made by \_\_\_\_\_, to enter into the Regular Meeting at \_\_\_\_\_ pm, seconded by \_\_\_\_\_.

**Adjournment:**

**Motion made by Dan Ricigliano to adjourn the Board of Trustees meeting, seconded by Tasha Miller. Meeting adjourned at 6:20 p.m.**

*This Administrative Information is being sent by or on behalf of the Principal of COMMUNITY Charter School; it is intended for the exclusive use of its intended recipient, the Board of Trustees, and may contain information that is privileged or confidential. If you are not the intended recipient or an employee or agent responsible for delivering this message to the intended recipient, you are not authorized to read, print, copy or disseminate this message or any part of it. If you have received this message in error, please notify me immediately by email, discard any paper copies and delete all electronic files of the message. If you are not sure as to whether you are the intended recipient, please respond to the above e-mail address.*



404 Edison Avenue Buffalo, NY 14215  
 Phone (716) 833-5967 Fax (716) 833-5985  
 www.commcharter.org

COMMUNITY Charter School  
 Enrollment for 2012 - 2013

2012-2013

Grade	#of Students Enrolled	#of Students on Waiting List	#of New Students Enrolled	# of Slots Open
K	41	4	41	1
1	49	5	12	1
2	47	0	11	3
3	49	5	10	1
4	49	0	9	1
5	51	13	9	0
6	49	0	7	1
	<b>TOTAL # OF STUDENTS: 335</b>	<b>TOTAL # OF STUDENTS: 27</b>	<b>TOTAL # OF STUDENTS: 99</b>	<b>TOTAL # OF OPEN SLOTS: 8</b>

# COMMUNITY Charter School 2012-2013 CALENDAR

20 - 24: Staff Development

27: FIRST DAY OF SCHOOL

AUGUST 2012						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

SEPTEMBER 2012						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

3: Labor Day, NO SCHOOL

8: Columbus Day, NO SCHOOL

26: 12:30 PM Dismissal, Staff Development Day (PM)

OCTOBER 2012						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

NOVEMBER 2012						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

12: Veterans Day, NO SCHOOL

22-23: Thanksgiving Observance

24 - Jan. 1: Holiday Break, NO SCHOOL

DECEMBER 2012						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

JANUARY 2013						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

2: School Resumes

18: 12:30 PM Dismissal, Staff Development Day (PM)

21: MLK Jr. Day, NO SCHOOL

**Black History Month**

18 - 22: Winter Break, NO SCHOOL

FEBRUARY 2013						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

MARCH 2013						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

15: 12:30 PM Dismissal, Staff Development Day (PM)

29 - April 5: Spring Break, NO SCHOOL

1 - 5: Spring Break, NO SCHOOL

APRIL 2013						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

MAY 2013						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

27: Memorial Day, NO SCHOOL

26: Last Day of School - 12:30 PM Dismissal

JUNE 2013						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

**September 27, 2012: Meet the Teachers Night**

**October 2-4, 2012: Parent Teacher Conferences**

**March 14, 2013: Open House & Art Show**

**February 5-7, 2013: Parent Teacher Conferences**

### Master Specials Schedule 2012-2013

	Monday			Tuesday			Wednesday			Thursday			Friday		
	Music	PE	Art												
<b>8:30 - 9:10</b>															
<b>9:10 - 9:55</b>	3-212	3-213		2-102	3-212	3-213	3-213		3-212	3-212	3-213	6-218		3-212	3-213
<b>10:00 -10:45</b>	2-107	2-102	3-212	4-210	2-107	2-102	2-102		2-107	2-107	2-102	4-208	3-213	2-107	2-102
<b>10:50-11:35</b>	4-208	4-210			4-208	4-210	4-210		4-208	4-208	4-210			4-208	4-210
<b>11:35-12:05</b>	<i>Lunch</i>														
<b>12:05-12:50</b>		K-104	K-103	K-103	K-104		K-104	K-103		K-103		K-104	K-104	K-104	K-103
<b>12:55-1:40</b>	1-105	5-216	5-215	5-215	K-103	5-216	5-216	5-215	K-104		5-216	5-215	5-215		5-216
<b>1:45-2:30</b>	1-106	6-219	1-105	1-105	1-106			1-105	1-106	1-106	5-215	1-105	5-216	1-105	1-106
<b>2:35-3:20</b>	6-218		6-219	6-219	6-218	2-107		6-219	6-218	6-218	1-106	6-219	6-219	6-218	

### Lunch Schedule

<p>10:55 Arrive 11:00 - 11:20 Gentner                      11:00 Arrive 11:05 - 11:25 Milne                      11:05 Arrive 11:10 - 11:30 Medakovich                      11:10 Arrive 11:15 - 11:35 Beecher                      11:15 Arrive 11:20 - 11:40 Chmielowiec                      11:20 Arrive 11:25 - 11:45 Strohmenger</p>	<p>11:35 Arrive 11:40 - 12:00 Breier                      11:40 Arrive 11:45 - 12:05 Nawojski                      11:45 Arrive 11:50 - 12:10 Casullo                      11:50 Arrive 11:55 - 12:15 Steszewski                      11:55 Arrive 12:00 - 12:20 Conti                      12:00 Arrive 12:05 - 12:25 Pilarski                      12:05 Arrive 12:10 - 12:30 Maloney                      12:10 Arrive 12:15 - 12:35 Thomas</p>
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## Exhibit 5 – Key Design Elements

Design Element	Fully Implemented	Partially Implemented	Not Implemented	New Design Element	Notes
<b>Student-Centered Learning Environment</b>					
Small class size	X				See Section 1c
Low student to instructor ratio	X				See Section 1c
Workshop Model of Instruction		X			See Section 1c
Differentiated Instruction		X			See Sections 1c and 1d
Individualized Learning Plans		X			See Section 1d
<b>Curriculum</b>					
Map curriculum across all grade levels and subject areas		X			See Section 1b
Collaborative Teams develop and review curriculum regularly				X	See Section 1b
Curriculum addresses the needs of all learners		X			See Sections 1b and 1e
<b>Instruction</b>					
Shared definition of high quality instruction		X			See Section 1c
Comprehensive Evaluation System, including regular and reliable teacher observations, correlations of student outcome data to teacher performance, and multiple measures of professional practice		X			See Section 1c and Appendix H

<b>Design Element</b>	<b>Fully Implemented</b>	<b>Partially Implemented</b>	<b>Not Implemented</b>	<b>New Design Element</b>	<b>Notes</b>
effectiveness					
Collaborative Teams provide peer-level instructional support		X			See Section 1c
Instructional Coaches				X	See Section 1c
Novice Teacher Induction & Mentoring				X	See Section 1c
<b>Data-Driven Decision Making</b>					
Formative Assessments that measure student growth are implemented in all grades and subject areas		X			See Section 1d
Interim Assessments in ELA and Math are conducted every 6 to 8 weeks				X	See Section 1d
School permeated with a Data Culture		X			See Section 1d
<b>Climate, Culture &amp; Safety</b>					
Implement Developmental Asset measurement system	X				See Section 1f
Implement Positive Behavioral Interventions program		X			See Section 1f
<b>Teacher Quality</b>					
Comprehensive Evaluation System, including regular and reliable teacher observations, correlations of student outcome		X			See Section 1c and Appendix H

Design Element	Fully Implemented	Partially Implemented	Not Implemented	New Design Element	Notes
data to teacher performance, and multiple measures of professional practice effectiveness					
Targeted & Effective Professional Development		X			See Section 1g

**C.O.M.M.U.N.I.T.Y. Charter School**

Contact Name: Daniel S. Ricigiano, CPA  
 Contact Email: riciglia@juno.com  
 Contact Phone: (716) 885-0022

Proposed Renewal Charter Term: July 1, 2013 through June 30, 2018

**PROJECTED BUDGET FOR RENEWAL CHARTER PERIOD**

	Renewal Charter Period					
<b>Total Revenue</b>	\$ 4,885,840	\$ 4,844,277	\$ 4,820,715	\$ 4,797,252	\$ 4,797,352	\$ 4,822,352
<b>Total Expenses</b>	4,851,113	4,747,475	4,749,256	4,757,145	4,782,889	4,821,218
<b>Net Income (Before Cash Flow Adjustments)</b>	\$ 34,727	\$ 96,802	\$ 71,459	\$ 40,107	\$ 14,463	\$ 1,134
<b>Actual Student Enrollment</b>	340	340	340	340	340	340
<b>Total Paid Student Enrollment</b>	-	-	-	-	-	-

	Current year 2012-13	Year 1 2013-14	Year 2 2014-15	Year 3 2015-16	Year 4 2016-17	Year 5 2017-18
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Note: Please insert additional detail lines as appropriate.

**REVENUE**

**REVENUES FROM STATE SOURCES**

Per Pupil Revenue:	CY Per Pupil Rate	Per Pupil Revenue Percentage Increase				
		0.0%	0.0%	0.0%	0.0%	0.0%
Buffalo	12,008	3,949,645	3,949,645	3,949,645	3,949,645	3,949,645
Cheektowaga	10,235	61,410	61,410	61,410	61,410	61,410
Maryvale	10,433	62,598	62,598	62,598	62,598	62,598
Cleveland Hill	10,428	10,428	10,428	10,428	10,428	10,428
Sloan	11,948	23,892	23,892	23,892	23,892	23,892
West Seneca	10,179	10,179	10,179	10,179	10,179	10,179
School District - ALL OTHER	-	-	-	-	-	-
<b>TOTAL Per Pupil Revenue (Average Districts Per Pupil Funding)</b>		4,118,152	4,118,152	4,118,152	4,118,152	4,118,152
Special Education Revenue		150,000	150,000	150,000	150,000	175,000
Cafeteria Grants		45,000	45,000	45,000	45,000	45,000
Other		10,000	10,000	10,000	10,000	10,000
<b>TOTAL REVENUE FROM STATE SOURCES</b>		4,323,152	4,323,152	4,323,152	4,323,152	4,348,152

**REVENUE FROM FEDERAL FUNDING**

IDEA Special Needs	-	-	-	-	-	-
Title I	200,000	200,000	200,000	200,000	200,000	200,000
Title Funding - Other	26,000	26,000	26,000	26,000	26,000	26,000
School Food Service (Free Lunch)	232,000	232,000	232,000	232,000	232,000	232,000
Performance Based Compensation (PICCS)	70,688	47,125	23,563	-	-	-
<b>TOTAL REVENUE FROM FEDERAL SOURCES</b>	528,688	505,125	481,563	458,000	458,000	458,000

**LOCAL and OTHER REVENUE**

Contributions and Donations	-	-	-	-	-	-
Fundraising	-	-	-	-	-	-
Erate Reimbursement	-	-	-	-	-	-
Earnings on Investments	-	-	-	-	-	-
Interest Income	2,500	2,500	2,500	2,500	2,500	2,500
Food Service (Income from meals)	9,000	9,000	9,000	9,000	9,000	9,000
Textbook reimbursement	20,000	2,000	2,000	2,100	2,200	2,200
OTHER	2,500	2,500	2,500	2,500	2,500	2,500
<b>TOTAL REVENUE FROM LOCAL and OTHER SOURCES</b>	34,000	16,000	16,000	16,100	16,200	16,200

<b>TOTAL REVENUE</b>	<b>4,885,840</b>	<b>4,844,277</b>	<b>4,820,715</b>	<b>4,797,252</b>	<b>4,797,352</b>	<b>4,822,352</b>
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**EXPENSES**

**ADMINISTRATIVE STAFF PERSONNEL PAYROLL**

	No. of Positions					
Head of School	1.00	100,000	102,000	104,000	106,000	108,000
Assistant Principal - Management & Operations	1.00	62,500	63,750	65,025	66,326	67,652
Assistant Principal - Asset Development	1.00	62,500	63,750	65,025	66,326	67,652
CIO Chief Informational Officer	1.00	65,000	66,300	67,626	68,979	70,358
Business Manager	1.00	43,000	43,860	44,737	45,632	46,545
Receptionist/Attendance Clerk	2.00	61,310	62,536	63,787	65,063	66,364
<b>TOTAL ADMINISTRATIVE STAFF</b>	<b>7.00</b>	<b>394,310</b>	<b>402,196</b>	<b>410,200</b>	<b>418,324</b>	<b>434,942</b>

**INSTRUCTIONAL PERSONNEL PAYROLL**

Teachers - Regular	A	14.00	733,000	740,000	754,000	768,000	782,000	796,000
Teachers - SPED	A	3.00	131,000	134,000	137,000	140,000	143,000	146,000
Teachers - AIS	A	2.00	75,000	77,000	79,000	80,000	81,000	82,000
Substitute Teachers - External		as needed	30,000	31,500	33,075	34,729	35,465	36,125
Substitute Teachers - Internal	A	1.00	38,000	39,000	40,000	41,000	42,000	43,000
Teaching Assistants		1.00	25,200	25,700	26,200	26,700	27,200	27,700
Specialty Teachers	A	7.00	295,500	302,500	309,500	316,500	323,500	330,500
Coaches (ELA, Math)	A	2.00	150,000	152,000	154,000	156,000	158,000	160,000
Aides		13.00	241,080	242,000	245,000	252,500	259,000	265,500
Performance Based Compensation - CCS contribution		as earned	23,563	47,125	70,688	-	-	-
Performance Based Compensation - PICCS		as earned	70,688	47,125	23,563	-	-	-
Performance Based Compensation - Supplemental CCS contrib'n		as earned	30,000	30,000	30,000	95,000	95,000	95,000
Masters Degree Buy Out per Collective Bargaining Agreement			5,000	-	-	-	-	-
Lead Teachers		2.00	6,000	6,000	6,000	6,000	6,000	6,000
Summer Program		as earned	14,000	14,000	14,000	15,000	15,500	16,000
In School Suspension	A	1.00	39,000	40,000	41,000	42,000	43,000	44,000
<b>TOTAL INSTRUCTIONAL</b>		<b>46.00</b>	<b>1,907,031</b>	<b>1,927,950</b>	<b>1,966,026</b>	<b>1,975,429</b>	<b>2,012,665</b>	<b>2,049,825</b>

**NON-INSTRUCTIONAL PERSONNEL COSTS**

Nurse	A	1.00	44,500	45,000	45,500	46,000	46,500	47,000
Cafeteria Manager and employees		4.00	88,170	90,000	91,600	95,100	98,600	102,100
Custodian		1.00	35,000	36,000	37,000	38,000	39,000	40,000
Social Worker	A	1.00	38,500	39,000	39,500	40,000	40,500	41,000
Technology/Media		1.00	38,000	39,000	40,000	41,000	42,000	43,000
<b>TOTAL NON-INSTRUCTIONAL</b>		<b>8.00</b>	<b>244,170</b>	<b>249,000</b>	<b>253,600</b>	<b>260,100</b>	<b>266,600</b>	<b>273,100</b>

**SUBTOTAL PERSONNEL SERVICE COSTS**

		<b>61.00</b>	<b>2,545,511</b>	<b>2,579,146</b>	<b>2,629,826</b>	<b>2,653,853</b>	<b>2,705,836</b>	<b>2,757,867</b>
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**PAYROLL TAXES AND BENEFITS**

Payroll Taxes			254,551	257,915	262,983	265,385	270,584	275,787
Fringe / Employee Benefits			247,000	247,000	247,000	247,000	247,000	247,000
Retirement / Pension			254,551	257,915	262,983	265,385	270,584	275,787
<b>TOTAL PAYROLL TAXES AND BENEFITS</b>			<b>756,102</b>	<b>762,829</b>	<b>772,965</b>	<b>777,771</b>	<b>788,167</b>	<b>798,573</b>

**TOTAL PERSONNEL SERVICE COSTS**

		<b>61.00</b>	<b>3,301,613</b>	<b>3,341,975</b>	<b>3,402,791</b>	<b>3,431,624</b>	<b>3,494,003</b>	<b>3,556,440</b>
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**CONTRACTED SERVICES**

Accounting / Audit			17,000	17,500	17,500	18,000	18,000	18,500
Legal			30,000	20,000	20,000	20,000	20,000	20,000
Snow removal/lawn services			22,000	22,000	22,000	22,000	22,000	22,000
Payroll Services			2,500	2,500	2,500	2,500	2,500	2,500
Special Ed Services			93,000	93,000	94,860	96,757	98,692	100,666
Other Purchased / Professional / Consulting			75,000	75,000	76,500	78,030	79,591	81,182
<b>TOTAL CONTRACTED SERVICES</b>			<b>239,500</b>	<b>230,000</b>	<b>233,360</b>	<b>237,287</b>	<b>240,783</b>	<b>244,849</b>

**SCHOOL OPERATIONS**

Board Professional Development			40,000	40,000	30,000	30,000	25,000	20,000
Board Recruitment			10,000	10,000	7,500	5,000	5,000	5,000
Administration Professional Development			10,000	10,000	10,500	11,000	11,500	12,000
ReStart Director/Consultant			46,000	46,000	40,000	30,000	20,000	10,000
ReStart Site Based Coordinator			34,000	34,000	34,000	34,000	34,000	20,000
Classroom / Teaching Supplies & Materials			20,000	20,000	21,000	22,000	22,000	23,000
Special Ed Supplies & Materials			2,000	2,000	2,100	2,200	2,200	2,200
Textbooks / Workbooks			83,000	10,000	10,000	10,500	11,000	11,000
Supplies & Materials other			2,500	2,500	2,600	2,600	2,650	2,650
Equipment/Furniture/Cafeteria Walk in Cooler			55,000	25,000	20,000	20,000	10,000	5,000
Telephone			3,000	3,000	3,100	3,150	3,200	3,250
Technology			31,000	31,000	31,000	31,000	31,000	31,000
Student Testing & Assessment			4,000	4,000	4,200	4,300	4,350	4,400
Field Trips			7,500	7,500	7,500	7,800	7,800	8,000
Transportation (student)			67,000	67,000	70,350	73,868	77,561	81,439
Student awards/Uniforms			6,000	6,000	6,300	6,500	6,800	7,000
Parental involvement			5,000	5,000	5,250	5,500	5,750	6,000
Office Expense			64,000	64,000	65,280	66,586	67,917	69,276
Staff Development			23,000	23,000	24,150	30,000	30,000	30,000

