



August 15, 2012

Mr. Cliff Chuang, Director
Charter School Office
New York State Education Department
89 Washington Avenue, Rm 471 EBA
Albany, New York 12234

Dear Mr. Chuang:

I am pleased to submit our 2013-2014 Charter renewal application. During the current charter renewal period, the Board of Trustees has worked with administration to stay focused on student achievement.

Niagara Charter School has demonstrated positive change and growth over the past six years. As the only Expeditionary Learning School in Niagara County, NCS brings parents and the community a choice by offering a unique choice in an educational experience that is academically rigorous and marked by purposeful learning, challenge and collaboration.

As an Expeditionary Learning school, Niagara Charter School addresses five dimensions that shape student achievement. These dimensions are curriculum, instruction, assessment, culture and character, and leadership. Each of these dimensions is defined by core practices, and these core practices are the descriptions of actual best practices that have been documented from EL schools across the country.

Our approach to curriculum and instruction supports our students in connecting their learning to real-world issues. Through learning expeditions, case studies, projects, fieldwork, and service learning, we inspire our students to think, contribute and become citizen scholars. When visiting our school, you will view classrooms that are alive with discovery and inquiry, and in all subject areas, teachers differentiate instruction and make high expectations part of our school culture.

We embrace student ownership of learning, and use assessments to help students improve the quality of their work. Students reflect on their learning, and teachers are continuously involved in data analysis to best meet student's needs. Students regularly assess their own growth through organizing and reflecting on portfolios of their work, and these portfolios are used to present their work publicly during student-led conferences at the end of the school year. During these conferences, students reflect on strengths, challenges and goals.

Our school culture is one of respect, responsibility, courage, and kindness. Students and teachers show P.R.I.D.E on a daily basis; Participation, Respect, Integrity, Dedication and Excellence, and students self -assess based on these components. In addition to student-led conferences and P.R.I.D.E., NCS has many structures and traditions in place that also contribute to our positive school culture. These include morning meeting/crew, community circle, exhibition nights, and service learning.

Along with our teachers, our leaders work to help build a school-wide culture of trust. They model and articulate a clear and strong school vision that is focused on student achievement, and our administrators use data to shape school structures to meet student needs.

Parents are an extremely important part of their children's education, and we encourage all families to participate in school events. Teachers and leaders maintain regular communication between the school and the home, and a range of publications are used to ensure that our families are informed and updated about their child's school. NCS welcomes our parents to attend and participate in the Family School Association, participate in our Reading Partners Program, volunteer at the School Store, and assist with chaperoning duties. Overall, we strive to build and sustain positive relationships with our parents, families and community.

Each of these dimensions contributes to the building of a foundation of teamwork, communication, and rigorous data-driven instruction that meets our student's academic and social emotional needs. We are dedicated to fostering the potential of each child, and to empowering our students to become life- long learners and in the end, our future leaders.

Sincerely,

A handwritten signature in black ink, appearing to read 'James C. Muffoletto', written in a cursive style.

James C. Muffoletto, President
NCS Board of Trustees



Application for Charter Renewal: Niagara Charter School

Submitted to:

Charter School Office
New York State Education Department
89 Washington Avenue, Room 471 EBA
Albany, New York 12234

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NIAGARA CHARTER SCHOOL

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1. IS THE SCHOOL AN ACADEMIC SUCCESS AND ABLE TO OPERATE IN AN EDUCATIONALLY SOUND MANNER?

a. Academic Performance Goals

Families throughout Niagara County, particularly those living at or below the poverty level, are increasingly demanding access to innovative, engaging, and supportive educational options designed to improve the academic success of their children. Since its inception, the Niagara Charter School (“the School”) has been viewed as an important public school option for 350 elementary aged children living in Niagara County and surrounding areas

The Niagara Charter School is located in the Niagara-Wheatfield Central School District where only a quarter of students participate in the federal free- and reduced-price lunch program, and ten percent are classified as Students with Disabilities. The district is three percent African-American, two percent Latino, and seven percent Native American. The school does welcome and recruit from Niagara-Wheatfield, but the majority of students enrolled reside within the City of Niagara Falls, a district with very different demographics. In the Niagara Falls City School District, two-thirds of the students participate in the federal lunch program; nearly seventeen percent are classified as Students with Disabilities, thirty-five percent are African-American, and fewer than 5% reflect the other diverse communities. Both of these districts are failing to provide the structures and supports necessary to ensure the academic success of all students, particularly those who are most at-risk; the students who are economically disadvantaged, have disabilities, and are African-American and Latino. The Niagara Charter School overwhelmingly serves students from the most at-risk demographics, with almost one hundred percent participation in the federal lunch program and over sixteen percent of our students have IEPs.

Target Populations/District Comparisons	Niagara Charter School	Niagara-Wheatfield CSD	Niagara Falls CSD
FRPL Eligible Students	97%	25%	65%
Students with Disabilities	16.4%	10.3%	16.7%
LEP/ELL Students	0%	0%	1%

*District data is based on information included in the 2010-2011 NYS Report Cards.

As an Expeditionary Learning (EL) school, Niagara Charter School addresses five dimensions that shape and support student achievement. These dimensions are: curriculum, instruction, assessment, culture and character, and leadership. Each of these dimensions is defined and supported by a core set of practices, which reflect best practices that have had documented success in EL schools across the country.

Throughout the charter renewal term, the School has shown progress toward attaining its academic goals. The School recognizes the need to accomplish further increases in academic achievement, and plans to build on recent growth to continue the positive trajectory. Appendix B details each of the charter term's performance goals and data, and describes changes implemented in the academic program to increase student achievement.

The School did not meet the TerraNova goal in either year of the charter term, but made significant progress in the most recent school year. During the 2011-2012 school year, the students in grades K, 1, 4, and 6 met their goal for the Terra Nova assessment by reducing by half the gap between the cohort mean performance and 50 MNCE. While grades 3 and 5 did not meet this goal, they did make notable progress. To support all grade levels that did not meet their goal, specifically grade 2, and the administration purchased skill specific detailed reports from Terra Nova to complete more thorough data analysis and make changes accordingly. Beginning in the 2012-2013 school year, the School will be administering the Terra Nova Common Core Edition.

In 2010-2011 ELA and Math proficiency declined. Like many schools across the state, the proficiency rates dropped with the change in cut scores implemented in 2009-10, and the School realized it needed to improve the academic program to accomplish this goal. The School focused on analyzing gaps in the academic program based on student progress and changes were made to the program (details in Appendix B). The effort resulted in an upward trend in the 2011-2012 school year.

The current charter states a minimum of 75% of students who attend the School for two or more years will meet or exceed the NYS learning standards as measured by attaining level three or four on the NYS assessments in grades 3-6. 2011-2012 data shows the aggregate percent proficient for grades 3-6 in ELA is 29% and the aggregate percent proficient in Math was 49%. In Science, the aggregate percent proficient was 85%.

In addition, each year the percentage of Niagara Charter School students who score a three or four on the ELA, Math and Science assessments will exceed the respective percentage of students from the Niagara Falls City School District by 5%. In 2010-11 and 2011-12 this goal was not met, but there is positive growth to report. The aggregate percent proficient for grades 3-6 in ELA was 28%, and the aggregate percent proficient for Math in grades 3-6 was 50%. In Science, the aggregate percent proficient was 82%.

Data further shows 4th graders who attended NCS for two or more years were 52% proficient. Similarly, 5th graders were 39% proficient, and the 6th graders were 23% proficient. The aggregate percent proficient for the cohort in grades 3-6 in ELA was 29%. The aggregate percent proficient for the school in grades 3-6 was 28%.