Staff Recruitment	10,000	10,000	7,500	7,500	5,000	5,000
Student Recruitment / Marketing	52,000	50,000	50,000	30,000	25,000	15,000
School Meals / Lunch	130,000	130,000	132,600	135,252	137,957	140,716
Cafeteria supplies, small equipment	15,000	15,000	15,750	16,538	17,364	18,233
Travel (Staff)	13,000	13,000	13,650	14,333	15,049	15,802
Tutors	20,000	20,000	21,000	22,050	23,153	24,310
Other	3,500	3,500	3,675	3,859	4,052	4,254
<b>TOTAL SCHOOL OPERATIONS</b>	<b>756,500</b>	<b>651,500</b>	<b>639,005</b>	<b>625,534</b>	<b>605,303</b>	<b>574,529</b>
<b>FACILITY OPERATION &amp; MAINTENANCE</b>						
Insurance (Wrkman Comp, Gen Liability)	59,000	60,000	60,000	61,000	62,000	62,000
Janitorial	90,000	90,000	91,000	91,000	92,000	92,000
Snow & Lawn Services	22,000	22,000	22,500	22,500	23,000	23,000
Repairs & Maintenance	33,000	30,000	30,500	31,000	31,500	32,000
Equipment / Furniture	102,500	75,000	20,000	5,000	5,000	5,000
Security	6,000	6,000	6,100	6,200	6,300	6,400
Utilities	100,000	100,000	102,000	104,000	106,000	108,000
<b>TOTAL FACILITY OPERATION &amp; MAINTENANCE</b>	<b>412,500</b>	<b>383,000</b>	<b>332,100</b>	<b>320,700</b>	<b>325,800</b>	<b>328,400</b>
<b>DEPRECIATION &amp; AMORTIZATION</b>						
Building & improvements & eqpt	100,000	100,000	100,000	100,000	100,000	100,000
Cafeteria	16,000	16,000	17,000	17,000	17,000	17,000
<b>TOTAL DEPRECIATION AND AMORTIZATION</b>	<b>116,000</b>	<b>116,000</b>	<b>117,000</b>	<b>117,000</b>	<b>117,000</b>	<b>117,000</b>
Dissolution & Contingency Reserve	25,000	25,000	25,000	25,000	-	-
<b>TOTAL EXPENSES</b>	<b>4,851,113</b>	<b>4,747,475</b>	<b>4,749,256</b>	<b>4,757,145</b>	<b>4,782,889</b>	<b>4,821,218</b>
<b>NET INCOME</b>	<b>34,727</b>	<b>96,802</b>	<b>71,459</b>	<b>40,107</b>	<b>14,463</b>	<b>1,134</b>

<b>ENROLLMENT - *School Districts Are Linked To Above Entries*</b>						
Buffalo	329	329	329	329	329	329
Cheektowaga	6	6	6	6	6	6
Maryvale	1	1	1	1	1	1
Cleveland Hill	2	2	2	2	2	2
Sloan	1	1	1	1	1	1
West Seneca	1	1	1	1	1	1
School District - ALL OTHER	-	-	-	-	-	-
<b>TOTAL ENROLLMENT</b>	<b>340</b>	<b>340</b>	<b>340</b>	<b>340</b>	<b>340</b>	<b>340</b>
<b>REVENUE PER PUPIL</b>	<b>14,370</b>	<b>14,248</b>	<b>14,179</b>	<b>14,110</b>	<b>14,110</b>	<b>14,183</b>
<b>EXPENSES PER PUPIL</b>	<b>14,268</b>	<b>13,963</b>	<b>13,968</b>	<b>13,992</b>	<b>14,057</b>	<b>14,180</b>

<b>CASH FLOW ADJUSTMENTS</b>						
<b>OPERATING ACTIVITIES</b>						
Example - Add Back Depreciation	116,000	116,000	117,000	117,000	117,000	117,000
Other	-	-	-	-	-	-
Total Operating Activities	116,000	116,000	117,000	117,000	117,000	117,000
<b>INVESTMENT ACTIVITIES</b>						
Example - Subtract Property and Equipment Expenditures	-	-	-	-	-	-
Other	-	-	-	-	-	-
Total Investment Activities	-	-	-	-	-	-
<b>FINANCING ACTIVITIES</b>						
Example - Add Expected Proceeds from a Loan or Line of Credit	-	-	-	-	-	-
Other	-	-	-	-	-	-
Total Financing Activities	-	-	-	-	-	-
<b>Total Cash Flow Adjustments</b>	<b>116,000</b>	<b>116,000</b>	<b>117,000</b>	<b>117,000</b>	<b>117,000</b>	<b>117,000</b>
<b>NET INCOME (Increase in Cash)</b>	<b>150,727</b>	<b>212,802</b>	<b>188,459</b>	<b>157,107</b>	<b>131,463</b>	<b>118,134</b>
<b>Beginning Cash Balance</b>	<b>1,715,183</b>	<b>1,865,910</b>	<b>2,078,711</b>	<b>2,267,170</b>	<b>2,424,277</b>	<b>2,555,741</b>
<b>ENDING CASH BALANCE</b>	<b>\$ 1,865,910</b>	<b>\$ 2,078,711</b>	<b>\$ 2,267,170</b>	<b>\$ 2,424,277</b>	<b>\$ 2,555,741</b>	<b>\$ 2,673,874</b>

## Exhibit 7: Staffing Plan

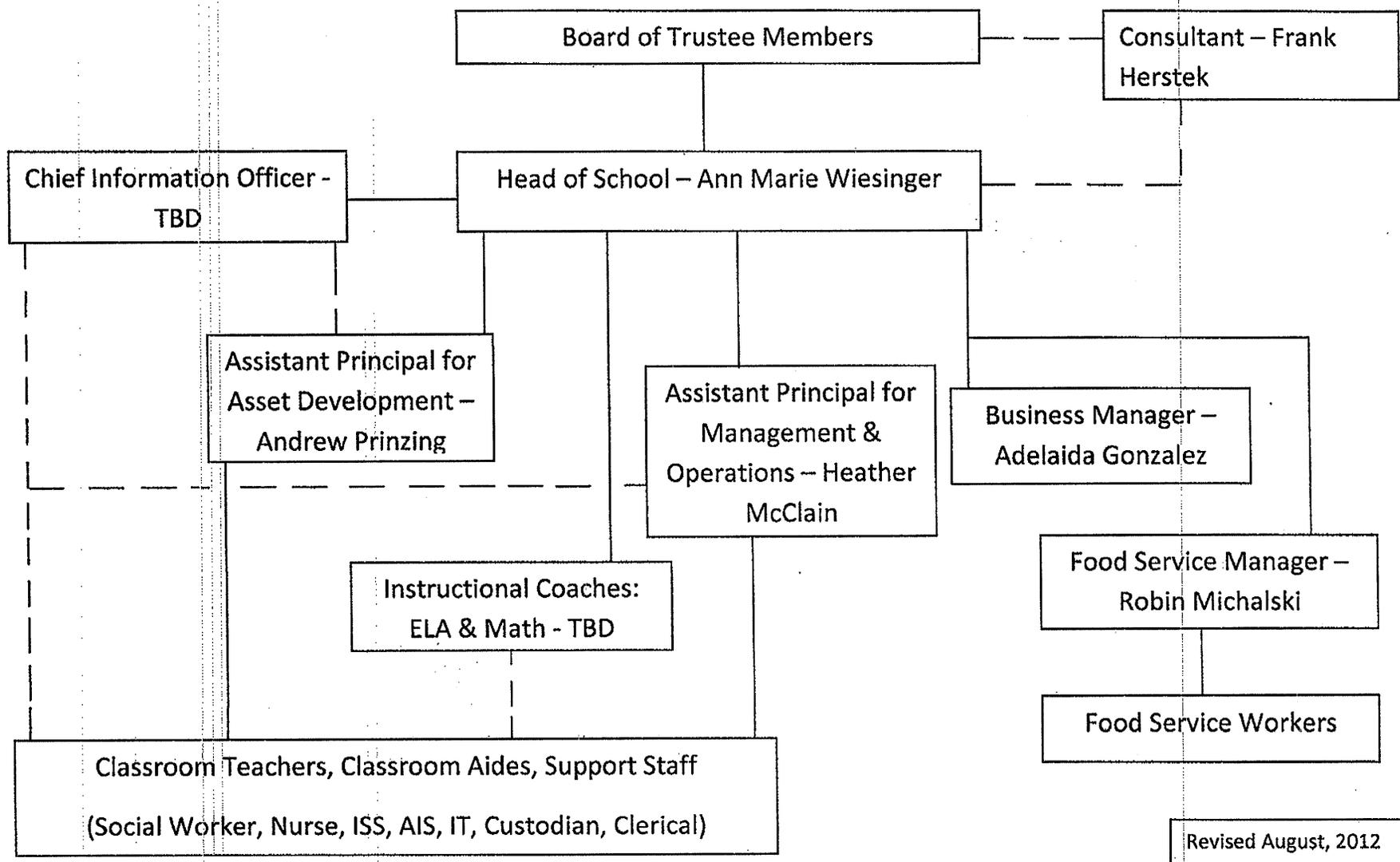
The Head of School is responsible for the effective operation of the school; including the administration and implementation of all instructional, business or other operations of COMMUNITY Charter School. The Head of School oversees all COMMUNITY Charter School personnel, identifies school needs and educational goals, designs professional development activities, and collaborates with the Board of Trustees. The Head of School is evaluated using a School Leader Evaluation which was submitted to NYSED for approval. Sub-components assessed are school-wide student growth, school-wide student attainment, and an overall assessment of principal leadership and management.

The Chief Information Officer (position to be filled) manages all areas of instructional data and technology for the school. The CIO will have the responsibilities for the collection, distribution, and interpretation of student data. This individual will be responsible for data analysis which will be utilized to inform instruction. The CIO will be evaluated by the Head of School.

The Assistant Principal for Management and Operations assists the Head of School with the instructional program; is responsible for maintaining student discipline; and developing/implementing procedures relating to health, safety, behavior, and discipline of students. The Assistant Principal for Asset Development supports instructional initiatives; leads the Developmental Asset training and activities for students, parents and school staff; and facilitates linkages with parents and community organizations. The Assistant Principals are evaluated by the Head of School, utilizing self-evaluation and narrative reports.

Two instructional coaches will be hired in the 2012-13 school year, one for ELA and the other for math. They will collaboratively work with teachers to identify curricular gaps, student challenges to learning, and align instruction to the Common Core Learning Standards for increased student achievement. They report to the Head of School and will be assessed using the teacher Annual Performance Professional Review Plan.

# COMMUNITY CHARTER SCHOOL ORGANIZATIONAL CHART



Revised August, 2012



404 Edison Avenue Buffalo, NY 14215  
Phone (716) 833-5967 Fax (716) 833-5985

## **COMMUNITY Charter School**

### **By-Laws**

Revised and Adopted July 2012

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**By-Laws**  
**COMMUNITY Charter School**

**Article I**      **OFFICES**

1. The Office of the School

The Office of the School shall be located in the School.

**Article II**      **MEETINGS**

1. Place of Meeting

All meetings of the Trustees shall be held on site at the School or at an announced other accessible site within three miles of the School. Written notice of all meetings of the Trustees (annual, monthly, and special) and the agenda will be provided to each Trustee at least seven (7) days prior to the meeting.

Additionally, public notices of all meetings of Trustees and all committees and subcommittees thereof will be given as provided in New York Public Officers' Law § 104, as the same may be amended from time to time.

2. Annual Meeting

The annual meeting of Trustees shall be held in the month of July at the School building.

3. Agenda of the Annual Meeting

The order of business at the annual meeting shall be as follows:

- a. Call to order
- b. Proof of public notice of the meeting
- c. Reading of the minutes of the last annual meeting
- d. Reports of Officers
- e. Reports of Committees
- f. Election of Trustees
- g. Election of Officers
- h. Transaction of Business

4. Monthly Meetings of Trustees

Monthly meetings of Trustees will be held during the fourth week of each month on dates determined by the Board. The order of business at the monthly Trustees' meetings shall be as follows:

- a. Call to order
- b. Proof of public notice of the meeting
- c. Approval of minutes
- d. Review of Financial Statement, Budget, and Business Plan
- e. Review of Reports
- f. Reports from Administration
- g. Transaction of Business

## 5. Special Meetings

Meetings of the Trustees for any purpose may be called by the President or by a majority of the Trustees. The notice for such meetings shall state the purpose or purposes thereof and indicate at whose request the meeting is being called.

## 6. Adjournment of Meetings

The members present may adjourn a meeting despite the presence of a quorum. When a determination of Trustees of record entitled to notice of or to vote at any meeting of Trustees has been made, such determination shall apply to any adjournment thereof unless the Trustees fix a new record date for the adjourned meeting. When the meeting is adjourned to another time, it shall not be necessary to give any notice of the adjourned meeting if the time and place of the next meeting is the next regularly scheduled monthly meeting. However, if after the adjournment, the Trustees fix a new date for the adjourned meeting, a written notice of adjournment and the new fixed date will be given to each Trustee who is entitled to vote.

## 7. Quorum of Members

At any meeting of the Trustees, quorum will be established by fifty-one percent (51%) of the total number of Trustees.

## 8. Voting

Every Trustee of record shall be entitled to one vote on each matter submitted to a vote by the Board of Trustees. All corporate action to be taken by vote requires a majority vote (51%) of the quorum of voting Trustees.

## 9. Open Meetings

All meetings of the Trustees and all committees and subcommittees thereof shall be conducted in accordance with the New York Open Meetings Law (N.Y. Public Officers' Law §§ 100-111), as the same may be amended from time to time. To the extent of any conflict or inconsistency between any provision of these By-Laws and the Open Meetings Law, the Open Meetings Law shall prevail and control.

### **Article III     BOARD OF TRUSTEES**

#### **1. Board of Trustees**

The business of the corporation shall be overseen by the Board of Trustees and shall be managed and implemented by the Head of School. The Board of Trustees holds three areas of responsibility: fiduciary, policy, and employment of the Head of School and all staff. General responsibilities may include but not be restricted to the following:

- a. Ratifying the School's mission and vision statements, and the modification thereof.
- b. Approving any management, operational, and service contracts.
- c. Authorizing the broad curricular guidelines and the delegation and oversight of specific program implementation.
- d. Approving assessment measures and performance standards.
- e. Providing ongoing support and oversight of the academic program and performance of the School.
- f. Adopting all school policies (e.g. approving staffing levels, approving the hiring of personnel, setting compensation for all employees, and all other required personnel policies).
- g. Hearing appeals on student disciplinary and special education matters.
- h. Hearing complaints from any individual or group alleging any violation of the provisions of the Charter School Act, the charter itself, or any other provision of law relating to the management or operation of the Charter School.
- i. Preparing and approving the annual budget.
- j. Ensuring that necessary accountability measures are in place, including the performance of audits and annual reports (including a monthly financial report by the Business Manager and Treasurer) and the transmission of all necessary records and reports to the proper charter school oversight entities.
- k. Providing necessary and proper oversight of all financial aspects of the Charter School.
- l. Providing supervision and evaluation of the Head of School.

#### **2. Qualifications of Trustees**

Trustees and prospective Trustees must be at least 21 years of age, supportive of the School's mission and vision, available to meet the time commitment, experienced in serving on policy setting boards of directors, experienced at assessing programmatic effectiveness, and have a clean police record. Trustees will be selected from among persons having expertise in the following areas: Education, Accounting and Fiscal Management, and Community Representation.

- a. Education: position shall be filled by persons with a minimum of a Masters Degree in Education, demonstrated administrative experience, and experience serving on a policy setting board of directors.

- b. Accounting and Fiscal Management: position shall be filled by persons with education and expertise in accounting, financial planning, business, and financial management.
- c. Community Representation: position shall be filled by persons who represent the neighborhood, the School, the children, and the families involved in the School.

3. Number of Trustees

The number of Trustees constituting the entire Board of Trustees shall be a minimum of 5 (five) to a maximum of nine (9) members. The number of Trustees may be increased by a majority vote of the Trustees.

4. Election and Term of Trustees

The initial Board of Trustees shall be the “Founding Members” plus appointments by the Founders to meet the criteria set forth under qualifications.

Each Trustee will serve a three-year term after the first rotation (by fiscal year):

2004: 7 Trustees appointed	2010: 3 positions elected
2005: 2 positions elected	2011: 2 positions elected
2006: 2 positions elected	2012: 2 positions elected
2007: 3 positions elected	2013: 3 positions elected
2008: 2 positions elected	2014: 2 positions elected
2009: 2 positions elected	2015: 2 positions elected

Elections will take place at the Annual Meeting. Except as otherwise provided by law, the Education Law of the State of New York, the Charter or these By-Laws, the Board shall elect the Trustees by the vote of a majority of the Trustees then in office, whether or not the number of Trustees in office is sufficient to constitute a quorum, or by the sole remaining Trustee. Election of Trustees to fill expired terms shall take place at the annual meeting of the Board of Trustees. Trustees-elect assume office subject to approval by the Charter Entity.

5. Newly Created Trustees and Vacancies

Any newly created Trustee resulting from an increase in the number of positions for Trustees or vacancies occurring in the Board of Trustees for any reason shall be filled by vote of a majority of the Trustees in office, regardless of the number.

6. Removal of a Trustee

Any Trustee may be removed for cause by a majority vote of the seated Trustees.

7. Resignation of a Trustee

Any Trustee may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein, and if no time be specified, then at the time of its receipt by the President. The acceptance of the resignation shall not be necessary to make it effective, but no resignation shall discharge any accrued obligation or duty of a Trustee.

8. Compensation of Trustees

Trustees shall not receive any compensation for their services as Trustees, but by resolution of the Board of Trustees may receive a sum representing the actual expenses for costs incurred while serving on the Board, including childcare and transportation.

9. Interpretation

To the extent there are any conflicts between the terms of the Charter School's Charter and the terms of these By-Laws, the terms of the Charter will control.

**Article IV    OFFICERS**

1. Number

The number of Officers of the corporations shall be four (4), namely: President, Vice-President, Secretary, and Treasurer.

2. Election and Term of Office

All Officers shall be elected by the Board of Trustees at the Annual Meeting. Officers shall serve a term of one year with the right to succeed themselves in office and until his/her successor has been elected, appointed, and qualified.

3. Officers: Positions and Responsibilities

a. President

The President shall preside at all meetings of the Board of Trustees. He/She shall act as ex officio at all committees and shall, in general, supervise and manage all of the business and affairs of the corporation, subject to the control of the Board of Trustees. He/She shall have power to sign all certificates of this corporation and to sign and execute all contracts and instruments of conveyance in the name of the corporation, to sign checks, drafts, notes, and orders for the payment of money, with the prior approval of the Board of Trustees. He/She shall perform all duties usually incident to the office of the President.

b. Vice-President

The Vice-President shall assume the duties of the President in the event of the President's absence.

c. Secretary

The Secretary shall keep minutes of all meetings of the Board of Trustees, committee meetings, special meetings, unless otherwise directed, and shall record these minutes in a permanent book provided for this purpose. He/She shall give, or cause to be given, notice of all meetings of the Trustees and all other notices required by law or by these By-Laws, and in case of his/her absence or failure to perform for any reason, notice may be given by the President to another Trustee to perform the duties. He/She shall have charge of the corporate books and records. He/She shall have custody of the corporate seal and affix the same on all instruments requiring it when authorized by the Trustees or the President, and attest the same. He/She shall file all written requests that notices be mailed to Trustees at an address other than that which appears on the record. He/She shall sign all certificates of the corporation. And he/she shall, in general, perform all duties incident to the office of Secretary.

d. Treasurer

The Treasurer shall have custody of the funds, securities, evidences of indebtedness, and all valuable documents of the corporation: when necessary and proper, he/she shall endorse on behalf of the corporation for collection checks, notes, and other obligations and shall deposit the same to the credit of the corporation in such banks or depositories as the Board of Trustees shall designate. He/She shall receive and give or cause to be given receipts and a quittance for monies paid into or on account of the corporation of whatever nature upon maturity of the same: he/she shall enter or cause to be entered in books of the corporation to be kept for that purpose full and accurate accounts of all monies received and pay out on account of the corporation, and he/she shall render a statement of accounts monthly to the Board of Trustees, and at any other time as requested by the President. He/She shall keep or cause to be kept such other books as will show a true record of the expenses, losses, gains, assets, and liabilities of the corporation; he/she shall at all reasonable times exhibit his/her books and accounts to any Trustee of the corporation. He/She shall perform all duties incident to the office of Treasurer and give the corporation security for the faithful performance of the duties of the office in such sum and with such surety as the Board of Trustees may require.