On the Math State Assessments, student proficiency increased significantly. Students who attended NCS for two or more years showed an aggregate percent

proficient of 49%. The aggregate percent proficient for the school in grades 3-6 was 50%.

The Science goal states 75% of the School's 4th grade students who have attended continually and consistently for two or more years in the aggregate will attain a three or four on the NYS Science assessment. This goal was met as 91% (41 out of 45 students) of all NCS students were proficient, and 85% of the cohort scored proficient.

The New York State Education Department has assigned the Niagara Charter School an accountability status of "In Good Standing" for 2010-11 and for 2011-12. The School did not make AYP in ELA in 2010-2011, however, it should be noted that the performance of the Black or African American Accountability Group was within 4 points of meeting its performance index of 114.

The new administration has put in place a system where data is collected and more importantly analyzed to understand student achievement, to assess teaching practices, and to make informed decisions about instruction. Data inquiry teams (grade-level and cross-grade level) are participating in staff development under the guidance of the CAO and the mentorship of the AAO to understand, analyze, and disaggregate various data to determine patterns of performance. These teams emphasize collaborative inquiry as the keystone for productive data use. They use multiple sources of data, including and going beyond test scores (e.g., classroom assessments and student work). Students at the start of the 2012 school year will also participate in learning how to continually assess and improve the quality of their work through the use of models, reflection, critique, rubrics, and work with experts.

As an EL school, NCS is assigned a School Designer to ensure the successful implementation of the EL approach to teaching and learning. EL schools are generally reviewed twice each year, mid-year and annually. Niagara Charter School has worked closely with EL School Designers to complete all required reviews. During the last charter term and the beginning of the renewal charter term, the School felt there was a lack of consistency with the EL School Designers. Multiple designers were working with the School, and administration worked with EL to resolve this. Beginning in the 2011 school year, any consistency issues were removed, and the School now has a single School Designer designated to the staff.

b. Curriculum

Using the Expeditionary Learning approach, Niagara Charter School's curriculum makes the standards come alive for students by connecting learning to real-world issues and needs. Academically rigorous learning expeditions, case studies, projects, and fieldwork inspire students to be lifelong learners, resourceful and practical thinkers, active citizens, and future leaders. Expeditionary Learning schools have access to a variety of resources and tools that School Leaders and teachers use to guide the instructional planning process in the long-term and in the short-term.

The School has access to *EL Commons*, a secure online space where educators can peruse inspirational student work, find resources to support all aspects of the EL model, plan curriculum using EL's Planner, and collaborate with groups across the network. Within EL Commons, our teachers have access to a searchable *Document Library* containing information about curriculum, instruction, assessment, culture and character, and leadership--the five key dimensions. Our teachers use the Document Library to access curriculum maps, rubrics and documents to help create rubrics for the Arts, Reading, Current Events, and for Student Portfolios. The Document Library also provides guidance to write learning targets and develop STA (standards, targets and assessment) plans.

The Chief Academic Officer and teachers have access to the *EL Work Plan* Template and documents to guide and structure a mid-year review process for school improvement purposes. Documents pertaining to the use of data to improve differentiated instruction and student performance, as well as tools to conduct data audits are also available. The *EL Planner* is a custom Expeditionary Learning planning tool that helps teachers create, manage, and share standards-based expeditions, projects, and lessons. Teachers are able to attach support documents such as Word files, PDFs, images, or URLs to their Planners so that all resources related to the expedition are easily accessible. The Planner also allows teachers to create STA documents that guide instruction and keep learning focused and standard based.

With these tools, our School's teachers and all EL teachers can share their work with others across the network. The use of these EL resources is critical to full implementation of the model and ultimately to student success.

Expeditionary Learning as an organization is responsible for horizontally and vertically aligning the Common Core Learning Standards in all curricular areas (ELA, Math, Science and Social Studies). Expeditionary Learning assigns an EL School Designer to provide professional development and curriculum planning resources to ensure the curriculum is aligned and appropriate. Each teacher works collaboratively with administration and the EL School Designer to create curriculum maps.

There are three expeditions per school year, resulting in three curriculum maps, and each expedition map is reviewed mid-year and updated annually. In addition, Niagara Charter School works collaboratively with the BOCES network teams to address all of the Common Core Learning Standards and State Standards within the expeditions. Expedition maps are also reviewed and revised using an EL tool called the Expedition Critique Protocol. Teachers are able to design and sequence lessons based on these resources and documents.

Expeditionary Learning: Supporting Students with Disabilities (SWD) and English Language Learners (ELL)

At NCS, Students with Disabilities and English Language Learners are strongly supported through the EL curriculum and model. In EL schools, differentiation is a natural instructional approach, because teachers proactively plan to meet students' varied needs based on ongoing assessments of their understanding and development. Teachers utilize flexible groupings of students and design rigorous tasks that allow for different approaches to the same goals.

The administration, special education teachers and EL School Designers use research to determine best practices for SWD and ELL students. Professional Development is designed around meeting the needs of these students.

Students with Disabilities

1. School leaders and special education teachers use research to determine best practices for Students with Disabilities.
2. School leaders and special education teachers make professional development related to meeting the needs of Students with Disabilities available to all staff.
3. School leaders thoroughly examine staffing, scheduling, and structures in order to choose models that best meet the needs of all students:
 - a. Special education teachers and general education teachers are provided with adequate planning time to support this student population.
 - b. The RtI/Child Study Team evaluates accommodations and considers innovative strategies for diverse student populations.
 - c. Modifications are developed based on specific student needs, with the intention of achieving the most rigorous outcome possible for the student.
4. Decisions about placement and programs for Students with Disabilities are based on high-quality assessments.
5. The School develops and trains effective teams (e.g., Response to Intervention teams) in order to ensure that students needing supplemental support are identified and that placement in interventions and other programs are made appropriately.
6. To the greatest extent possible, Students with Disabilities complete the same curriculum and meet the same learning targets as their classmates.
7. Teachers provide supplemental materials so that Students with Disabilities can access content (e.g., visual cues, graphic organizers, appropriately leveled text).

English Language Learners (ELL)

1. School leaders and teachers use research to determine best practices for English Language Learners.
2. School leaders and teachers make professional development related to meeting the needs of English Language Learners available to all staff.

3. School leaders thoroughly examine staffing, scheduling, and structures that best meet the needs of all students.
4. Decisions about placement and programs for English Language Learners are based on high-quality assessments.
5. To the greatest extent possible, English Language Learners complete the same curriculum and meet the same learning targets as their classmates.
6. Teachers provide supplemental materials so that English Language Learners can access content (e.g., visual cues, materials written in the student's home language, culturally relevant materials).

Chart 12: Listing of Curriculum Planning Documents	
Planning in EL Schools	Guidance Document: Expeditionary Learning recommends particular structures and priorities for curricular and instructional planning. The four types of plans that EL teachers create are lessons, projects, learning expeditions, and standards-targets-assessments (STAs).
Expeditionary Plan Template for Learning Expeditions and Case Studies	Learning Expeditions are the signature EL curricular structure, combining multiple elements of the EL approach: guiding questions, kickoff experiences, projects, fieldwork, experts, service learning, and a culminating event that features high-quality student work. Learning expeditions are interdisciplinary studies based on standards, usually lasting 6-12 weeks, planned and led by a teacher or teaching team. All learning expeditions are rich with literacy skills, and all require research, critical thinking and collaboration by students. Math skills are embedded whenever they align well with expedition content. Learning expeditions feature one or more case studies, which narrow the topic and make it concrete and personal for students.
Project Plan Template	In EL schools, projects are a core structure for learning essential skills and content during the school day. Project plans typically consist of a sequence of 2-6 weeks of lessons and experiences (e.g. fieldwork research) that result in a student product and/or performance for an audience beyond the classroom. During the project, students typically work together toward mastery of a real-world product format (e.g. field guide; website).