#### 4. Removal of Officers

Any officer elected by the Board of Trustees may be removed for cause shown, by a simple majority of Trustees.

#### 5. Vacancies

If the office of any officer becomes vacant, the Trustees may elect any qualified Trustee to fill such vacancy, who will hold office for the unexpired term of the predecessor and until a successor is elected.

### **Article V      REPORTING STRUCTURE**

#### 1. Role of Trustees

The Board of Trustees will report to the New York State Department of Education, the parents of COMMUNITY Charter School children, and the community in which the School is located.

#### 2. Role of the Head of School

The Head of School will report to the Board of Trustees monthly to include but not be restricted to the following: all correspondence from all appropriate State and Federal agencies; the School Report Card; enrollment rates; reports on behavioral contracts; attendance rates, dropout/transfer rates; student performance data, comparison rates to State benchmarks for student performance; turnover rate, teacher evaluation data; curriculum assessment and surveys; support staff issues, labor management, grievances; parent involvement, volunteer commitments, business partnerships; fiscal report in concert with Board of Trustees Treasurer; condition of buildings and grounds; and update on the general operations of the school, including instructional and educational developments.

#### 3. Role of the Staff

Members of the staff ultimately report to the Head of School who in turn reports to the Board of Trustees. The direct reporting structure is as follows:

- a. Teachers (including the Social Worker, School Nurse, ISS teacher, and AIS teachers) work as teams and report via meetings, orally, in written reports, through survey results and student achievement reports to the Head of School. Direct supervision and evaluation of teachers (including the Social Worker, School Nurse, ISS teachers, and AIS teachers) is the responsibility of the Head of School.

- b. Office personnel, IT Specialist, Custodian, Business Manager, and Food Service personnel report via meetings, orally, in written reports, and by requisition to the Head of School. Direct supervision of office personnel, IT Specialist, Custodian, Business Manager, and Food Service personnel is the responsibility of the Head of School.
- c. The Assistant Principals report to the Head of School; through meetings and oral and written reports. Direct supervision and evaluation of the Assistant Principals in the responsibility of the Head of School.

## **Article VI     CONFLICTS OF INTEREST**

### 1. Purpose

The purpose of the conflicts of interest policy is to protect the School's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or Trustee. This policy is intended to supplement but not replace the Code of Conduct of the School and any applicable state laws governing conflicts of interest applicable to nonprofit and charitable corporation.

### 2. Definitions

- a. Interested Person. Any Trustee, principal officer, or member of a committee with Board-delegated power who has a direct or indirect financial interest, as defined below, is an interested person.
- b. Financial Interest. A person has a financial interest if the person has, directly or indirectly, through business, investment or family
  - 1) an ownership or investment interest in any entity with which the School has a transaction or arrangement, or
  - 2) a compensation arrangement with the School or with any entity or individual with which the School has a transaction or arrangement, or
  - 3) a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the School is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are substantial in nature.

### 3. Procedures

- a. **Duty to Disclose.** In connection with any actual or possible conflicts of interest, an interested person must make a prompt, full and frank disclosure of the existence of his or her financial interest and all relevant and material facts relating thereto to the Board of Trustees and members of committees with Board-delegated powers considering the proposed transaction or arrangement.
- b. **Determining Whether a Conflict of Interest Exists.** After disclosure of the financial interest and all material facts relating thereto, and after any discussion thereof, the interested person shall leave the Board of Trustees or committee meeting while the financial interest is discussed and voted upon. The remaining Board of Trustees or committee members shall decide if a conflict of interest exists. Appropriate disclosures must be made to the State Education Department if a conflict of interest does exist.
- c. **Procedures for Addressing the Conflict of Interest**
  - 1) An interested person may make a presentation at the Board of Trustees or committee meeting, but after such presentation, he or she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement that result in the conflict of interest.
  - 2) The President of the Board or chairman of the committee shall, if appropriate, appoint a disinterested person or committee to investigate alternative to the proposed transaction or arrangement.
  - 3) After exercising due diligence, the Board of Trustees or committee shall determine whether the School can obtain a more advantageous transaction or arrangement with reasonable efforts from a person or entity that would not give rise to a conflict of interest.
  - 4) If a more advantageous transaction or arrangement is not reasonably attainable under circumstances that would not give rise to a conflict of interest, the Board of Trustees or committee shall determine by a majority vote of the disinterested Trustees whether the transaction or arrangement is in the School's best interest and for its own benefit and whether the transaction is fair and reasonable to the School and shall make its decision as to whether to enter into the transaction or arrangement in conformity with such determination.

d. Violations of the Conflicts of Interest Policy

- 1) If the Board of Trustees or a committee has reasonable cause to believe that a member has failed to disclose actual or possible conflicts of interest, it shall inform the member or the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- 2) If, after hearing the response of the member and making such further investigation as may be warranted in the circumstances, the Board of Trustees or committee determines that the member has in fact failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

4. Records of Proceedings. The minutes of the Board of Trustees and all committees with Board-delegated powers shall contain:

- a. Names of Persons with Financial Interest. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the Board of Trustees' or committee's decision as to whether a conflict of interest in fact existed.
- b. Names of Persons Present. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection therewith.

5. Compensation Committees

A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the School for services in precluded from voting on matters pertaining to that member's compensation.

**Article VII MISCELLANEOUS**

1. Checks, Notes and Contracts

Except as otherwise provided in these By-Laws, the Board may adopt a resolution authorizing any Officer or agent of the School to enter into any contract or execute and deliver any instrument in the name of or on behalf of the School, provided the amount of that contract does not exceed \$5,000. In

the event the contract or agreement is in excess of \$5,000, the Board of Trustees must adopt a resolution and the check must be signed by two members of the Board of Trustees. Any contract or agreement that binds the School for an amount equal to or in excess of \$25,000 will be forwarded to the New York State Education Department for so long as the Department requires that it be notified of such contracts. Unless so authorized, no Officer, agent or employee shall have any power to bind the School by any contract or engagement, to pledge the School's credit, or to render it liable monetarily for any purpose or any amount.

## 2. Indemnification

### a. General

- 1) The indemnification or advancement or reimbursement of expenses granted pursuant to or provided by the provisions of this Section, shall be in addition to and shall not be exclusive of any other rights to indemnification and advancement or reimbursement of expenses to which such person may otherwise be entitled by law, certificate of incorporation, by-law, insurance policy, contract or otherwise. Nothing in Section 7.2, shall be deemed a waiver of any rights that the Corporation, or any Trustee or other volunteer may have under the Volunteer Protection Act of 1997.
- 2) For purposes of this Section 7.2, the terms: (1) "the Corporation" shall include any legal successor to the Corporation including any corporation or other entity which acquires all or substantially all of the assets of the Corporation in one or more transactions; (2) "person" shall include the personal representative, testator or intestate of a person; (3) "Officer of the Corporation" shall include persons who are elected by the Board of Trustees of the Corporation as Officers of the Corporation; (4) services "at the request of the "Corporation" shall include serving in any capacity any of (A) any corporation or other entity which may be specified by resolution of the Board or its Executive Committee or at the direction of any Officer of the Corporation, (B) any corporation, partnership, joint venture, trust or other enterprise of which fifty percent (50%) or more of the voting power or economic interest is held, directly or indirectly, by the Corporation, or (C) any employee benefit plan of the Corporation or of any entity referred to in clauses (A) and (B); and (5) "fines" shall without limitation include any penalties, taxes, assessments or similar required payments related to violates of the Federal Insurance Contribution Act.

3) If any provision of this Section 7.2 shall be found to be invalid or limited in application by reason of any law or regulation, it shall not affect the validity of the remaining provisions hereof.

b. Standing Indemnification. Except to the extent expressly prohibited by the New York Not-For-Profit Corporation Law or other law.

- 1) The school shall promptly indemnify each person who is a present or former Trustee or Officer of the Corporation or member of a committee established pursuant to these By-Laws who is made, or is threatened to be made, a party to any action or proceeding, whether civil, criminal, administrative, investigative or otherwise and whether brought by or in the right of the Corporation, or who is subject of a government investigation, by reason of the fact that such person (A) is or was a Trustee, Officer or committee member or (B) in the case of a present or former Trustee or Officer, serves or served at the request of the Corporation any other corporation, partnership, joint venture, trust, employee benefit plan or other enterprise, in any capacity, against judgments, fines, amounts paid in settlement and expense, including attorneys' fees and costs of investigation, reasonably incurred in connection with any threatened or actual action or proceedings, or any appeal therein, or governmental investigation, except where a judgment or other final adjudication adverse to such person establishes that his or her acts were committed in bad faith or were the result of active and deliberate dishonesty and were material to the cause of action so adjudicated, or that he or she personally gained in fact a financial profit or other advantage to which he or she was not legally entitled;
- 2) The School shall advance or promptly reimburse upon request of a person referred to in Section 7.2(b)(1) all expenses, including attorneys' fees, reasonably incurred by such person to repay such amounts if such person is ultimately found not to be entitled to indemnification under law or this Section 7.2, or otherwise or, where indemnification is granted, to the extent the expenses so advanced or reimbursed exceed the amount to which such person is entitled, provided that such person shall cooperate in good faith with any request of the Corporation that common legal counsel be used by parties to any action, proceeding or government investigation who are similarly situated unless to do so would be inappropriate because of actual or potential differing interests between such parties; and
- 3) The School shall purchase and maintain directors and officer's liability insurance at times that it is required by this Section 7.2

and otherwise at all times unless the Board determines that such insurance is not obtainable on a commercially reasonable basis. The Corporation may purchase and maintain insurance on behalf of any person described in Section 7.2(b)(1) against any liability asserted against him or her, whether or not the Corporation would have the power to indemnify him or her against such liability under the provisions of this Article or otherwise.

- c. Indemnification by Resolution or Agreement. Unless clearly prohibited by law or Section 7.2(b)(1), the Board of Trustees may agree to provide or approve corporate indemnification as set forth in said Section 7.2(b)(1) or advancement of expenses as set forth in Section 7.2(b)(2) to a person who is or was employed by the School or who is or was a volunteer for the School, and who is made or threatened to be made, a party in any action or proceeding, by reason of the fact of such employment or volunteer activity, including actions undertaken in connection with service at the request of the School in any capacity for any other corporation, partnership, joint venture, trust, employee benefit plan or other enterprise.
- d. Application. A person for whom indemnification or the advancement or reimbursement of expenses is provided for under this Section 7.2, may elect to have the provisions of this Section 7.2, interpreted on the basis of the applicable law in effect; (A) the time of the occurrence of the event or events giving rise to the action, proceeding or governmental investigation, to the extent permitted by law, or (B) at the time indemnification or advancement or reimbursement of expenses is provided or sought.

### 3. Amendments

Subject to approval by the Board of Regents, these By-Laws may be adopted, amended, or repealed at any meeting of the Board of Trustees by a vote of two-thirds (2/3) of the entire Board of Trustees.

## **Article VIII: CODE OF ETHICS**

### 1. Code of Ethics for Members of the Board of Trustees, Officers and Employees

Notwithstanding any provision contained herein, each member of the Board of Trustees, each Officer and every Employee is to abide by the following code of ethical conduct:

- a. No Trustee, Officer, or Employee of any singled organization shall hold more than 40 percent of total seats comprising the Board;

- b. No Trustee may serve on more than two (2) separate Charter School Board as a Trustee and/or Officer;
- c. Each Trustee will disclose when they have a financial, organizational or personal interest in a matter before the Board;
- d. Each Trustee will abstain from voting on matters in which they may have a financial, organizational or personal interest;
- e. No Trustee, Officer, Employee or Individual Associated with a For-Profit Corporation, Limited Liability Corporation or Partnership having a business relationship with the Charter School involving the provision of educational management services shall serve as a voting member of the Board of Trustees.

**Article IX: DISSOLUTION**

1. Dissolution

In the event of termination or revocation of the Charter School, the School shall follow the procedures set forth in the Application and § 2851(2)(t) of the Act, for the transfer of students and student records to the school district in which the Charter School is located and for the disposition of the Charter School's assets to the school district in which the Charter School is located or to another charter school located within the school district. In addition, in case of such an event, the Charter School will follow any additional procedures required by the New York State Education Department to ensure an orderly dissolution process, including compliance with the applicable requirements of Education Law §§ 219 and 220.

2. Escrow Account for Dissolution

The Charter School agrees to establish an escrow account of no less than \$75,000 to pay for legal and audit expenses that would be associated with a dissolution should it occur.

To the extent there are any conflicts between the terms of the School's Charter and the terms of these by-laws, the terms of the Charter will control.

# Exhibit 9 – Code of Ethics

Included in By-laws (see Exhibit 8)

## **Article VIII: CODE OF ETHICS**

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- e. No Trustee, Officer, Employee or Individual Associated with a For-Profit Corporation, Limited Liability Corporation or Partnership having a business relationship with the Charter School involving the provision of educational management services shall serve as a voting member of the Board of Trustees.

## **Exhibit 10: Enrollment and Admissions Policy**

COMMUNITY Charter School serves students in grades Kindergarten through Sixth grades. The expected ages typically range from five (5) years old to twelve (12) years old.

COMMUNITY Charter School actively recruits from a diverse pool of applicants from the school district through the use of an extensive outreach program. The School continues to take proactive measures to identify, attract and admit interested families through contacts with the media and with a broad base of community agencies and organizations. The School also makes an effort to attract students with special needs by working with agencies such as Early Childhood Direction Centers. The school abides by the “good faith effort” to attract and retain comparable numbers of students with disabilities and students with Limited English Proficiency within the districts.

In order to recruit students without parents to advocate on their behalf, COMMUNITY Charter School will take proactive measures to identify, attract and admit these students. The process begins with the publication of the application process. When an application is received, the applicant is notified that, in accordance with the amendment to section 2854(2)(b) of education, the charter school must enroll each eligible student by the first day of April each year. The School notifies parents immediately after the lottery informing them of whether or not the child was accepted into the School.

### **The enrollment process will consist of the following:**

- Information sessions throughout the area
- School visits and tours of interested parents and students
- Declaration of desire to attend through a completed application
- Lottery held in compliance with the amendment to Section 2854(2)(b) of New York’s Education Law

After students are selected through the lottery, those applicants for whom there is no space are notified of their placement on a waiting list in the order drawn. In such cases, an enrollment preference shall be provided to students returning to COMMUNITY Charter School, to siblings of students already enrolled in the school and then to students from the school district of location. Once families are notified of acceptance, they have then calendar days to notify COMMUNITY Charter School of their intention to enroll their children. Should a family not respond in that period of time, it will be assumed that the family has declined our invitation to enroll their children in the School. At that time the next listed name on the waiting list is selected.

Admission to COMMUNITY Charter School is not based on intellectual ability, measures of achievement or aptitude, athletic ability, disability, race, creed, gender, national origin, religion, sexual orientation, or ancestry. Admission to COMMUNITY Charter School is conducted in a manner consistent with the United States Department of Education's non-regulatory guidance on charter schools. Admission may be refused to any student who has been expelled or suspended from a public school until the period of suspension or expulsion from a public school has expired, consistent with the requirements of due process.

The program offered meets the needs of all children who seek to enroll. An intake interview is schedule for all new students and families to the building. Support staff and contract services have been provided for in the budget. A student may withdraw from COMMUNITY Charter School at any time by notifying the school office and completing a withdrawal and record transfer form. The School requires that the record transfer form be completed as part of the withdrawal.

## Exhibit 11 – Contract with Educational Service Provider

Not Applicable

## Exhibit 12 – Table of Management Functions

Not Applicable



# COMMUNITY Charter School

## CODE OF CONDUCT

2012-2013

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## **COMMUNITY Charter School**

### **Code of Conduct**

#### **INTRODUCTION**

The COMMUNITY Charter School Board of Trustees (“Board”) is committed to providing a safe and orderly school environment where students may receive and school personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, or other school personnel, parents and other visitors is essential to achieving this goal.

The COMMUNITY Charter School has a set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity. COMMUNITY Charter School’s mission is to optimize the potential of each child to meet or exceed the New York State Common Core Learning Standards and advance to personal independence with short and long term contribution to the community and reflect the following beliefs and values:

- The school promotes an environment in which children experience rigorous academics, build team work skills and display respect for others
- Children gain self-esteem by improving their ability to articulate and express themselves on diverse subjects and in a variety of situations.
- The curriculum is accessible to all of its students by minimizing the specific barriers that inner-city children encounter.
- Effective education includes teaching children to exercise good judgment, be critical thinkers, be creative and attain a positive attitude towards self and others.
- Effective education accepts that deep understanding leads to broader knowledge and increased opportunity for short and longer-term application.
- Educational strategies are evidence-based to the extent possible.
- The school adds value to the community with an improved quality to cost ratio.
- The school is a learning community for parents, faculty, staff, children and the greater community; and as such, contributes to the improvement of assets of the community at large.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property and school field trips, to identify the possible consequences of unacceptable conduct, and to ensure that discipline, when necessary, is administered promptly and fairly. To this end, the Board adopts this Code of Conduct (“Code”).

Unless otherwise indicated, this Code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

## DEFINITIONS

For purposes of this Code, the following definitions apply:

**School Property** means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus (Education Law §11 [1]).

**School Bus** means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law §11[1] and Vehicle and Traffic Law §142).

**School Function** means a school sponsored extracurricular event or activity (Education §11[2]).

**Disability** means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law §11[4] and Executive Law §292[21]).

**Employee** means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nineB of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law §§11[4] and Executive Law §§11[4] and 1125[3]).

**Sexual Orientation** means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11[5]).

**Gender** means actual or perceived sex and includes a person's gender identity or expression (Education Law §11[6]).

**Harassment** means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex (Education Law §11[7]).

**Dignity for All Students Act (Dignity Act)** means No student shall be subjected to harassment by employees or students on school property or at a school function; nor shall any student be subjected to discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression), or sex by school employees or students on school property or at a school function.

In the event you need to report the harassing of your student, please contact **The Dignity Act Coordinator, Heather McClain at 716-833-5967.**

**Disruptive student** means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

**Parent** means parent, guardian or person in parental relation to a student.

**Violent student** means a student under the age of 21 whom:

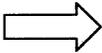
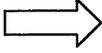
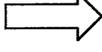
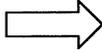
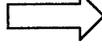
1. Commits an act of violence upon a school employee, or attempts to do so.
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
3. Possesses, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys COMMUNITY Charter School property.

**Visitor** means anyone who is not a regular staff member or student of the COMMUNITY Charter School.

**Weapon** means a firearm as defined in 18 USC 921 for purposes of the Gun-Free Schools Act. It also includes, but is not limited to, any other gun, BB gun, pellet gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, knife, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, materials or substance that can cause physical injury or death when used to cause physical injury or death.