Chart 12: Listing of Curriculum Planning Documents

<p>Lesson Plan Template</p>	<p>For all lesson plans, EL recommends attention to the following priorities:</p> <ul style="list-style-type: none"> ▪ Learning targets (explicit lesson goals made clear to students and owned by students) ▪ A compelling opening, an active middle, and a closing that includes synthesizing learning; Checking for understanding during the lesson and at the end of the lesson; ▪ Structures that require more student voice and less teacher voice; ▪ Structures that foster inquiry, critical thinking and problem-solving
<p>Lesson Plan Template Continued</p>	<p>Teachers select the appropriate lesson format based on their goals. Teachers use the workshop format to introduce and explicitly teach concepts, skills and strategies related to the learning targets. Teachers often develop workshops in response to what they notice in student work. Workshop components include: introduction, mini-lesson, guided practice, practice/application, share, and debrief. Assessment occurs throughout the workshop, once the mini- lesson is complete.</p> <p>Teachers use a discovery-based format if they wish to prioritize curiosity and discovery. In this format, learning targets are not revealed until later in the lesson, after students have explored ideas or materials and developed questions and hypotheses. An example of this format is the 5E's lesson (engage, explore, explain, extend, evaluate).</p> <p>Teachers use protocol-based lessons when a specific structure is fitting. Examples of multi-step protocols that act as a whole lesson or series of lessons include class critique sessions, Socratic seminars, and Building Background Knowledge (BBK) protocols.</p> <p>Teachers use other formats, such as lectures, video, work sessions, labs, or games when warranted, and infuse these with engagement and assessment strategies (e.g. planned pauses during a video for written reflection or group discussion, planned pauses during a lecture to check for understanding or to have paired discussion).</p>

Chart 12: Listing of Curriculum Planning Documents

<p>Standards-Targets-Assessments (STA) Plan Template</p>	<p>All EL teachers create STA plans. The number and scope of these plans varies based on whether a teacher is planning for a series of lessons, a project, or an expedition.</p> <p>Prior to instruction, teachers determine what standards they will assess when teaching a series of lessons, project, or learning expedition. They use standards from national, state, district, and school sources, as appropriate.</p> <p>Teachers create long-term targets based on the standards. They identify a realistic number of long-term targets that are assessable in a given instructional/grading period (For many teachers, a good guideline is 5-8 targets per discipline, per semester).</p>
	<p>Teachers develop a realistic number of corresponding supporting targets that name the discrete learning necessary for students to reach each long-term target (e.g. 3-5 supporting targets per long-term target). Teachers identify assessments for sets of targets before instruction begins.</p>

c. Instruction

At Niagara Charter School, students are engaged in discovery, inquiry, critical thinking, problem-solving, and collaboration. Discussions are led by the students, and teachers do less talking. Teachers use protocols to ensure that all students think critically and participate fully. Protocols are formats for discussion that bring clear structures and guidelines to the classroom. Examples are Socratic seminars, jigsaws, building background knowledge and revision and critique protocols.

In all subject areas, instruction is differentiated through whole group and small group instruction, and high expectations bring out the best in all students. Teachers proactively plan differentiated lessons to meet students' needs based upon ongoing assessments. Teachers also use flexible groupings of students and design tasks that allow for different approaches to meet the same goals. Materials are selected so that all students have opportunities to work with grade-level text and tasks, and differentiated texts are also used to support different reading levels. Students with disabilities and English language learners are taught within the regular classroom to the greatest extent possible.

Teachers begin planning rigorous lessons by identifying clear learning targets, which articulate specific learning goals in student friendly language. The teachers make decisions about which practices to use during lessons based on close knowledge of individual students and Learning Standards. Teachers share learning targets with students in order to connect new ideas and content with their prior

knowledge. Niagara Charter School students take ownership and responsibility for their learning, and they represent their learning using formats such as graphic organizers, journals, concept maps, data charts, and quick-writes. An example of a strategy regularly used to engage all students in high-quality rigorous instruction is participation in field-work. Field-work has a clear purpose that enriches the work of the learning expedition and allows students to be researchers.

Niagara Charter School's administration monitors the effectiveness of EL through a mid and end of the year implementation review, which involves completion of an electronic survey by classroom teachers, specials area teachers, special education teachers, and administration. The results are compiled into a report written by a third party, and are shared with the school curriculum designers and administration. The teachers also receive this information upon their return each August. The results are used as a basis to build the following year's work plan, which aligns the prioritized goals, objectives, strategies and evidence of attainment. In addition, an overall staff survey is conducted annually. Administration uses the feedback provided to monitor the effectiveness of the operations of the School along with other aspects.

The administration has created an action plan to further support teachers' instruction and increase student proficiency and is working to strengthen the use of data throughout the School. Professional development will be provided on establishing a more data driven culture. Data Inquiry Teams have been established to look deeply at data and ask questions about how to strengthen instruction. The teachers will create action plans to improve teaching and learning. Teachers will use ongoing assessments within the classroom to ensure that action plan goals are being met, and all data collected will be used as evidence to build and modify lessons and instruction. In addition, the School Leadership Team will also analyze data related to student achievement on standardized tests and interim assessments, and use this data to monitor progress toward school-wide goals.

d. Assessment and Instructional Decision-Making

Niagara Charter School uses ongoing formative and summative assessments and evaluation data to inform instructional decisions and promote student learning. Four interim assessments are administered each year in ELA and Math. This data is reviewed, discussed, and analyzed at monthly data/grade level meetings, and with the School Leadership Team. The data is used to understand student achievement, assess teaching practices, and make informed decisions about instruction. Teachers use assessment data to drive instruction, and results are used to differentiate students' learning. Based on data, students may be placed in small groups for re-teaching within the classroom or receive small group instruction outside of the classroom to provide additional support with the skills they are struggling with.

Teachers regularly check the understanding of each student during and at the end of lessons. For example, teachers may use exit tickets, hand signals, and clicker technology. Students are conferred with individually and in small groups to monitor

and assess their level of understanding. Observational records are kept during work sessions and used when conferring with students.

The following chart provides a listing of the formative and summative assessments administered at the School, as well as the purpose of each assessment. It also describes how data from these assessments are used by teachers to inform, guide, and improve instructional practice, and how school leaders use data from these assessments to monitor the effectiveness of school programs and make school-wide decisions.

ASSESSMENTS

ASSESSMENTS	PURPOSE	DATES ADMINISTERED
<p>Interim Assessments Scott Foresman Benchmark Assessments (used during the 2011-2012 school year.)</p> <p>2012-term of new charter Common Core Interim Assessments using the test item bank created by the consortium at BOCES</p>	<p>Interim assessments are given 4 times per year. During grade level meetings, teachers and administration conduct diagnostic item analysis to inform instructional improvements. For example, they analyze students' incorrect answers to best understand where misunderstandings and misconceptions lie.</p>	<p>September 10, 2012 October 29, 2012 February 4, 2013 May 6, 2013 (K-3)</p>
<p>Terra Nova</p>	<p>Terra Nova is an achievement test administered one time per year in order to assess student achievement from year to year. Terra Nova is administered mid-year in order to provide teachers with specific feedback on student performance prior to the state assessments. Terra Nova data are analyzed during grade level meetings to identify students' strengths and weaknesses, and modify lesson plans to re-teach areas in need of improvement.</p>	<p>January 15-17, 2013</p>
<p>New York State Assessments</p>	<p>New York State assessments are required by The State Education Department. Our charter goals are based on these assessments. Administration and teachers use gap analysis and trend reports, if available, in order to inform instructional decisions for the following school year. For example, this data is used to determine which students receive Academic Intervention Services. Also, students who are not proficient in ELA and/or Math are selected to participate in after school programming to address deficits.</p>	<p>Tentative dates: ELA April 16-18, 2013 Math April 24-26, 2013</p>
<p>Expedition Projects</p>	<p>Projects are a core structure for learning important skills and content standards during the school day. Projects culminate in high-quality student-created products or performances. Assessment takes place during all aspects of the projects. Projects include formative and summative assessments such as conferences, quizzes, tests, essays, and presentations. This data is used to inform instructional decisions and promote student learning.</p>	<p>Ongoing throughout the duration of each expedition</p>
<p>Final Expedition Products and/or Performances</p>	<p>Products and performances are created for an audience beyond the classroom, giving students an authentic reason to care about quality. Teachers and students create product descriptors, rubrics, and criteria lists. These tools are used to identify students' progress in attaining the set learning targets.</p>	<p>End of Expedition 1: December 21, 2012 End of Expedition 2: March 28, 2013 End of Expedition 3: June 19, 2013</p>