## STUDENT RIGHTS AND RESPONSIBILITIES

With every right comes a responsibility:

RIGHTS	RESPONSIBILITIES
1. Attend school and be granted the opportunity to receive a quality education.	 Attend school regularly and on time, complete assignments, and strive to do the highest quality work possible.
2. Be made aware of the school rules and policies, and to always be treated in a manner consistent with these policies in all disciplinary matters.	 Be familiar with the COMMUNITY Charter School Code of Conduct, obey the rules it contains, conduct him/herself in a manner not distracting to others.
3. Have the opportunity to present your version of the facts and circumstances in all disciplinary matters.	 Be truthful and respectful when responding to authority.
4. Take part in all school activities on an equal basis regardless of race, sex, religion, national origin, or disability.	 Work to one's best ability in all academic and extracurricular activities, while being fair and supportive of others.
5. Be safe in the school environment.	 Behave in a manner that will not jeopardize the safety and well being of oneself or others.
6. Not to be intimidated or harassed by others.	 Respect one another and treat others fairly and in accordance with this Code.
7. Dress according to uniform policy.	 Dress in a manner not distracting to others, and in accordance with school policy.

## ESSENTIAL PARTNERS

### Expectations for Parents:

1. Make certain your child's attendance at school is regular, punctual, and all absences are properly excused as required by law.
2. Insist that your child is dressed in compliance with the uniform policy and school rules regarding sanitation and safety and in a fashion that will not disrupt classroom procedures.
3. Be as certain as possible that your child is free of communicable disease and is in good health, enabling him or her to participate in the learning environment. Please keep health records updated.
4. Teach your child, by word and example, respect for the law, for the authority of the school and for the rights and property of others.
5. Know and understand the rules your child is expected to observe at school. Be aware of the consequences for violations of these rules and accept legal responsibility for your child's actions.
6. Help your child understand that appropriate school rules are required to maintain a safe, orderly environment and provide effective and appropriate strategies for dealing with peer pressure in accordance with COMMUNITY Charter School Code of Conduct.
7. Instill in your child a desire to learn; encourage a respect for honest work and an interest in exploring broader fields of knowledge.
8. Become acquainted with your child's school, its staff, curriculum and activities. Attend parent-teacher conferences and school functions.
9. Convey to your child a supportive attitude toward education and the COMMUNITY Charter School.
10. Recognize that the education of your child is a joint responsibility of the parents/guardians and the school community.
11. Send your child to school ready to participate and learn as required by NYS Education Law.
12. Promote positive behavior in your child by helping him or her to accept the consequences of his or her actions and by becoming involved in the behavior management/disciplinary process; guide your child to develop socially acceptable standards of behavior.
13. Inform school officials of changes in the home situation that may affect student conduct or performance.
14. Support your child educationally by providing a place for study and ensuring that homework assignments are completed.

15. Report any school-related safety concerns to a building administrator for resolution.

Expectations for Teachers:

1. Reflect a personal enthusiasm for teaching and learning and a genuine concern for the individual student.
2. Guide learning activities so students learn to think and reason, assume responsibility for their actions and respect the rights of others.
3. Be fair, firm and consistent in enforcing school rules on school property and at all school functions.
4. Give positive reinforcement for acceptable behavior.
5. Inform the Head of School and/or his/her designee concerning any student whose behavior requires special attention.
6. Maintain a climate of mutual respect and dignity to strengthen each student's self-concept and confidence to learn.
7. Communicate to students and parents that which is important to the student's emotional, social, behavioral and academic progress, including but not limited to:
  - Marking/grading procedures
  - Assignment deadlines
  - Expectations for students
  - Classroom discipline plan
  - School-wide discipline plan
  - Student progress
8. Be knowledgeable about effective classroom/building behavior management techniques and the non-violent crisis intervention philosophy and techniques.
9. Maintain confidentiality about all personal information and educational records concerning students and their families.
10. Demonstrate dependability, integrity, self-discipline and respect for law by word and personal example.
11. Report any school-related safety concerns to the Head of School and/or his/her designee for resolution.

### Expectations for Student Support Service Personnel:

1. Demonstrate interest and concern for student achievement in the educational process.
2. Know school policies and rules, including this Code of Conduct, and enforce them in a fair and consistent manner.
3. Maintain confidentiality about all personal information and educational records concerning students and their families.
4. Demonstrate dependability, integrity and other standards of ethical conduct.
5. Provide educationally related service(s) to support students in their educational program.
6. Support educational and academic goals.
7. Assist students in coping with peer pressure and emerging personal, social, emotional and physical problems.
8. Encourage students to benefit from the curriculum and co-curricular activities.
9. Communicate regularly with students, parents and other staff.
10. Be knowledgeable about effective classroom behavior/building management techniques and the non-violent crisis intervention philosophy and techniques.
11. Report any school-related safety concerns to the Head of School and/or his/her designee for resolution.

### Expectations for Other School Staff:

1. Follow the Code of Conduct; know, abide by and enforce school rules in a fair and consistent manner.
2. Set a good example for students and other staff by demonstrating dependability, integrity, respect and other standards of ethical conduct.
3. Assist in promoting a safe, orderly and stimulating school environment.
4. Maintain confidentiality about all personal information and educational records concerning staff, students and their families.
5. Report any school-related safety concerns to the Head of School and/or his/her designee for resolution.

Expectations for the Head of School and/or his/her Designee:

1. Organize school schedules and teaching assignments which promote effective classroom management and instruction.
2. Be fair, firm and consistent in all decisions affecting students, parents and staff.
3. Promote a successful teaching and learning environment by fostering a safe, orderly and academically stimulating school environment.
4. Ensure that students and staff have the opportunity to communicate regularly with the Director regarding any school related matters.
5. Support the development of and student participation in appropriate extracurricular activities.
6. Be responsible for students, parents, and staff knowing and understanding the Code of Conduct.
7. Be knowledgeable about effective classroom behavior/building management techniques, the non-violent crisis intervention philosophy and techniques, and assure the utilization of the building/discipline plan.
8. Ensure that a school-wide behavior management system is created, supported and enforced.
9. Maintain confidentiality about all personal information and educational records concerning students and their families.
10. Demonstrate by word and personal example dependability, integrity, self-discipline and respect for law.
11. Adhere to COMMUNITY Charter School's policies, regulations and procedures.
12. Inform the Board about educational trends relating to student discipline.
13. Work to create instructional programs that are academically sound and promote an environment that is sensitive to student and teacher needs and is designed to minimize problems of student misconduct.
14. Establish, implement and maintain programs for students with special needs in accordance to NYS Education Law.
15. Become acquainted with the schools, staff and students, by visiting classrooms regularly and by attending school functions.

### Expectations for Board of Trustees:

1. Collaborate with students, teachers, the Head of School and/or his/her designee, parent organization, and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, personnel and visitors on school property and at school functions.
2. Approve and review at least annually, the COMMUNITY Charter School Code of Conduct to evaluate the Code's effectiveness and the fairness and consistency of its implementation.
3. Lead by example by conducting Board meetings in a professional, respectful and courteous manner.
4. Become acquainted with the school, staff and students by visiting buildings and by attending school functions.

### **STUDENT CONDUCT**

The primary goal of the COMMUNITY Charter School is to optimize the potential of each child to meet or exceed the New York State Common Core Learning Standards and advance to personal independence with short and long term contribution to the community. The information herein has been designed to assist each student in realizing a rewarding academic experience at COMMUNITY.

The following is intended to serve as a guide for what is expected of COMMUNITY Charter School students. The adherence to school policies will promote proper student behavior and promote academic excellence in which COMMUNITY takes pride. Any violation of these policies will result in appropriate disciplinary action. Specific levels will develop language under each category appropriate to their level.

The Board recognized the need for specific and clear expectations for student conduct while on school property or engaged in a school function. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct.

**Students may be subject to disciplinary action, up to and including suspension from school, when they:**

- Engage in conduct that is disorderly.
- Engage in conduct that is insubordinate.
- Engage in conduct that is disruptive.
- Engage in conduct that is violent.
- Engage in any conduct that endangers the safety, morals, health or welfare of others.

- Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on owned or leased COMMUNITY Charter School buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.
- Engage in any form of academic misconduct.

The following are examples of, but not limited to, behavioral expectations of the students of the COMMUNITY Charter School:

### Cafeteria

All students must eat their lunch in the cafeteria or designated area whether they bring it from home or buy it. Students must deposit their garbage in the proper receptacles. Students are expected to conduct themselves in an orderly manner in the cafeteria. Students must stay seated and use appropriate volume. Disruptive behavior in the cafeteria will not be tolerated. Appropriate disciplinary action will follow.

### Civility

Students are expected to behave with dignity and treat others with respect and courtesy. Students should respect their peers, teachers, and school staff. Individual behavior should not interfere with the rights of others. Students are expected to use language that is appropriate in demonstrating respect for self and others. Profanity, vulgar language including, but not limited to, racial comments, and/or obscene gestures toward others will not be tolerated. Appropriate disciplinary action will be taken.

### Computer/Internet Policy

We encourage students to use computers and technology available in our school facilities; however, with this use comes responsibility. Violations of the following guidelines may result in a loss of access as well as other disciplinary actions or legal action in accordance with applicable laws and/or due process procedures. Users are expected to:

#### **Respect the privacy of others.**

1. Users will not try to gain unauthorized access to networked or stand alone systems.
2. Users will not modify or read files of other individuals, however, it should be noted that system and/or district administrators have access to all files. **Privacy shall not be assumed in this case.**

#### **Respect the legal protection provided by copyright and license to programs and data.**

1. Users will not make copies of licensed programs, in violation of Copyright Laws.
2. Users will not install their own software on COMMUNITY Charter School computers without authorization.
3. Users will not intentionally develop or use programs to harass others or infiltrate a computing system or damage or alter the software components or network.

4. Users will not intentionally send inappropriate, obscene or hateful messages/mail to others.
5. Users will not be allowed access to various Internet sites including pornography, personal web sites or any online gambling site of any type.

**Abide by the Acceptable Use Agreement distributed to all COMMUNITY students, and their parents, who use COMMUNITY Charter School computers.**

#### Corridor Passes

While school is in session, no student is permitted in the halls or lavatories without permission. Students found in the halls without permission may be subject to disciplinary measures.

Appropriate hallway behavior is expected; no running, shoving or any other inappropriate behaviors not conducive to the school environment will be tolerated.

#### Dangerous Behavior/Weapons

Any student who threatens or displays behavior that might endanger the health, safety and welfare of self, other students, teachers and/or staff, will be suspended immediately and may include a recommendation for a Board hearing to determine the student's future status. This behavior includes but is not limited to setting false fire alarms; making bomb threats; starting fires; possessing fireworks, weapon(s) or pepper spray; throwing objects; fighting; vandalism; extortion and any other activity that would endanger anyone on school property or at a school function.

#### Electronic Devices

Students are to refrain from bringing to school any items that are not needed for instructional/medical purposes. This includes, but is not limited to, electronic devices such as cell phones, video games, iPods, MP3/CD players, laser pointers, etc. During school hours these items may be confiscated immediately and the appropriate measures taken.

#### Fighting/Harassment

All students of COMMUNITY Charter School are to treat each other with dignity and respect. Any student who engages in fighting/harassment (physical, sexual and/or verbal) will be displaying inappropriate behavior. Violators will be referred to the Head of School and/or his/her designee for disciplinary action. The penalty may range from a reprimand to suspension from school. A write-up of the incident will be placed in their permanent folder. **See "Dignity Act" on Page 5.**

#### Forgery

Students who engage in forgery of any kind will be given appropriate disciplinary consequences.

### Gambling/Selling/Trading of Items

Students observed participating in, or conducting any activity that may be construed as gambling will be disciplined appropriately. Exchanging of personal property is not conducive to the educational environment and those items may be confiscated and appropriate disciplinary measures will be taken.

### Medications

Students may not take and/or carry medications – prescription or over-the-counter – while in school unless the proper forms signed by both parent and doctor are submitted to the Nurse’s Office. All medications must be in their original packaging.

### Insubordination

The appropriate disciplinary action will be taken when students are insubordinate, vulgar or display flagrant disregard of the school rules and disrespect for school personnel. This is to include but not limited to completing assignments, following directions from adults and being prepared for class. A write-up of the incident will be placed in their permanent folder.

### Loitering/Trespassing

Unauthorized persons, including students, found loitering in the building or on school grounds will be referred to an administrator for disciplinary actions. The police will be contacted when necessary.

### Leaving School Building/Grounds

Students are not permitted to leave the school building or grounds at any time during the school day without a duly authorized pass from the Office. Students who become ill must be sent home through the Nurse’s Office.

### Plagiarism/Cheating

Students found to be plagiarizing or cheating on any assignment and/or test or examination may have a parent conference scheduled with the teacher as well as the Head of School and/or his/her designee (if necessary). If warranted, the student will also receive a grade of zero for the test or assignment and disciplinary action will be assigned.

### Substance Use/Abuse (Including Smoking)

Federal law and Board policy prohibits any type of substance use/abuse, including the use of tobacco, in any form on school property or at school functions.

The use of alcoholic beverages of any kind, as determined by law, is prohibited at all times on school property and at school functions. This includes all school-sponsored functions both on COMMUNITY Charter School property and away. Students are prohibited from possessing, consuming, selling, attempting to sell, distributing or exchanging alcoholic beverages or illegal

substances or being under the influence of either. Illegal substances include, but are not limited to inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs and drug paraphernalia.

Students with substance abuse or other social problems are encouraged to discuss them with appropriate school personnel. Problems will be treated in the strictest confidence possible.

#### Tardy to School

Appropriate notification from a parent/guardian must be received at the Main Office if a student is late to school. If a student is excessively tardy then further action will be taken.

#### Theft/Possession of Stolen Property

Disciplinary action will be taken against students taking things that do not belong to them.

#### Vandalism

Vandalism of school property is considered a serious offense. This can range from littering to destruction of school property. Students will be responsible for damages or loss of any school property or equipment for which they damaged. In accordance with law, students and/or parents may be responsible for the cost of recouping damages. In addition, disciplinary action may be taken.

#### Student Visitors

Student visitors are welcome under certain conditions. The necessary paperwork must be completed well in advance of a visitation. There will be no visitations allowed on the week prior to exams or the day before a school holiday or school vacation.

#### Vulgarity/Profanity

The use of vulgarity/profanity in the school building, or on school grounds or at any school sponsored function, is strictly prohibited. This includes selling, using or possessing obscene materials. All locker decorations should reflect this policy.

#### Attendance

In accordance with Board policy, the impact of attendance upon instruction on a regular and continuing basis is an important element in an effective teaching/learning program. Each and every student should attend classes on a regular basis and be a participant in the classroom programs, activities, and discussions in order to benefit from presentations made by teachers. Because of the information being disseminated and because of the expectation of student participation, class attendance is important. Students' prolonged absences will result in a loss of instruction; therefore, attendance is imperative.

At such time as a student's lack of attendance is identified as a problem, every effort should be made to address the problem, utilizing the resources of the school and involving the student and his or her parents or guardians to resolve the attendance problem. The school resources include both

teaching and administrative staff as well as guidance staff. When resources of COMMUNITY Charter School have been exhausted and attendance patterns have not improved, other sources, including family court, may be appropriate in an attempt to correct the problem. Students requesting early dismissal must complete the appropriate form.

All students must return from an absence with written notification which must include the first and last name of the student, the date(s) absent, the reason for the absence, and a parent/guardian signature with a contact phone number.

## **REPORTING VIOLATIONS**

All students are expected to promptly report violations of the Code of Conduct to a teacher, social worker, Head of School or his/her designee. Any student observing another student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the Head of School and/or his/her designee.

All COMMUNITY Charter School staff that is authorized to impose disciplinary sanctions is expected to do so in a prompt, fair and lawful manner. COMMUNITY staff not authorized to impose disciplinary sanctions is expected to promptly report violations of the Code of Conduct to their supervisor. Disciplinary sanctions may be imposed by the Head of School or designee.

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction, if warranted, which may include permanent suspension and referral for prosecution.

The Head of School and/or his/her designee must notify the appropriate local law enforcement agency of those Code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the Head of School and/or his/her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the Code of Conduct and that constituted a crime.

## **DISCIPLINARY PENALTIES, PROCEDURES AND REFERRALS**

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary actions, school personnel authorized to impose disciplinary penalties will consider the following:

- The student's age.

- The nature of the offense and the circumstances which led to the offense.
- The student's prior disciplinary record.
- The effectiveness of other forms of discipline.
- Information from parents, teachers and/or others, as appropriate.
- Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability.

## **Penalties**

Students who are found to have violated COMMUNITY Charter School's Code of Conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

- Oral warning – any member of the COMMUNITY staff.
- Written warning – bus drivers, hall and lunch monitors, coaches, school counselors, teachers, Head of School and/or his/her designee.
- Written notification to parent-school counselors, teachers, Head of School and/or his/her designee.
- Detention – teachers, Head of School and/or his/her designee.
- Suspension from transportation – Head of School and/or his/her designee (Students will be expected to attend school as regularly scheduled; parents must arrange for transportation.)
- Suspension from athletic participation – coaches, Head of School and/or his/her designee.
- Suspension from social or extracurricular activities – activity director, Head of School and/or his/her designee.
- Suspension of other privileges – Head of School and/or his/her designee.
- Removal from classroom by teacher – teachers, Head of School and/or his/her designee.
- In-school suspension – Head of School and/or his/her designee.
- Short-term (five days or less) suspension from school – Head of School and/or his/her designee, Board of Trustees.
- Long-term (more than five days) suspension from school – Head of School and/or his/her designee, Board of Trustees.
- Permanent suspension from school – Head of School and/or his/her designee, Board of Trustees.

## **Procedures**

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

Students who are to be given penalties other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed.

### Detention

Teachers, Head of School and/or his/her designee may use during school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. The goal is to work the student back into the classroom as time in the classroom is essential for academic achievement.

### Suspension from Athletic Participation, Extra-curricular Activities and Denial of other Privileges

Students are expected to abide by COMMUNITY Charter School's athletic training rules and other rules applicable to students participating in athletics or extracurricular activities.

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with COMMUNITY Charter School's Head of School or designee to discuss the conduct and the penalty involved.

### Teacher Disciplinary Removal of Disruptive Students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can manage a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. Time-honored classroom management techniques do not constitute disciplinary removals for purposes of this Code as long as the management technique does not transfer student care/custody from the teachers.

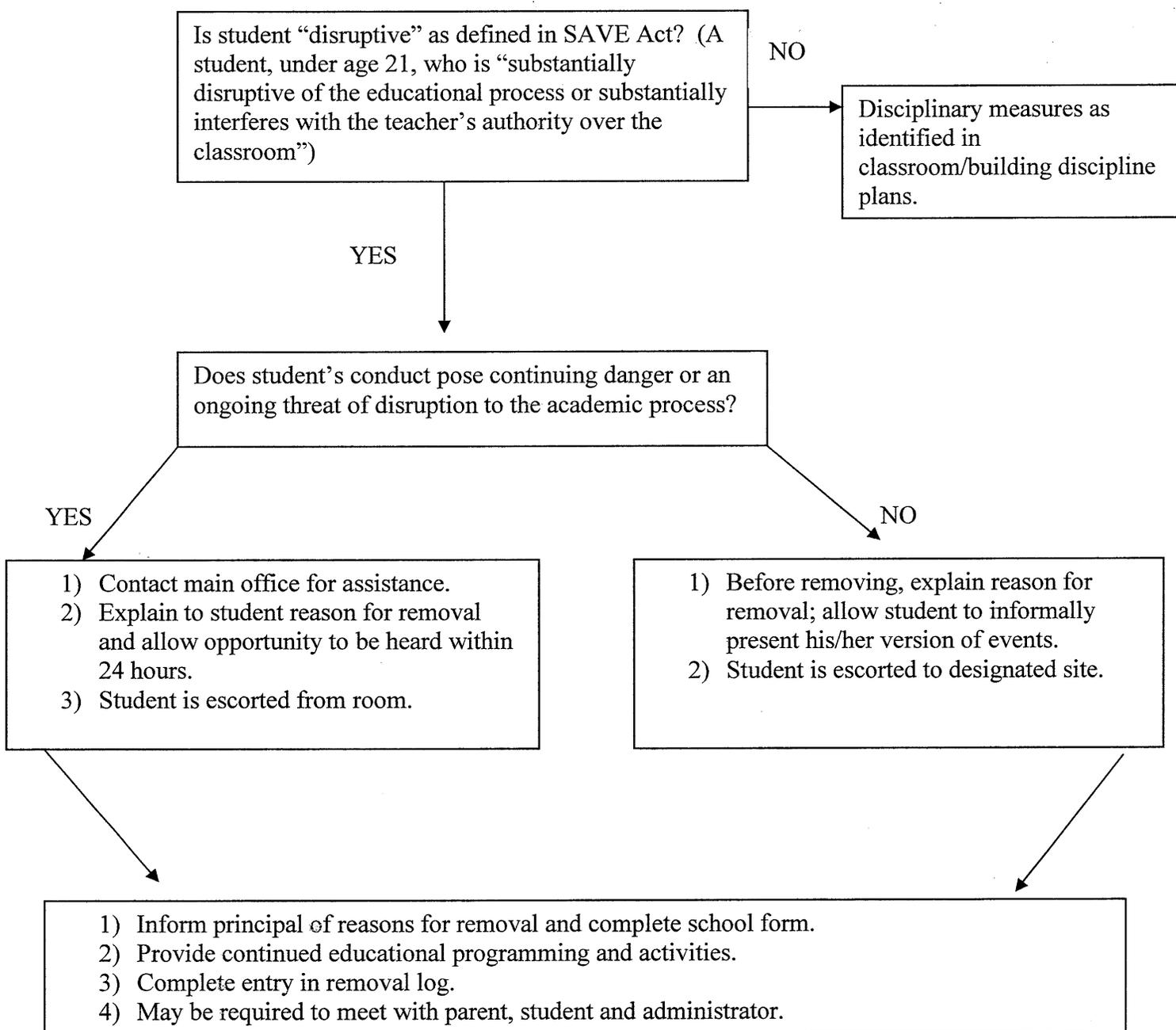
On occasion, a student's behavior may become disruptive. For purposes of this Code of Conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only. A student removed from class

for up to two days will be placed in Internal Suspension under the supervision of a monitor. While the student is in Internal Suspension (ISS), he/she will receive instruction by a certified teacher.

The procedure for the removal of a student by a teacher is as follows (see flow chart):

## TEACHER RESPONSIBILITIES WHEN REMOVING A DISRUPTIVE STUDENT



## HEAD OF SCHOOL' RESPONSIBILITIES TRIGGERED BY TEACHER REMOVAL OF A STUDENT

- 1) Within 24 hours of removal, the Head of School and/or his/her appointee must inform parent of reasons for removal.
- 2) **On request**, student/parent must be given an opportunity to discuss reasons with Head of School and/or his/her appointee.
- 3) If student denies the charges, student/parent must be given explanation of basis for removal and an opportunity to present his/her version. This must take place within 48 hours of removal.
- 4) Head of School and/or his/her appointee must decide, by the close of the business on the day following the opportunity for the informal hearing, whether the discipline will be overturned. Head of School and/or his/her appointee may only set aside discipline if:
  - a. The charges against the student are not supported by **substantial evidence**.
  - b. The student's removal is in violation of the law.
  - c. The conduct warrants suspension and a suspension will be imposed.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities at a designated "time-out" place as determined by COMMUNITY.

Each teacher must keep a complete log for all cases of removal of students from his or her class. The Head of School and/or his/her designee must keep a log of all removals of students from class.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until she or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

### In-School Suspension

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes the Head of School and/or his/her designee to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension."

A student subject to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a

reasonable opportunity for an informal conference with COMMUNITY Charter School's Head of School or designee imposing the in-school suspension to discuss the conduct and the penalty involved.

While the student is in Internal Suspension (ISS), he/she will receive two hours of instruction per day by a certified teacher and is supervised by a monitor.

### Suspension from School

Suspension from school is a severe penalty, which may be imposed only on students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others.

The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Head of School or designee.

Any staff member may recommend to the Head of School or designee that a student be suspended. All staff members must immediately report and refer a violent student to the Head of School or designee for a violation of the Code of Conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The Head of School and/or his/her designee, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

#### 1. Short-term (5 days or less) Suspension from School

When the Head of School and/or his/her designee proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §321.4(3), he/she must immediately notify the student orally. If the student denies the misconduct, the Head of School or designee must provide an explanation of the basis for the proposed suspension. The Head of School or designee must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide description of the charges against the student and the incident for which suspension is proposed and shall inform the parent of the right to request an immediate informal conference with the Head of School and/or his/her designee. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parent. At the conference, the parent shall be permitted to ask questions of complaining witnesses under such procedures as the Head of School and/or his/her designee may establish.

The notice and opportunity for an informal conference with the Head of School or designee shall take place before the student is suspended unless the student's presence in school poses a

continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the Head of School and/or his/her designee shall promptly advise the parents in writing of his or her decision. The Head of School and/or his/her designee shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Board of Trustees within five business days, unless they can show extraordinary circumstances precluding them from doing so. The Board of Trustees shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Board of Trustees' decision, they may file a written appeal to the State Education Department. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision. (The State Education Department, University of the State of New York, Albany, NY 12234)

### Disciplinary Infractions

- Attempt to assault any student or staff member;
- Vandalize school property causing minor damage;
- Endanger the physical safety of another by the use of force or threats of force that reasonably places the victim in fear of imminent bodily injury;
- Engage in conduct which disrupts school or classroom activity or endanger or threaten to endanger the health, safety, welfare, or morals of others;
- Engage in insubordination;
- Fail to complete assignments, carry out directions, or comply with disciplinary sanctions;
- Cheat on quizzes, exams, or commit plagiarism;
- Used forged notes or excuses;
- Steal, or attempt to steal, or possess property known by the student to be stolen;
- Commit extortion;
- Engage in gambling;
- Abuse school property or equipment;
- Use obscene or abusive language or gestures;
- Engage in acts of verbal or physical sexual harassment;
- Make a false bomb threat or pull a false emergency alarm;
- Possess tobacco or alcohol;
- Possess pagers, beepers, or portable/cellular telephones not being used for instructional purposes;
- Wear inappropriate, insufficient, or disruptive clothing or attire, or violate the student dress code;
- Misuse computer technology, including viewing or downloading inappropriate material not germane to schoolwork.
- Commit any other act which school officials reasonably conclude disrupts the learning environment of the school;
- Repeatedly commit minor behavioral infractions which, in aggregate, may be considered an infraction subject to formal disciplinary action.

## 2. Long-term (More than 5 days) Suspension from School

When the Head of School and/or his/her designee determine that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his/her behalf.

An appeal of the decision of the Head of School and/or his/her designee may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing the submitted to the Board of Trustees within 10 business days of the date of the Head of School and/or his/her designee's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Head of School or designee. Final decisions of the Board may be appealed to the Commissioner within 30 days of the decision. (The State Education Department, University of the State of New York, Albany, NY 12234)

### Disciplinary Infractions

- Possess, use, attempt to use, or transfer of any firearm, knife, razor blade, explosive, mace, tear gas, or other dangerous object of no reasonable use to the student in school;
- Commit, or attempt to commit arson on school property;
- Assault any other student or staff member;
- Intentionally causes physical injury to another person, except when student's actions are reasonably necessary to protect him or herself from injury;
- Vandalize school property causing major damage;
- Commit any act which could constitute a crime or is a more egregious infraction described under "short-term suspension", which school officials reasonably conclude warrants a long-term suspension.

### Permanent Suspension

Permanent suspension is reserved for several extraordinary circumstances:

1. such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.
2. students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interferes with the teacher's authority over the classroom.
3. if a student has 4 physical altercations within a school year.

If a student is permanently suspended the student may not be re-admitted to COMMUNITY Charter school.

### **Minimum Periods of Suspension**

### Students who Bring a Weapon to School

Any student found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. A student with a disability may be suspended only in accordance with the requirements of state and federal law. Before being suspended, the student will have an opportunity for a hearing pursuant to Educational Law §3214.

The Head of School and/or his/her designee have the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Head of School and/or his/her designee may consider the following:

- The student's age
- The student's grade in school
- The student's prior disciplinary record
- The Head of School and/or his/her designee's belief that other forms of discipline may be more effective
- Input from parents, teachers and/or others
- Other extenuating circumstances

### Students Who Commit Violent Acts Other Than Bringing a Weapon to School

Any student who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. A student with a disability may be suspended only in accordance with the requirements of state and federal law. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Head of School and/or his/her designee has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Head of School and/or his/her designee may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

### Students Who are Repeatedly Substantially Disruptive of the Educational Process or Repeatedly Substantially Interferes with the Teacher's Authority Over the Classroom

Any student, who repeatedly is substantially disruptive of the education process or substantially interferes with the teacher's authority over the classroom, will be suspended from school for at least five days. A student with a disability may be suspended only in accordance with the requirements of state and federal laws. For the purposes of this Code of Conduct, "repeatedly substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214(3-a) and this Code on four or more occasions during a semester. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students to a long-term suspension. The Head of School and/or his/her designee has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the

penalty, the Director may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

## **ALTERNATIVE INSTRUCTION**

When a student of any age is removed from class by the teacher for disruptive behavior, or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, COMMUNITY Charter School will take immediate steps to provide alternative means of instruction for the student. This instruction shall be of an equivalent nature to that provided in the student's regularly scheduled class and shall be provided by a COMMUNITY staff member. The school shall act promptly, with due regard for the nature and circumstance of the particular case.

Students who are suspended from school shall attend the Out of School Suspension Program sponsored by the Boys and Girls Club. They will receive a minimum of two hours of instruction per day by certified teachers.

## **DISCIPLINE OF STUDENTS WITH DISABILITIES**

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

This Code of Conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

### **Authorized Suspensions or Removals of Students with Disabilities**

1. For purposes of this section of the Code of Conduct, the following definitions apply.
  - a. A "suspension" means a suspension pursuant to Education Law §3214.
  - b. A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.
  - c. An "IAES" means a temporary educational placement for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student's current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.
2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:

- a. The Board, the Head of School and/or his/her designee may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
- b. The Head of School and/or his/her designee may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Head of School and/or his/her designee determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
- c. The Head of School and/or his/her designee may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
- d. The Head of School and/or his/her designee may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE) of the students' school district of residence, for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.

1. "Weapon" means the same as "dangerous weapon" under 18 U.S.C. 930(g)(w) which includes "a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except...[for] a pocket knife with a blade of less than 2 ½ inches in length."
2. "Controlled substance" means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
3. "Illegal drugs" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
4. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

### Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
  - a. For more than 10 consecutive school days; or
  - b. For a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each

suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.

2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal.

However, the Board may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE of the students' school district of residence has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

## **CORPORAL PUNISHMENT**

Corporal punishment is any act of physical force upon a student for the purpose of disciplining that student. Any teacher, administrator, officer, employee or agent of COMMUNITY Charter School shall not use corporal punishment as a means of discipline against a student; nor shall corporal punishment be used against a student by a parent or any other visitor while on school property.

However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, then the use of reasonable physical force may be used to:

- Protect oneself from physical injury;
- Protect another student, teacher or any other person from physical injury;
- Protect the property of the school or others; or
- Restrain or remove a disruptive student, whose behavior interferes with the orderly exercise and performance of COMMUNITY Charter School functions, powers and duties, if that student has refused to comply with a request to refrain from further disruptive behavior.

The school will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with the Commissioner's Regulations.

## **STUDENT SEARCHES AND INTERROGATIONS**

### **Questioning of Students by School Officials**

Any school designee authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law, school rules or the COMMUNITY Code of Conduct. School officials are not required to give "Miranda" type warning before questioning, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

School officials have the right and responsibility to contact appropriate law enforcement agencies, as may be necessary, with regard to statements and information given by students to school officials.

## Student Searches by School Officials

In order to maintain discipline and safety on school property and at school functions, students and their property, as well as desks, lockers, and other school property used by students, may be subject to searches by authorized school officials. However, the constitutional right of students to be free from unreasonable searches and seizures shall be protected.

The Head of School and/or his/her designee, school nurse, and security officials are authorized to conduct searches of students and their belonging on school grounds if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law, school rules, or the Code of Conduct.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

Before searching a student or the student's belongings, the authorized school officials should attempt to obtain the student's admission that he or she possess physical evidence that they violated the law or the School Code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

Factors that may be considered in determining whether reasonable cause exists to search a student include:

- The age of the student;
- The student's record and past history;
- The predominance and seriousness of the problem in the school where the search is directed;
- The statements of the student and others;
- Personal observations of the student behavior giving rise to the suspicion;
- The urgency to conduct the search without delay.

## Student Lockers, Desks and Other School Storage Places

The rules of this Code of Conduct regarding searches of students and their belongings do not apply to student lockers, desks, and other storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other storage may be subject to search at any time by school officials, without prior notice to students and without their consent.

## Other Searches

Personal searches on school property or at a school function may occur in accordance with Board policy and law.

### **Police Involvement in Searches and Interrogations**

The school is committed to cooperating with law enforcement authorities to maintain a safe school environment. Police officials may interview or search students in schools or at school functions, or to use school facilities in connection with police work, in accordance with law and Board policy.

### **Child Protective Services Investigations**

Consistent with the School's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the School will cooperate with local child protective service workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

## **VISITORS TO THE SCHOOL**

The following rules apply to visitors to the school:

1. Anyone who is not a regular school staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the main office upon arrival at the school and state the purpose of their visit. Visitors will be required to sign the visitors register and follow specific building procedures. Signs notifying visitors to report first to the school office shall be prominently posted in the school building.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Parents or citizens who wish to observe a classroom while school is in session are required to obtain permission in advance from the Head of School and/or his/her designee.
5. Visitors are expected to refrain from taking class time to discuss individual matters with teachers.

Visitation will occur in a way that avoids or minimizes disruption to the normal learning process and the ordinary classroom routine. The Head of School and/or his/her designee may accompany visitors during the visit when appropriate. Visitors are expected to maintain confidentiality regarding information acquired during the course of the visit.

6. Any unauthorized person on school property will be reported to the Head of School and/or his/her designee. Unauthorized persons will be asked to leave. The police may be called if the situations warrants.
7. Before a child may be released from the building with a visitor, it must be approved by the Head of School and/or his/her designee as one having the legal right to take the child. The visitor will wait in the main office for the child to come from the classroom and/or follow other duly approved procedures for that building.
8. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

## **PUBLIC CONDUCT ON SCHOOL PROPERTY**

The school is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the Code, “public” shall mean all persons on school property or attending a school function including students, teachers and school personnel.

The restrictions on public conduct on school property and at school functions contained in this Code are not intended to limit freedom of speech or peaceful assembly. The school recognizes that free inquiry and free expression are indispensable to the objectives of the School. The purpose of this Code is to maintain public order and prevent abuse of the rights of others.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

### **Prohibited Conduct**

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, or disability.
3. Obstruct the free movement of any person in any place to which this Code applies.
4. Willfully incite others to commit any of the acts prohibited by this Code.
5. Intentionally damage or destroy school property or the personal property of a teacher, administrator, other school employee or any person lawfully on school property, including graffiti or arson.

6. Disrupt or prevent the orderly conduct of classes, school programs or other school functions.
7. Distribute or wear apparel or other materials on school property or at school functions that are obscene, advocate the use of drugs, alcohol, tobacco products or illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
8. Use tobacco products on school property or at any school function.
9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school.
11. Gamble on school property or at school functions.
12. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
13. Loiter on or about school property.
14. Refuse to comply with any reasonable order of identifiable school officials performing their duties.
15. Violate the traffic laws, parking regulations or other restrictions on vehicles, including the unauthorized operation of ATVs, snowmobiles or other such vehicles, as posted.
16. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.

## **Penalties**

Persons who violate this Code shall be subject to the following penalties:

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection and may not return. The duration of the eviction will be determined by the severity of the action and in accordance with law.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.

3. Faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020a - or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights they may have.
5. Staff members other than those described in subdivisions 3 and 4. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

## ENFORCEMENT

The Head of School and/or his/her designee or her designee shall be responsible for enforcing the conduct required by this Code.

When the Head of School and/or his/her designee or her designee sees an individual engaged in prohibited conduct, which is his or her judgment does not pose any immediate threat of injury to persons or property, the Head of School or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Head of School and/or his/her designee or her designee shall also want the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct or if the person's conduct poses an immediate threat of injury to persons or property, the Head of School or his/her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The school shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the school reserves its right to pursue a civil or criminal legal action against any person violating the Code.

## PUBLICATION, DISTRIBUTION AND REVIEW

### Dissemination of Code of Conduct

The Board will work to ensure that the community is aware of this Code of Conduct by:

1. Conducting a public hearing relating to this Code before Board approval.
2. Providing copies of a summary of the Code to all students at a general assembly held at the beginning of each school year.
3. Making copies of the Code available to all parents at the beginning of the school year.
4. Providing a summary of the Code of Conduct written in plain language to all parents of COMMUNITY students before the beginning of the school year and making this summary available later upon request.

5. Providing all current teachers and other staff members with a copy of the Code and a copy of any amendments to the Code as soon as practicable after adoption.
6. Providing all new employees with a copy of the current Code of Conduct when they are first hired.
7. Making copies of the Code available for review by students, parents and other community members.

The Board will support an in-service education program for all school staff members to ensure the effective implementation of the Code of Conduct. The Head of School and/or his/her designee may solicit the recommendations of the school staff, particularly teachers and administrators, regarding in service programs pertaining to the management and discipline of students.

The Board will review this Code of Conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the Code's provisions have been and whether the Code has been applied fairly and consistently.

The Board may appoint an advisory committee to assist in reviewing the Code and the School's response to Code of Conduct violations. The committee will be made up of representatives of students, teachers, Head of School and/or his/her designee, parent organizations, school safety personnel, and other school personnel.

Before adopting any revisions to the Code, the Board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate.

The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.



404 Edison Ave.  
Buffalo, NY 14215  
716-833-5967 (phone)  
716-833-5985 (fax)

## **COMMUNITY Charter School**

# **EMPLOYEE/PERSONNEL HANDBOOK**

Revised and Approved  
August 2012



404 Edison Ave.  
Buffalo, NY 14215  
716-833-5967 (phone)  
716-833-5985 (fax)

Dear COMMUNITY Charter School Employee,

The Board of Trustees are happy that you have joined our team of committed, caring and talented employees. You are encouraged to read this handbook.