Portfolios	<p>Portfolios are a requirement for student-led conferences; however, students do not receive a formal grade. The portfolio process is an informal assessment used to help students reflect and take ownership of their learning. Students archive and organize their work across subject areas. They select specific work for student-led conferences and presentations of learning. Students' portfolios demonstrate growth and proficiency of content and skills over time. They also show students' growth and proficiency regarding habits of scholarship. Portfolios include multiple drafts, self-reflections, and feedback from teachers that show how their work has improved and how they have met the learning targets.</p>	<p>Students archive and organize their portfolios quarterly. Students and their family members engage in a student-led conference at the end of the school year in which students communicate their progress and identify areas for growth. Student-led conferences will take place on June 6-7, 2013.</p>
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e. At-risk Students and Students with Special Needs

Niagara Charter School's special education department includes a Special Education Coordinator, a special education teacher, and an Academic Intervention Service (AIS) teacher. The special education team provides Consultant Teacher services to support students' needs within the classroom setting.

The Response to Intervention (RtI) process as outlined by the NYS Education Department is used to identify students that need additional support in academics. RtI is the practice of providing high quality instruction and intervention matched to individual student's needs by monitoring progress frequently. RtI assists in making decisions about change in instruction or goals and applying child response data to important educational decisions. Niagara Charter School uses a 3 Tiered model for the RtI process.

Tier 1: A research based differentiated core curriculum or primary intervention intended for all students in the general education classroom. The Fountas & Pinnell Benchmark Assessment System is utilized as a preliminary universal screening tool (3 times per year) for all students to determine intervention needs. Each class is also required to administer a beginning, middle and end of the year benchmark assessment to determine students' needs.

- **Interventionist:** general education teacher
- **Setting:** general education classroom
- **Grouping:** variable and flexible grouping formats
- **Curriculum:** scientific, research-based instruction aligned to state learning standards in core academic areas
- **Duration:** year-long
- **Length of Instructional Sessions:** involves a minimum of 90 minutes of ELA instruction per day

Tier 2: Secondary intervention required for about 10-15% of students who are not making adequate progress with core instruction or primary interventions at Tier 1.

- **Interventionist:** trained, skilled and knowledgeable school personnel
- **Setting:** variable, can occur in and/or outside of general education classroom
- **Grouping:** small, homogeneous grouping (1:3 – 1:5)
- **Curriculum:** scientifically research-based instruction designed to remediate skill deficits of targeted students
- **Duration:** varies – based on rate of progress and performance of students; 10 to 30 weeks minimum
- **Length of Intervention Sessions:** 20 – 30 minutes, 3 to 4 times per week
- **Assessment:** may include formal and informal measures to inform instruction
- **Progress Monitoring:** twice monthly to examine rate and level of performance

Tier 3: Tier 3 intervention is intended for about 1-5% of students who are not responding to instruction at Tiers 1 & 2. If a child is not making adequate progress at Tier 3, a CSE referral will be made on behalf of the child.