The goal of this handbook is to enable us to communicate effectively while maintaining a spirit of professionalism and service. The handbook outlines practical procedures to deal with the day-to-day operation and protocols for COMMUNITY Charter School.

The handbook has been developed with the belief that the School and the staff are dedicated professionals always acting in the best interest of the students and families. It is a tool to assist in working together cooperatively to achieve these objectives.

If you have questions or concerns, please feel free to talk to us. Again, welcome to COMMUNITY Charter School.

Educationally yours,

The Board of Trustees  
and  
The Administration



404 Edison Ave.  
Buffalo, NY 14215  
716-833-5967 (phone)  
716-833-5985 (fax)

## **MISSION STATEMENT**

The mission of COMMUNITY Charter School is to improve student learning and achievement, and to meet or exceed the NYS Common Core Learning Standards. COMMUNITY Charter School is committed to providing students with the knowledge they need for academic achievement and social – emotional development. We are dedicated to providing learning opportunities for all students via individualized learning plans, data driven instruction, and communication between home and school. Utilizing the Search Institute’s Developmental Asset model, students will acquire the necessary characteristics in order to be well-rounded, productive citizens and able to adapt to an ever-changing global community.

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## *Philosophy*

The COMMUNITY Charter School Board of Trustees is committed to providing the best climate for maximum development of all employees. The school is predicated on a spirit of teamwork and collegiality among all individuals working together to attain a common goal.

To maintain this philosophy, we support:

- A working environment that is conducive to teaching and learning
- Open communication
- Addressing individual circumstances
- Treating all persons as individuals
- Mutually beneficial relationships

This handbook and the policies outlined within it should be regarded as a guideline developed by the school for informational purposes. It is not all inclusive and the Board of Trustees will revise and change contents as appropriate.

A description of current benefits is included. It is suggested that you reference the actual plan documents, summaries and descriptions for specific information regarding the plan. Those documents control the plan.

This handbook and plan documents are not contractual and do not guarantee any continuation of benefits. COMMUNITY Charter School reserves the right to change any benefit at any time and will attempt to notify you of any such change. Neither the policies contained in this handbook, nor any other written or verbal communication is intended to create a contract of employment or a warranty of benefits.

COMMUNITY Charter School and the Board of Trustees have the discretion to add to, delete, or change any policy or procedure contained within this handbook.

For those employees who are not covered by the COMMUNITY Charter School Instructional Staff Association, COMMUNITY Charter School abides by employment at will, which permits the School or the employees to terminate the employment relationship at any time, for any reason. Neither the policies contained in this handbook, nor any other communication (unless in writing and signed on behalf of the Board) creates a contract or a guarantee of benefits.

If there are discrepancies between a written employment contract signed on behalf of the Board and the employee handbook, the provisions of the employment contract are controlling.

## **Employment**

### **Introductory Period**

All employees who are not a part of the COMMUNITY Charter School Instructional Staff Association are on an introductory period during their first 90 days of employment.

During this time, you will be able to determine if your new job is suitable for you, and the Administration will have an opportunity to evaluate your work and performance to determine if you meet our expectations. The completion of the introductory period does not guarantee employment for any period of time thereafter.

### **Full Time Employees**

Full time teachers generally work over 30 hours per week. Full time teachers are eligible for our fringe benefit package in accordance with their position and length of service.

### **Half Time Teachers**

Half time teachers are hired to work fewer than 30 hours per work week.

### **Part Time Employees**

Part time employees generally work fewer than 30 hours per week and are eligible for statutory benefits only.

- Statutory benefits are mandated by federal, state or local law and include Social Security, Worker's Compensation Insurance, New York State Disability Insurance and Unemployment Compensation Insurance.

### **Temporary Employees**

Temporary employees are employees who can work any number of hours per week. The position is temporary and on an as needed basis. A temporary assignment will usually be for less than 12 months.

### **12 Month Employees**

12 month employees are required to work all 12 months of the year including winter and spring breaks (unless approved as holidays or vacations). All 12 month employees are eligible for vacation time.

### **10 Month Employees**

10 month employees are full/half/part time employees who work in the school setting and generally are not required to work during the school breaks. 10 month employees are not eligible for vacation time.

### **Exempt Employees**

Pursuant to the Fair Labor Standard Act (FLSA) and applicable state laws, exempt employees are those who perform executive, administrative, or professional responsibilities. If you have a question regarding your status, check with a supervisor.

### **Non-Exempt**

Pursuant to the Fair Labor Standard Act (FLSA) and applicable state laws, non-exempt employees are entitled to overtime pay for hours worked in excess of 40 hours per week.

### **Equal Employment Opportunity**

COMMUNITY Charter School and the Board of Trustees are committed to equal employment opportunity. We will not discriminate against employees or applicants for employment on any legally recognized basis including, but not limited to: race, color, religion, sex, national origin, disability, age, creed, sexual orientation, marital status and/or any other state or federal requirements or classifications.

If you are aware of any discrimination or feel that you are being discriminated against you should notify your supervisor.

### **Teacher Certification**

In accordance with state law, all certified personnel must have a copy of their certification on file on or before the first day of employment.

### **Fair Employment**

The following employment laws are applicable in New York. A detailed description is posted on the employment bulletin board in the faculty room.

- Voting: New York State Law 3-110
- Minimum Wage Law
- Sexual Harassment
- Right to Know Law

### **Americans with Disabilities Act (ADA)**

COMMUNITY Charter School and the Board of Trustees are committed to providing equal employment opportunities to otherwise qualified individuals with disabilities, which may include providing reasonable accommodations where appropriate.

- ✓ It is your responsibility to notify an Administrator of the need for accommodation.

Once notified the Administrator may ask:

- For input on the type of accommodation you believe may be necessary
- For functional limitations
- Additional information from your physician/medical/rehabilitation professionals
- Certification of the disability
- Need for accommodation
- Type of reasonable accommodation requested.

All matters related to any disability will be kept confidential and will only be revealed as permitted by law.

### **Discipline**

Discipline will not necessarily be progressive. A first time serious violation of policy, action or statement may result in immediate discharge from employment.

### **No Harassment**

COMMUNITY Charter School and the Board of Trustees are committed to providing and maintaining a working and learning environment which is free of discrimination and intimidation based on a status legally protected by law, i.e.: sex, race, etc. The School does not and will not tolerate harassment of or by employees, students, parents, vendors, or anyone based on a status legally protected by law. Based on the principle that every individual is entitled to be treated with dignity and respect, COMMUNITY Charter School and the Board of Trustees strictly prohibits conduct which constitutes harassment on the basis of any status protected by law. The term "harassment" includes, but is not limited to, slurs, jokes, and other verbal, graphic or physical conduct relating to an individual's race, color, sex, religion, national origin, citizenship, age, disability, sexual orientation or any protected status. "Harassment" also includes "sexual harassment," sexual advancements; requests for sexual favors, offensive touching, and other verbal, graphic or physical conduct of a sexual nature.

It is the responsibility of all COMMUNITY Charter School employees and students to ensure that their behavior and environment are maintained free of harassment. If you feel you are or a student is being harassed in any way you must notify your Administrator or the President of the Board of Trustees immediately. Any employee and/or student who believes that he or she has been subjected to impermissible harassment, or has reason to know of and/or witness any incident of harassment should submit a written complaint (Harassment Complaint Form); however, complaints may be filed verbally. Any complaint will be thoroughly investigated.

Retaliation against any individual for filing a complaint is illegal and prohibited. Similarly, retaliation against any participant in an investigation or proceeding and/or hearing of a harassment complaint is prohibited. Any employee or student who retaliates against another shall be subject to disciplinary action, as warranted.

- Violation of this policy will subject an employee to disciplinary action up to, and including, immediate discharge.

- 

You should also know that no Supervisor or other member in a managerial role is authorized to:

- Make employment decisions based in any way on an employee's submission to or rejection of sexual conduct or advances.
- Suggest that an employee's continued employment or future advancement will be affected in any way because the employee enters into or refuses to enter into any form of sexual or other personal relationship with the Supervisor or other member in a managerial role.
- Coerce an employee into a sexual relationship and then reward the employee.

- Take disciplinary action against an employee or deny a promotion, transfer, award, etc. because he or she has rejected sexual advances.

Any violation of this policy is very serious and employees are discouraged from putting themselves in any situation where an allegation of harassment of any sort might arise.

If you believe that a Supervisor, or other member in a managerial role, or other employee has acted inconsistently with this policy, and if you are not comfortable bringing a complaint regarding harassment to your immediate Supervisor, or if you believe that your complaint has not been handled to your satisfaction, please notify any member of the Board of Trustees of this issue.

Please do not assume that the School is aware of your problem. Please bring your complaints and concerns to our attention so that we can take whatever steps are necessary to resolve them.

You will not be penalized in any way for reporting improper conduct.



**Harassment Complaint Form**

Complainant Name: \_\_\_\_\_ Date Complaint Filed: \_\_\_\_\_

Alleged Harasser: \_\_\_\_\_ Date of Alleged Harassment: \_\_\_\_\_

Description of Alleged Harassment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dates and Places of Incidents:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Use addition sheets to provide additional information and/or submit additional documentation and material to support the complaint.

Names of Witnesses (if applicable):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Remedy sought by complainant: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Administrator

\_\_\_\_\_  
Date

### **Communication and Dialogue**

COMMUNITY Charter School and the Board of Trustees believe that suggestions indicate initiative on the part of the employee. We encourage questions, suggestions, and complaints to our attention. With an OPEN DOOR POLICY the employees have the freedom to discuss anything with the Administration.

First discuss any item or issue with your immediate supervisor. If you are not satisfied with the resolution, you should request a meeting with the Head of School, who will attempt to settle the situation.

### **COMPENSATION**

All employees are responsible for their time as a COMMUNITY Charter School employee. Employees who are required to record his/her hours of work should record all of your time accurately in order to be paid for all hours worked as required by the Fair Labor Standards Act.

Time sheets should be submitted to the Business Manager by the specified deadlines. Time sheets must be signed by the employee and the immediate supervisor before submission to the Business Manager.

Compensation is bi-weekly. When a payday is a holiday or weekend, compensation is normally on the last business day that precedes the holiday or weekend.

You are responsible to review your paycheck for accuracy. If there are any errors what so ever, including retirement, health or dental deductions or any other deduction, notify the Business Manager immediately.

### **Payment or Direct Deposit**

You have the option to receive a payroll check or be paid through our direct deposit program. If you prefer direct deposit you must submit written authorization, the institution for direct deposit. This process could take 2 – 3 payrolls to commence. The Business Manager will take care of all paperwork for direct deposit.

### **Garnishment/Child Support**

We are required by law to honor any demand for payment. Should we receive a demand, we will garnish wages according to federal and statutory limits. Notification will be made to the employee upon receipt of a demand specifying the amount and commencement date. Copies of the order will be provided with the notification.

### **Overtime**

Non-exempt employees will be paid at an agreed upon rate, in accordance with the law, for hours worked over 40 in a week. Holiday, sick, vacation or personal hours are not counted when computing hours worked during the week.

- All overtime must be approved by an Administrator.

### **Performance Reviews**

Your performance is important to our School. At the time of any job review, we will review your job progress within our School and help you to set new job performance plans. Our performance review program is designed to provide a basis for better understanding between you and the Administration with respect to your job performance, potential and development within the School.

## **BENEFITS**

Provided is an overview of the current benefit plans maintained by the School. The actual plan documents and summary plan descriptions are the controlling documents. The School reserves the right to modify its benefits at any time. We will attempt to keep you informed of any changes.

### **Vacation**

Full time- 12 month employees:

- Eligible for 12 vacation days (96 hours) per year (pro-rated basis)
- May be scheduled throughout the year.
- Earned at 1 day/month
- Maximum of 20 vacation days accumulated at any one time
- Must work 6 months prior to using vacation time
- Maximum accumulation is 160 hours at any one time
- Maximum vacation that can be paid out at termination is 160 hours (20 days)
- Payment will be at the employee's hourly/daily dollar rate times the earned hours or days
- Required to work during school breaks, unless on approved leave

### **Holidays**

Full time- 12 month employees:

- Eligible for paid holidays upon hire
- Must work as scheduled day before/after a holiday to be paid for holiday
- Exceptions due to illness may require a physician's letter
- Holidays falling on Saturday, normally observed preceding Friday
- Holidays falling on Sunday, normally observed on following Monday

#### ***Holidays***

- New Year's Eve
- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Good Friday
- Memorial Day

- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day and Day After
- Christmas Eve
- Christmas Day

### **Sick and Personal Time**

Eligible for all full time employees and half time employees  
Pro-rated depending on date of hire

#### **Full time- 10 month employees** (Teachers, Teacher Aides/Assistants)

- Teachers are eligible for sick and personal days according to the collective bargaining agreement.
- Full Time Teacher Aides/Assistants are eligible for 4 sick days/4 personal days per year. The days are granted as follows:
  - 4 sick/2 personal days at the beginning of the school year
  - 0 sick/2 personal days on January 1<sup>st</sup>
- Medical documentation may be required depending on timing/length of absence.
- At Administration discretion, personal days may be used as sick days.
- Will not be paid for sick/personal time not yet accrued. (where applicable)
- May carry over unused sick/personal time to a maximum of 20 days at any time.
- Attendance incentive- unused sick/personal days, **awarded in the current school year**, may be cashed in annually for compensation by employees who have worked the entire school year as determined by the Board of Trustees. **Requests for this incentive must be received by the last day of the current school year. The form is available from the Business Manager.** The rate for 2012 – 2013 year is \$100.00 per cashed in day. Cashed in days may not be carried over for future use.
- Personal days must be approved by the Administration in writing at least 72 hours prior to requested personal leave date, except in the case of an emergency.

#### **Full time- 12 month employees**

- Eligible for 12 sick days per year (of which 6 may be converted to personal time).
- Sick days are granted as follows:
  - 6 days on July 1<sup>st</sup>
  - 6 days on January 1<sup>st</sup>
- Will not be paid for sick/personal time not yet accrued. (where applicable)
- May carry over unused sick/personal time to a maximum of 24 days at any time.
- Attendance incentive- unused sick/personal days may be cashed in annually for compensation determined by the Board of Trustees. The rate for 2012 – 2013 year is \$100.00 per cashed in day. Cashed in days may not be carried over for future use.
- Personal days must be approved by the Administration in writing at least 72 hours prior to requested personal leave date, except in an emergency.

### **Jury Duty**

Full time/half time employees only

- Notify your administrator immediately upon receiving summons
- Provide a copy of summons for your personnel file
- Try to reschedule during non-instructional days as appropriate
- Provide documentation of attempt to reschedule as appropriate
- Up to five workdays at normal per diem rate will be paid for attendance/serving as a juror for time lost from work due to such duty.
- Report for work during your regular scheduled working hours on any day when you are excused from the responsibility of jury duty.
- Upon completion of your jury duty obligation, provide completed documentation by the Court Clerk validating time served

### **Witness Leave**

- Unpaid time off is given for employees who are subpoenaed to serve as witness in a criminal or civil case
- Submit your subpoena for your personnel file
- Accrued personal leave may be used if you choose and have them available

### **Military Leave**

Employees who require time off from work to fulfill military obligations will be treated in accordance with the applicable requirements of state and federal law. You are expected to notify your Supervisor of upcoming military duty by providing him or her with a copy of your orders.

### **Bereavement**

Bereavement requests should be made to an Administrator as soon as possible.

All regular employees shall be allowed a maximum of 5 days with pay to arrange for and attend a funeral or memorial service in connection with the death of a spouse, child, parent, and parent of spouse.

All regular employees shall be allowed a maximum of 3 days with pay to arrange for and attend a funeral or memorial service of a sibling (in-law), grandchild (in-law), or grandparent (in-law).

All regular employees may receive 1 paid day pay to attend the funeral of an aunt, uncle, cousin, niece, nephew and step-relatives.

### **Medical and Dental Insurance**

Full-time employees are eligible to enroll in our medical and dental insurance plans. Those who choose not to participate will not receive additional compensation. You are required to sign a statement verifying that you decline to participate.

Full-time employees may enroll in either a single or a family plan on the first of the month after their date of hire. Information and enrollment forms may be obtained from the Business Manager. You have 30 days from your eligibility date to complete all enrollment paperwork. If you miss the deadline, you will have to wait until the next open enrollment period.

- The only exception to this is a qualifying event such as the birth of a baby, adoption, marriage, divorce, loss of a spouse's job, status change, and death. Information on plan specifics and enrollment forms may be obtained from the Business Manager.

**It is your responsibility to make sure that you are properly enrolled in the insurance plan(s) and that all applicable deductions are taken each payroll. If you do not receive an insurance card(s) within 30 days of enrollment, please contact the Business Manager immediately.**

The School pays a portion of the insurance premiums for single and family coverage for the health and dental insurance for full time employees. All remaining premiums will be deducted from your payroll check.

Should your status or the status of your dependents change, it is your responsibility to notify your Business Manager.

- You will also need to notify your Business Manager if any covered dependent becomes 19 years of age.
- You may be required to pay continuation coverage for this dependent.

For more information, contact the Head of School or Business Manager.

### **Other Insurance**

*Short Term Disability:* Employee will be paid approximately 50% of their weekly salary up to a maximum of \$170 per week for up to 26 weeks.

*Life and Accidental Death and Dismemberment Insurance:* The School will provide an accidental death and dismemberment benefit in the amount of \$100,000, at no cost to the employee, subject to the terms and conditions of the applicable policy.

Please note you must complete all required short term and long term disability paperwork before you can receive benefits. Please see the Business Manager for applicable documents.

## **COBRA**

You and your covered dependents will have the opportunity to continue medical (and/or dental and vision)\* benefits for a period of up to 36 months under the provisions of the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) when group medical (and/or dental and vision)\* coverage for you and your covered dependents would otherwise end because:

- your employment terminates, for a reason other than gross misconduct;
- your employment status changes due to a reduction in hours;
- your child ceases to be a "dependent child" under the terms of the medical (and/or dental and vision)\* plan;
- you become divorced or legally separated;
- you become entitled to Medicare;
- you die; or
- you lose other insurance coverage, such as spouse's unemployment.

In the event of divorce, legal separation, or a child's loss of dependent status, you or a family member must notify the plan administrator within 60 days of the occurrence of the event.

The plan administrator will notify the individuals eligible for continuation coverage of their right to elect COBRA continuation coverage.

\*COBRA applies to dental and vision care insurance only if dental and vision care insurance are offered and if the Employee was enrolled in the insurance plans prior to termination.

## **Federal Family and Medical Leave**

Eligible employees may take up to 12 weeks of unpaid, job-protected leave under the Family and Medical Leave Act ("FMLA") in a twelve-month period for specified family and medical reasons.

### **A. Employee Eligibility**

To be eligible for FMLA leave, you must:

- 1) have worked at least 12 months for the School
- 2) have worked at least 1,250 hours for the School over the preceding 12 months; and
- 3) work at a location where there are at least 50 employees within 75 miles.

### **B. Conditions Triggering Leave**

FMLA leave may be taken for the following reasons:

- 1) birth of a child, or to care for a newborn child;
- 2) the placement of a child with the employee for adoption or foster care;
- 3) to care for an immediate family member (spouse, child, or employee's parent, but not parent-in-law) with a serious health condition;
- 4) the employee's own serious health condition that prevents him/her from performing the functions of his/her position.

5) because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation.

#### C. Duration of Leave

Eligible employees may receive up to 12 workweeks of unpaid leave during any "rolling" 12-month period, measured backward from the date of any FMLA leave. FMLA leave for the birth or placement of a child for adoption or foster care must be concluded within 12 months of the birth or placement.

You may take FMLA leave intermittently, or by reducing your normal weekly or daily work schedule, when medically necessary for your own or immediate family member's serious health condition. Intermittent leave is not permitted for birth of a child, to care for a newly born child or for placement of a child for adoption or foster care. Employees who require intermittent leave or reduced-schedule leave must try to schedule their leave so that it will not disrupt the School's operations.

#### D. Use of Accrued Paid Leave

Employees will not be paid while on FMLA leave except as follows:

- 1) Nothing in this policy prevents an employee from applying for Workers' Compensation or Disability benefits. Any leave which is covered by Workers' Compensation or Disability Benefits will count against an employee's FMLA entitlement.
- 2) Employees not receiving Workers' Compensation or Disability Benefits will be required to substitute their accrued paid vacation and/or personal leave for unpaid FMLA leave.
- 3) Employees not receiving Workers' Compensation or Disability Benefits will be required to substitute their accrued paid sick time in any situation which the employee could ordinarily use sick time.
- 4) Full time employees receiving Disability Benefits will be required to substitute five days of paid vacation, personal and/or sick leave for the first five days of FMLA leave. Part time employees receiving Disability Benefits will be required to substitute two and one-half days of paid vacation, personal and/or sick leave for the first two and one-half days of FMLA leave.
- 5) At the employee's option, the employee may use available paid leave to supplement Workers' Compensation or Disability Benefits.

#### E. Maintenance of Health Benefits

If you and/or your family participate in the School's health plan, the School will maintain coverage under the plan during your FMLA leave on the same terms as if you had continued to work. If applicable, you must make arrangements to pay your share of health plan premiums while on leave. In some instances, the School may recover premiums it paid to maintain health coverage or other benefits for an employee and family.

#### F. Job Restoration

Upon returning from FMLA leave, you will normally be restored to your original job or to an equivalent job with equivalent pay, benefits, and other employment terms and

conditions unless reasons unrelated to the leave (i.e. layoff, reorganization, etc) exist for not doing so.

#### G. Notice and Medical Certification

When seeking FMLA leave, you must provide:

- 1) thirty (30) days' advance notice of the need to take FMLA leave, if the need is foreseeable, or notice as soon as practicable in the case of unforeseeable leave;
- 2) medical certification supporting the need for leave due to a serious health condition affecting you or an immediate family member must be returned before your leave begins, or if not possible, within 15 days of the School's request to provide the certification. If you fail to do so, we may delay the commencement of your leave or withdraw any designation of FMLA leave, in which case your leave of absence would be unauthorized, subjecting you to discipline up to and including termination. Second or third medical opinions and periodic re-certifications may also be required.
- 3) periodic reports as deemed appropriate during the leave regarding your status and intent to return to work; and
- 4) medical certification of your fitness for duty before returning to work, if the leave was due to your serious health condition. Failure to comply with the foregoing requirements may result in delay or denial of leave.

#### H. Failure to Return after FMLA Leave

An employee who fails to return to work as scheduled after FMLA leave or exceeds the 12-week FMLA entitlement may be subject to termination of employment.

#### I. Limited Nature of This Policy

This policy is intended to provide only those leave benefits and protection required by the FMLA

#### **Tracking Your Leave**

The 12-month period in which 12 weeks of leave may be taken will be tracked based on the first day of the FMLA leave.

#### **Reporting While on Leave**

If you take leave because of your own serious health condition or to care for a covered relative or dependent with a serious health condition, please contact the Head of School on a prescheduled basis regarding the status of the medical condition and your intention to return to work. In addition, you must give notice as soon as practicable if the dates of leave change or are extended or initially are unknown.

#### **Returning to Work**

If you take leave because of your own serious health condition (except if you are taking intermittent leave), you must provide medical certification from your treating physician before you return that you are able to resume work. All documentation must be sent to the Head of School.

Employees who fail to complete the return to work medical certification form will not be permitted to resume work until it is provided. This may result in additional unpaid time.

Certain highly compensated or "key employees" may be denied restoration to their prior or equivalent position. Denial is based on the following conditions:

1. The denial is necessary to prevent substantial economic injury to the employer;
2. The employer has notified the employee(s) of its decision to deny restoration should the leave take place or continue; and
3. The employee elects not to return to work after being notified of the employer's decision.

**Servicemember Family Leave**  
**(Under The National Defense Authorization Act Of 2008)**

(1) Employee Eligibility

An eligible employee who is the spouse, son, daughter, parent, or next of kin (nearest blood relative) of a "covered servicemember" may qualify for servicemember family leave.

A "covered servicemember" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in "outpatient status," or is otherwise on the temporary disability retired list, for a "serious injury or illness" incurred in the line of duty on active duty.

A covered servicemember is on "outpatient status" when the servicemember is assigned to a military medical treatment facility as an outpatient, or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

A covered servicemember has a "serious injury or illness" when the servicemember has an injury or illness incurred in the line of duty on active duty in the Armed Forces that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank, or rating.

(2) Leave Entitlement

An eligible employee shall be entitled to a total of twenty-six (26) workweeks of leave during a twelve (12) month period to care for a "covered servicemember." Such leave shall only be available during a single twelve (12) month period. During such a period, the eligible employee shall be entitled to a combined total of twenty-six (26) workweeks of FMLA leave, including both servicemember family leave and other FMLA leave.

Spouses employed by the School are jointly entitled to a combined total of twenty-six (26) workweeks of leave under the FMLA during a single twelve (12) month period, if the leave is servicemember family leave or if the leave is a combination of a

servicemember family leave and other FMLA leave. (Leave based on a serious health condition that makes the employee unable to perform the functions of the position of the employee does not count toward this limit). Such spouses remain subject to the limitation of a combined total of twelve (12) workweeks of leave for the birth or placement of a child for adoption or foster care, and to care for a child or their own parent who has a serious health condition, set forth in Section B(5), above.

Servicemember family leave may be taken intermittently or on a reduced leave schedule when medically necessary. Such leave is subject to the requirements in Section B(6), above.

(3) Pay During Leave

An employee shall not be paid while on servicemember family leave except as provided under Section D, above.

(4) Maintenance of Health Benefits

Servicemember family leave is subject to the maintenance of health benefits rules of Section E, above.

(5) Job Restoration

Servicemember family leave is subject to the job restoration rules of Section F, above.

(6) Notice and Medical Certification

Servicemember family leave is subject to the notice and medical certification rules of Section G, above. The School may require a medical certification by the health care provider of the servicemember being cared for by the employee, in the case of an employee unable to return to work because of a condition forming the basis for servicemember family leave.

**Leave of Absence for Military Spouses**

An employee who works an average of twenty or more hours per week, who is a spouse of a member of the armed forces of the United States, national guard or reserves who has been deployed during a period of military conflict to a combat theater or combat zone of operations, shall be allowed up to ten days unpaid leave.

A period of military conflict includes a period of war declared by the United States Congress, or a period in which a member of a reserve component of the armed forces is ordered to active duty as set forth in New York Labor Law §202-i.

This leave shall only be used when the employee's spouse is on leave from the armed forces of the United States, national guard or reserves while deployed during a period of military conflict to a combat theater or combat zone of operations.

COMMUNITY Charter School reserves the right to require documentation to substantiate the right to take such leave.

### **No Work While on Leave**

The taking of another job while on family or medical leave or any other authorized leave may lead to disciplinary action, up to and including discharge. In addition, such other work will be reported to the insurance company.

### **Social Security**

Social Security is more than a paycheck deduction. It offers financial security for you and your dependents. Although this is a federally established program, your contributions and the School's contributions pay for this benefit.

For the duration of your employment, both you and our School contribute funds to the Federal government to support the Social Security program. This program is intended to provide you with monthly checks and medical coverage once you reach retirement age.

### **Worker's Compensation**

On-the-job injuries are covered by our Workers' Compensation insurance policy. This insurance is provided at no cost to you. If you are injured on the job, no matter how slightly, please report the incident immediately to the Head of School. You may be required to complete Workers' Compensation related paperwork.

Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize your claim. Additionally, the School will attempt to provide a reasonable accommodation, as prescribed by applicable federal, state or local law, which is medically feasible and does not impose an undue hardship on the School.

We ask for your assistance in alerting management to any condition that could lead to or contribute to an employee accident.

Our School will abide by all requirements set forth in the Workers' Compensation Law and any other applicable law. We will not take any adverse action against an employee in retaliation for filing a Workers' Compensation claim. Please be aware that there may be a waiting period for collecting Workers' Compensation. If you do not have any accrued time off, your first days (the exact number depends on the state) may be unpaid.

The amount of the benefits payable to you and the duration of payment depend upon the nature of your injury or illness.

### **New York State Teacher's Retirement System**

Teachers of the School are eligible for membership in the New York State Teachers' Retirement System.

### **Membership**

Membership is mandatory if:

You are full-time employee of COMMUNITY Charter School in a full day teaching position that is expected to last for the duration of the school year

Membership is optional if;

You are employed by COMMUNITY Charter School on a part-time basis in a teaching position that is expected to last for the duration of the school year.

Membership is effective the on the first day of full-time continuous service.

You are required to complete all NYSTRS paperwork, including notarization, within 30 days of hire. Failure to do so can prolong the need for active membership in the NYSTR System.

### **Tiers**

Membership in NYSTRS is on a Tiered system. The Tier to which you belong determines the benefits for which you are eligible. The Tiers are:

Tier 1	Joined before 7/1/73
Tier 2	Joined between 7/1/73 and 7/26/76
Tier 3	Joined between 7/27/76 and 8/31/83
Tier 4	Joined between 9/1/83 and 1/1/10
Tier 5	Joined between 1/2/10 and 3/31/12
Tier 6	Joined after 4/1/12

### **Vesting**

If you have five (5) or more years of New York State service credit and leave teaching before you are old enough to receive a benefit, your membership is automatically vested. At age 55, you may begin to receive your pension.

### **Transferring service from another system**

Under certain circumstances you may eligible to transfer prior service from another New York public retirement system. You may also be eligible to receive credit for prior service in another state if you are a Tier 1 member.

For more information on loans, transfers, creditable service, and other membership benefits, refer to the plan document.

### **403B Retirement Plan**

All employees, regardless of full or part time status, are eligible for the 403B plan. The 403B plan is totally funded by the Employee. All deductions are pre-tax and are automatically deducted from the semi-monthly paycheck. Please see the Business Manager for more information and enrollment paperwork. At age 59 ½, you are eligible to begin to receive benefits under the 403B plan.

## **WORKPLACE ENVIRONMENT**

### **Attendance and Punctuality**

Attendance and punctuality are important factors for your success at COMMUNITY Charter School. We work as a team, and this requires that each person be in the right place at the right time. From the time you are scheduled to begin work until the time of dismissal, being where you are supposed to be can not be stressed enough. Falsifying time sheets or not adhering to these times will result in disciplinary action.

All employees are required to comply with the working hours of our school. If you are going to be late or absent, notify an Administrator, or the office as soon as possible before the absence or delayed arrival. Continued tardiness will result in disciplinary action, as will leaving during working hours or leaving early without authorization. Employees must request permission from an Administrator to leave the building during the work day.

- Employees should attempt to schedule activities, which will require time away from work, during non-working hours whenever possible.
- Absences without complying with School procedures, may result in disciplinary action up to and including dismissal.
- Two consecutive days of absence, without notifying the School, is assumed that you have voluntarily abandoned your position with the School, and you will be removed from the payroll.

### **Work Schedule**

Because of the nature of our business, your work schedule may vary depending on your job. Your schedule will be given to you by your supervisor. Do not assume that you can enter or leave on your own schedule as you are responsible for supervision and safety in the School for the entire work day. If you have any questions or concerns regarding your schedule, you should see your supervisor.

### **Staff Dress**

COMMUNITY Charter School's primary objective is to have employees project a professional image while taking advantage of business casual dress clothing. Business casual dress offers an alternative to the business attire of dresses, suits, ties, and dress shoes.

Our students' satisfaction represents the most important and challenging aspect of our business. Whether or not your job responsibilities place you in direct contact with the students, you represent the School with your appearance as well as your actions. As a public education agency, we regularly have visitors, parents and community members in our building. A properly attired professional helps create a favorable image for the School, to the public and to fellow employees. Our appearance sends a message about our professionalism.

## DRESS POLICY

The following information is intended to serve as a guide to help define appropriate business casual wear for employees.

Not all casual clothing is appropriate for the school setting. Items of clothing that may be perfect for working in the yard, going on a picnic or playing sports are not appropriate for School, nor is clothing that is too revealing. Regardless of the item, it is essential to avoid wearing anything to School that is excessively worn, frayed or wrinkled.

There are times when traditional attire may be worn on “dress down days”. Take your day’s schedule into account when you are dressing. If you have a meeting scheduled with parents or visitors, or if you are advised that the School will have visitors with whom you will come in contact, you will want to dress in business attire. And, of course, business/business casual attire is always acceptable if that is your preference.

Listed below is a general overview of acceptable business casual wear as well as a listing of some of the more common items that are not appropriate for the school setting. Neither group is intended to be all-inclusive. Rather, these items should help set the general parameters for proper business casual wear and allow you to make intelligent judgments about items that are not specifically addressed. A good rule of thumb is that if you are not sure if something is acceptable, choose something else.

Slacks—Cotton slacks, corduroys, khaki/twill slacks are acceptable provided they are clean and wrinkle-free. Inappropriate items include anything denim, jeans of any color, sweatpants, wind suits, workout suits, shorts, Bermuda shorts, bib overalls, leggings, spandex or other form-fitting pants.

Shirts—Casual shirts, golf shirts, collar shirts, blouses, knit tops, sweaters and turtlenecks are acceptable. Inappropriate items include tank tops, sweatshirts, shirts with large lettering, logos or slogans, halter-tops, tops with bare shoulders, spaghetti-strap tops and t-shirts unless worn under another blouse, shirt, or jacket.

Dresses and Skirts—Casual dresses and skirts, and split skirts at or below the knee are acceptable. Dress and skirt length should be no shorter than four inches above the knee. Mini-skirts and spaghetti-strap dresses and tops should not be worn to school.

Footwear—Loafers, boots, flats, dress sandals, open-toed shoes, clogs and leather type shoes are acceptable. Athletic shoes, sneakers, thongs, flip-flops and slippers are not acceptable.

Jewelry—should be conservative with all tattoos and body piercing devices, other than earrings, being covered at all times.

With the prior approval of the Board of Trustees or the Administration, jeans and athletic shoes are acceptable on certain days, such as dress down days, clean-up days, etc.

Variance in this policy requires approval by an administrator or the Board of Trustees when a situation requires an exception for specific work-related reasons, events, religious, disability or personal necessity.

If an item of clothing is deemed to be inappropriate for the school setting by the employee's supervisor and/or the Board of Trustees the employee may be sent home to change clothes and will be given a verbal warning for the first offense, and progressive disciplinary action will be taken for further dress code violations.

Employees are expected to maintain the highest standards of personal cleanliness and present a neat, professional appearance at all times.

### **Standards of Conduct**

Employees are obligated to follow School policies/procedures and to maintain proper standards of conduct at all times. Any conduct or behavior that interferes with the orderly and efficient operation of the School will result in corrective disciplinary action.

Discipline will not necessarily be progressive and could include: verbal warning, written warning, suspension or discharge.

The following are examples of actions which could result in disciplinary action, up to and including discharge:

- Violation of the School's policies, procedures or safety rules
- Insubordination
- Poor attendance, tardiness, leaving early
- Any violation of the substance abuse policy
- Unauthorized possession, use or sale of weapons, firearms or explosives on School grounds or during work hours
- Theft or dishonesty
- Harassment based on legally protected status
- Disrespect toward students, staff, visitors or other members from the community
- Any conduct deemed inappropriate by the School or not in the School's best interest.

In addition, no Faculty member or other employee is authorized to:

- Make any academic or disciplinary decision based in any way on a student's submission to or rejection of sexual conduct or advances
- Enter into a form of sexual or other inappropriate, close personal relationship with a student.
- Coerce a student into a sexual relationship.
- Take disciplinary action against a student or deny a promotion, award, grade, or benefit to a student because he or she has rejected sexual advances.

Any violation of this type is very serious and employees are discouraged from putting themselves in any situation where an allegation of any sort might arise.

Use common sense when or if any employee is alone with a student or other employee and limit any display which might be deemed inappropriate toward a student.

These examples are not all inclusive.

- Nothing in this policy is designed to modify our employment-at-will policy.

### **Substance Abuse Policy**

The School and the Association agree that maintaining a safe and productive working environment that is free of drug and related substance concerns fosters excellence. The School and Association agree that involvement with drugs and alcohol can adversely affect job performance, employee morale and jeopardize student and employee safety. The School and the Association agree that drug use and alcohol abuse will not be tolerated.

#### Prohibited Conduct:

- a. The use, sale or possession of illegal drugs or abuse of legal drugs is prohibited.
- b. Alcohol may not be purchased or consumed while at work, whether on or off School property.
- c. Being under the influence of alcohol or drugs while at work is prohibited. All employees are expected to report to work in a physical and mental condition appropriate and necessary to the performance of their individual duties and responsibilities without impairment.
- d. Employees are prohibited from bringing drug paraphernalia onto the School's property or anywhere School business is conducted at any time.
- e. Employees shall be automatically suspended from employment without pay for any drug related arrest and shall be terminated for any drug related conviction.

The School may test individuals for the presence of illegal drugs or alcohol as follows:

- a. Following extending a conditional offer of employment;
- b. Following a vehicular accident involving a School related matter;
- c. When the School has a reasonable suspicion based on an employee's performance, judgment or behavior that the employee may be under the influence of alcohol or drugs; and
- d. Before returning an employee to work following a positive test result.

Refusal to take a test or tampering with a test will be treated as a positive test result.

In the event an employee tests positive for drugs or alcohol, the employee may, in the School's sole direction, be terminated or returned to work, upon such terms and conditions as the School deems appropriate. Upon a second positive test result, the employee will be terminated.

### **Access to Personnel File**

Employees can inspect all or part of their personnel file by giving written notice to an Administrator at least three days in advance of inspection. Any inspection will take place in the presence of an Administrator at reasonable times during business hours and in the office where the files are located.

Items subject to inspection include:

- Employee's job application
- Wage or salary information
- Notice of commendations
- Warnings or other discipline
- Authorization for deduction or withholding of pay
- Fringe benefit information
- Leave records
- Employment history with the School
- Evaluations, observations and summative evaluations

### **Confidentiality of Student Records**

State and federal law as well as proper educational practice require that student records (educational, health and behavioral) be kept confidential except where dissemination is authorized and necessary. The staff is required to maintain such confidentiality at all times and to contact an Administrator if there is ever any doubt about the propriety of releasing information.

### **Media and Public Relations**

Periodically, members of the staff may be contacted by the media regarding School and School activities. Contact an Administrator prior to giving any photograph or picture to the media. Specific permission from a student's family may be required prior to publication.

### **Solicitation and Distribution**

In order to avoid unnecessary annoyances and interruptions from your work, solicitation by an employee of another employee is prohibited while either person is on working time.

Employee distribution of literature, including handbills, in work areas is prohibited at all times.

Trespassing, soliciting or distribution of literature by non-employees on these premises is prohibited at all times.

### **Changes in Personal Data**

We need to maintain up-to-date information about you so that we would be able to aid you and/or your family in matters of personal emergency.

Changes in name, address, telephone number, marital status, number of dependents or changes in next of kin and/or beneficiaries should be recorded on an Employee Information Form and be given to the Head of School or his/her designee immediately. Payroll status changes will only be made after receipt of a Status Change Form from the Business Manager. Please see the Head of School or Business Manager whenever such a change might impact your benefits.

### **Protecting School Information**

Protecting our School's information is the responsibility of every employee, and we all share a common interest in making sure it is not improperly or accidentally disclosed. Do not discuss the School's confidential business with anyone who does not work for us.

All telephone calls regarding a current or former employee's position/compensation with our School must be forwarded to the Head of School.

The School's address shall not be used for the receipt of personal mail.

### **Care of Equipment**

You are expected to use proper care when using the School's property and equipment. No property may be removed from the premises without the proper authorization of the Head of School. If you lose, break or damage any property, report it to the Head of School at once.

### **Personal Property**

The School is at no time responsible for the loss, damage or theft of any personal property except if the property is damaged or destroyed during an assault in the course of their employment, provided the employee cooperates with the Charter School and the police in the investigation of the incident.

### **School Property**

Property belonging the School includes all furniture, educational equipment, curriculum materials, computer and telecommunications equipment, athletic equipment, books, papers, and any other supplies and materials purchased by or on behalf of the School or donated to the School.

Employees must protect the physical condition and content of all School property and comply with all federal and state laws and regulations regarding copyrighted or trademarked materials. No copying, disseminating, publishing or transmitting of any content of any School property is permitted without first obtaining consent from the Head of School, except when necessary for ordinary School related educational purposes.

**Employees are responsible for the loss, damage, or theft of any School property while such property is not on school premises.**

### **Employment of Relatives**

A supervisor may not hire an individual from his/her immediate family, or his/her significant other or the immediate family of the supervisor's spouse, if that individual is

to work under the supervisor's supervision. Immediate family refers to parents, children, sisters, brothers, nieces, nephews, family members residing in the same household or significant others.

### **Travel/Expense Accounts**

The School will reimburse for reasonable expenses incurred through required business travel. Business expense reimbursements require receipts and completion of the proper forms. The Business Manager can provide the form and the travel policy. All travel expenses must be approved by an Administrator prior to the first travel date in order to be eligible for reimbursement by the School.

### **Telephone Use**

- Personal phone calls during school hours are discouraged for all staff.
- Cellular, digital or other portable phones are not allowed to be used in the classroom or during any school activity.
- Staff should not use cell phones while walking in the halls or working on/at any school related activity.

Exception to above - on occasion there may be use of school phones for personal emergencies

Students may not use staff's cellular phone, laptop, or other electronic devices.

### **Outside Employment**

Outside employment must not conflict in any way with your responsibilities within the school or your ability to fulfill your obligations to the School and its students. You must be available to work your entire School schedule at all times. If your second job creates a conflict of interest (example: working for a competitor) you notify your supervisor.

- Employees may not conduct outside business or work while in School or at a School event.
- Employees may not use School property, equipment or facilities in connection with outside work.

### **Parking**

Parking is available for School employees in designated area. The School is not responsible for loss, damage, or theft of your vehicle, it is suggested that car doors be locked.

### **Employee Break Room/Bulletin Board**

- An employee break room is available for your use. Although general custodial care is provided, you are expected to clean up after eating.
- Information of interest and important notifications are regularly posted on the employee bulletin board located in the copy room.
- We suggest that you read these notices regularly to keep up to date with current issues and events at the School.
- Employees who wish to post notices of concern to the School should advise an Administrator prior to posting.

- Voice mail messages and mailboxes should be checked daily.

### **Should You Leave Our School**

Should you decide to leave your employment with us, we ask that you provide the Administrator with at least thirty days advance notice. Your thoughtfulness will be appreciated and will be noted favorably should you ever wish to reapply for employment with the School.

Employees who are rehired following a break in service in excess of three months other than an approved leave of absence must serve a new initial introductory period, whether or not such a period was previously completed. Such employees are considered new employees from the effective date of their reemployment for all purposes, including the purposes of measuring benefits. New hire paperwork may require completion again.

Additionally, all resigning employees must complete a brief exit interview with an Administrator prior to leaving. All School property, including this handbook, must be returned upon termination. Otherwise, the School may take further action to recoup any replacement costs and/or seek the return of School property through appropriate legal recourse.

You should notify the School if your address changes during the calendar year in which termination occurs so that your tax information will be sent to the proper address.

### **Employee Responsibilities**

Safety can only be achieved through teamwork. We encourage each employee to practice safety awareness by thinking defensively, anticipating unsafe situations and reporting unsafe conditions immediately.

Please observe the following precautions:

1. Notify an Administrator of any emergency situation.
  - If you are injured or become sick at work, no matter how slightly, you must inform an Administrator immediately.
2. The use of alcoholic beverages or illegal substances during working hours will not be tolerated.
  - The possession of alcoholic beverages or illegal drug substances on the School's property is forbidden.
  - No person may be on the School's premises or doing School related work while under the influence of alcohol or any illegal substance.
3. Use, adjust, and repair machines and equipment only if you are trained and qualified. broken equipment to the Business Manager.
4. Obtain help when lifting or pushing heavy objects.

- Utilize appropriate lifting techniques when lifting heavy objects.
5. Understand your job fully and follow instructions.
    - Know the School's safety and evacuation plans.
    - If you are not sure of the safe procedure, don't guess... ask an Administrator
  6. Know the locations, contents and use of first aid and fire fighting equipment.
  7. Know the locations of all exits and emergency exits and the best routes to reach the nearest exit.

Wear personal protective equipment in accordance with the job you are performing.

- (i.e. When conducting science experiments or other potentially hazardous activities, wear eye safety protection, rubber gloves, etc.)
8. Follow all policies and procedures. Report all such violations.
  10. Complete a written report of any student accident or injury.

Violations of safety precautions are themselves unsafe. Such violations may lead to disciplinary action, up to and including discharge.

### **Violence in the Workplace**

Violence by an employee or anyone else against a student, parent, employee, or member of administration will not be tolerated. The purpose of this policy is to minimize the potential risk of personal injuries to employees at work and to reduce the possibility of damage to School property in the event that someone, for whatever reason, may be unhappy with a decision or action by an employee or member of administration.

If you receive or overhear any threatening communications from an employee or third party, report it immediately to the Administrator. Do not engage in either physical or verbal confrontation with a potentially violent individual. If you encounter an individual who is threatening immediate harm to an employee, student or visitor to our premises, contacts an emergency agency (such as 911) immediately.

All reports of work-related threats will be kept confidential to the extent possible, investigated, and documented. Employees are encouraged to report and participate in an investigation of any suspected or actual cases of workplace violence. Your failure to report or fully cooperate in the School's investigation could result in disciplinary action.

Violations of this policy are strictly prohibited and may result in disciplinary action, up to and including discharge.

### **Fingerprinting**

As of July 2001, all new employees or substitutes must be fingerprinted prior to their first physical day of work. This is a state law in accordance with the SAVE regulation.

### **Housekeeping**

Good work habits and a neat place to work are essential for job safety and efficiency. You are expected to keep your place of work organized and your materials in good order at all times. Report anything that needs repair or replacement to an Administrator.

### **Smoking on School Grounds**

Our School is committed to providing a safe and healthy environment for employees and visitors. Therefore, smoking is not permitted in any facility or on School grounds.

### **Network & Internet**

#### **Network and Internet Use - Terms and Conditions**

1. Personal Responsibility – I will accept personal responsibility to report any misuse of the network to the system administrator or other designated personnel.
2. Acceptable Use – The use of my account must be in support of education and research and consistent with the educational objectives of COMMUNITY Charter School. Use of other School network or computing resources must comply with the rules appropriate for that network. Transmission of any material in violation of any federal or state law or regulation is prohibited.
3. Vandalism and Harassment – Vandalism and harassment will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy data or equipment of another user, Internet, or any of the entities listed in Number 2 above or other networks that are connected to the Internet backbone. This includes, but is not limited to, the altering of workstation operating system files and uploading or creation of computer viruses. Harassment is defined as the persistent annoyance of another user or the interference of another user's work. Harassment includes, but is not limited to, the sending of unwanted mail.
4. All School equipment, including voice mail, is intended for School use.

All use of COMMUNITY Charter School's equipment is subject to monitoring. No right of privacy exists in favor of any employee of the School in respect to this information. COMMUNITY Charter School reserves the right to access, review, modify, reject or delete any information residing on or transmitted using School property.

5. No e-mail, voice mail or any message, file or record created by an employee is considered confidential even if this material is password protected. Any deleted message or file may be recovered and reviewed. The School reserves the right to access and review all such information.

6. All information contained in COMMUNITY Charter School's computer system and the documents generated there are for the exclusive use of COMMUNITY Charter School in connection with the conduct of its business.
7. At no time shall any employee display, send or resend any communication in any form that is, or could be regarded as, derogatory or discriminatory on the basis of race, sex, religion, national origin, age, disability or other legally protected status.

**COMMUNITY Charter School**

**Internet Use Agreement**

I understand and will abide by the COMMUNITY Charter Schools Network and Internet Use Agreement. I further understand that any violation of the regulations above is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, School disciplinary action may be taken, and/or appropriate legal action.

Employee Name (print) \_\_\_\_\_ Date \_\_\_\_\_

Employee Signature \_\_\_\_\_

**COMMUNITY Charter School**

**Receipt of Employee Handbook**

I have this day received a copy of the COMMUNITY Charter School personnel handbook, and I understand that I am responsible to read the personnel policies and practices described within it. I understand that this handbook replaces any and all prior handbooks, policies and practices of the School.

**I agree to abide by the policies and procedures contained therein. I understand that the policies and benefits contained in this employee handbook may be added to, deleted or changed at any time. I understand that neither this manual nor any other written or verbal communication by a representative is intended to, in any way, create a contract of employment. If there are discrepancies between the employment contract and the employee handbook, the provisions of the employment contract are controlling. I also understand that if I am not a member of the COMMUNITY Charter School Instructional Staff Association, the School abides by employment-at-will, which permits the School or the employee to terminate the employment relationship at any time, for any reason. The School will not modify the policy of employment-at-will except in the contract signed by the President of the Board of Trustees.**

If I have questions regarding the content or interpretation of this employee handbook, I will bring them to the attention of an Administrator.

Employee  
Name \_\_\_\_\_

Employee  
Signature \_\_\_\_\_ Date \_\_\_\_\_

### **Exhibit 15: Complaint Policy**

Any individual or group may bring a complaint to the Board of Trustees of the School alleging a violation of the provisions of Article 56 of Education Law, the charter, or any other provision of law relating to the management or operation of the charter school. The request is to be sent in writing to the President of the Board of Trustees. If a person is not available to make a complaint in writing, then an audio tape or advocate may be used. The person may express the complaint in his/her primary language. An interpreter may be requested and to the extent possible the Board will seek to provide access to this resource. In all cases, students with disabilities must be afforded due process. This mandate will govern the creation and implementation of all discipline procedures at the School.

The President may refer the complaint to the Head of School as a first step in resolving the issue. If that is not acceptable to the complainant, then the President will schedule time at the next Board meeting to hear the complaint. The meeting shall be not later than 30 days from the date that the complaint is received. The letter (or other means of communication) shall be described in reasonable detail the issue that the person wishes to discuss with the Board.

The Board will respond in writing, or through other means of communication as may be appropriate, to the complainant within five business days of the meeting. In the event that the complainant is dissatisfied with the response of the Board, he or she may appeal the decision to the Board of Regents.

## **Exhibit 16: Transportation Policy**

Since 2003, COMMUNITY Charter School has been located at 404 Edison Ave., Buffalo, NY 14215.

Transportation will be provided in accordance with the requirements for nonpublic schools. Students who reside in the school district in which the School is located will be transported by the school district according to the transportation policy for nonpublic schools. Beginning in the 2004-2005 school year, the Buffalo Public Schools provided transportation to the district students, at a cost of no more than 15% of transportation costs. These procedures still exist today.

Students who do not reside in the school district in which the School is located will be responsible for their transportation to and from the School. It is expected that this transportation will be provided by each student's school district of residence, according to the terms of the district's policy for nonpublic schools. It is also expected that some of the School's parents or guardians may desire to transport their children to the School.

## **Exhibit 17: Enrollment and Retention Policy**

It is the intention of COMMUNITY Charter School to meet or exceed enrollment targets for students with disabilities, English language learners (ELLs) and students who are eligible applicants for the free and reduced price lunch program. To achieve this objective, the school will engage in proactive outreach, awareness building and recruitment of students and families of students in each of these categories.

Over its 10 year history, COMMUNITY Charter School has established productive relationships and alliances with community-based organizations and agencies and faith-based organizations that serve the greater Buffalo and Erie County population in general and that serve specific populations such as people with disabilities, children with disabilities, ELL youth and families, immigrant communities and economically disadvantaged residents. These groups include Jericho Road Ministries (which serves East African and Burmese families settling into Buffalo, including educational initiatives like its pre-k program for ELL's), Bethel Head Start and the North Buffalo Community Church. In addition, the COMMUNITY Charter School's Board, faculty and supporters have extensive relationships across multiple segments of the community. COMMUNITY Charter School has utilized these relationships in outreach campaigns in the past and will continue to do so going forward. In addition, COMMUNITY Charter School has done extensive outreach to targeted pre-school programs to assist in attracting new students, and it intends to expand this outreach each year. To this ends, plans are underway to work with the Father Bell Center and St. Matthew's Refuge Center.

As part of the comprehensive planning process that is part of the Re-Start initiative, COMMUNITY Charter School will engage in a review of its current outreach and recruitment efforts to improve its capacities and strategies to identify, attract, recruit and enroll students from each of the above-referred groups. This initiative will be facilitated by the Re-Start Director and PICCS consultants with demonstrated expertise in recruiting and meeting the educational needs of students in the above-referred groups. This review will result in an updated Action Plan to be carried out each year. Strategies to recruit students in the above-referred groups include:

- 1) Marketing, advertising and/or public relations activities that target Buffalo area media, including media that target non-native English speakers and families of children in the above-referred groups.
- 2) Collaborating with other charter entities and charter support organizations in the Buffalo region to share effective practices and leverage outreach efforts.
- 3) Ensuring that marketing and outreach materials are culturally sensitive and made available to persons throughout Buffalo in their native languages.
- 4) Continued professional development and allocation of resources to support widespread and diverse community outreach.

Once enrolled, the school is committed to retaining them. To this end, it is initiating the Re-Start initiative which includes a number of key elements designed to support instruction and meet the needs of students in the above-referred groups, including initiatives to support teacher capacity to differentiate instruction, data-driven instruction to identify and address specific needs and teacher and school leader evaluation practices that promote student-centered instruction. These elements have been used successfully by PICCS schools to provide effective instruction to and meet the needs of diverse student populations.

Each year, the school will review the effectiveness of its outreach, recruitment, enrollment and retention strategies and make modifications, as necessary, to promote continuous improvement and improved results.

**Attachment—Board Member Agreement and COMMUNITY Charter School Individual Trustee Performance Expectations**

**BOARD MEMBER AGREEMENT**

**COMMUNITY Charter School Board of Trustees**

I, \_\_\_\_\_ understand that as a member of the Board of Trustees of COMMUNITY Charter School I have a legal and ethical responsibility to ensure that the school furthers its mission and achieves the objectives set out in its charter. I assert that I understand and support the purpose, mission and objectives of the school, and I will act responsibly and prudently as its steward.

I have read, understand and hereby commit to comply with the Governance Plan outlined in the charter, the school's by-laws and Code of Ethics and the Individual Trustee Performance Expectation document that outline my responsibilities to the school and to the Board. I will participate actively in monthly board meetings and carry out board and committee assignments. If I ever find myself in a situation where I am unable to fulfill these expectations I will resign from the Board.

I also agree to participate fully in the school's annual evaluation of Trustees. I understand that the evaluation is an essential element of the school's commitment to effectiveness and continuous improvement and that professional development for Trustees and other initiatives to support school governance will be based largely on data collected during the Trustee evaluation process. I further understand that a consistent rating of "effective" or higher is a condition of my continued service as a Trustee.

In turn, COMMUNITY Charter School will be responsible to me in several ways:

1. I will be sent, without request, monthly financial statements and an update of organizational activities that allow me to meet my "Duty of Care," "prudent person" and related responsibilities.
2. The school will support my development as a Trustee—and the continuous improvement of the board as a whole—by offering appropriate opportunities for professional development.
3. Board members and the Head of School will work in good faith with me towards achievement of our goals.

\_\_\_\_\_ Date: \_\_\_\_\_

Member, Board of Directors

\_\_\_\_\_ Date: \_\_\_\_\_

Chair, Board of Directors

\_\_\_\_\_ Date: \_\_\_\_\_

## **COMMUNITY Charter School Individual Trustee Performance Expectations**

### **General Responsibilities:**

Each Trustee is responsible for participating actively in the work of the COMMUNITY Charter School Board of Trustees and the life of the school. Each Trustee is expected to affirm and strive to fulfill the performance expectations outlined below. These expectations are to be clearly articulated prior to nominating any candidate as a board member. The COMMUNITY Charter School Board will nominate the candidate only after s/he has agreed to fulfill these expectations. In addition to the responsibilities below, individual Trustees are expected to help one another and the board as a whole to fulfill the responsibilities and requirements set forth in the charter, the by-laws, the Code of Ethics and the New York State Charter School Law.

### **Specific Responsibilities:**

1. Believe in and be an active advocate and ambassador for the values, mission, and vision of COMMUNITY Charter School.
2. Work with fellow board members to fulfill the obligations of board membership.
3. Behave in ways that clearly contribute to the effective operations of the Board of Trustees:
  - \* Focus on the good of the school
  - \* Participate fully and meaningfully in board discussions and board and committee activities
  - \* Participate fully and purposefully in Board training and other professional development
  - \* Support board decisions once they are made
  - \* Participate in annual evaluations of the board and of individual Trustees
  - \* Build awareness of and vigilance towards governance matters rather than management.
4. Regularly attend board and committee meetings. Prepare for these meetings by reviewing materials and bringing the materials to meetings. If unable to attend, notify the board or committee chair.
5. Be prepared to contribute approximately 8-12 hours per month toward board service which includes:
  - \* Attending a monthly regular board meeting
  - \* Participating on at least one board committee
  - \* Reading materials and preparing for meetings
  - \* Attending events at the school, assisting with fundraising and other ambassador tasks as needed
6. Keep informed about the school and its issues by reviewing materials, participating in discussions, and asking strategic questions.
7. Use professional expertise and experience for the benefit of COMMUNITY Charter School.
9. Comply fully with the requirements regarding potential conflicts of interest set forth in the by-laws, the New York State Charter School Law and the General Municipal Law.