- **Interventionist:** highly trained, skilled and knowledgeable school personnel
- **Setting:** most often takes place outside of the general education classroom
- **Grouping:** small, homogeneous grouping (1:1 – 1:2)
- **Curriculum:** customized, intensive, systematic and research-based instruction

that targets academic areas of greatest need (specific skills)

- **Duration:** varies- a minimum of 10-30 weeks
- **Length of Intervention Sessions:** 30 – 60 minutes, five times per week
- **Assessment:** may include formal and informal measures to inform instruction
- **Progress Monitoring:** minimum once per week

Student improvement as a response to these measures is carefully documented and reviewed by the RtI/Child Study Team on a monthly basis. Based on the RtI system of intervention, a student is referred to the Committee on Special Education if it is deemed necessary. Niagara Charter School teachers receive professional development on the RtI model and receive support in implementation. In addition, students who have not met grade-level standards on the New York State assessments also receive Academic Intervention Services during the regular school day along with additional support during enrichment remediation time and after-school programming.

The Response to Intervention/Child Study Team consists of the Special Education Coordinator, special education teacher, school counselor, administration, and one to two general education teachers. This team, in conjunction with administrators, closely monitors the effectiveness of services and programs through monthly meetings. Monthly student progress monitoring data is reviewed at that time, and modifications are made as needed.

At-risk students such as those served by the Niagara Charter School require a broad range of services to improve their learning. Expeditionary Learning addresses many of these needs. This model engages students in hands-on learning and encourages the formation of a supportive and collaborative educational community. The EL model supports the development of the Niagara Charter School with research-based instruction to raise each student's academic achievement. Additional academic services are often needed to remedy learning deficits that have accumulated over time. For example, students may work with teacher assistants in small groups focusing on an area of need; the AIS teacher provides push-in services to support the student within the classroom; and afterschool programming is available to help students with homework and provide remediation in ELA and Math. These services are designed to overcome academic barriers, make curriculum and instruction relevant, and to raise expectations for children at-risk of dropping out or failing school.

The following structures and supports are in place for teaching staff and for Students with Disabilities and English Language Learners:

1. The Chief Academic Officer examines staffing, scheduling, and structures (including professional development) in order to choose models that best meet the needs of all students.
 - a. Collaborative teams working with Students with Disabilities are provided with adequate planning time to support this student population.

- b. Collaborative teams evaluate accommodations and consider innovative strategies for diverse student populations.
 - c. Modifications are developed based on specific student needs, with the intention of achieving the most rigorous outcome possible for the student.
2. Decisions about placement and programs for Students with Disabilities and ELL students are based on high-quality assessments, such as interim assessments, Terra Nova, NYS assessments, Expedition projects, final Expedition products, and portfolios.
 3. The School develops and trains effective teams (e.g., Response to Intervention/Child Study teams) in order to ensure that students needing supplemental support are identified, and that placement in interventions and other programs is made appropriately.
 4. Students with Disabilities and ELL students complete the same curriculum and meet the same learning targets as their classmates.
 5. Teachers provide supplemental materials so that Students with Disabilities can access content (e.g., visual cues, graphic organizers, appropriately leveled text) and English Language Learners can access content (e.g., visual cues, materials written in the student's home language, culturally relevant materials).
 6. Teachers help students learn self-sufficiency and advocacy skills.
 7. Teachers help students understand their learning challenges so that they gain lifelong strategies for further growth and development.
 8. Teachers support all students' understanding of the diversity of learners that exists in their school, just as they support understanding of other forms of diversity.
 9. NCS has a counselor on staff to assist teachers and administrators address the needs of students with special social or emotional needs.

f. Climate, Culture, and Safety

The foundation of a successful Expeditionary Learning school is a community that brings out the best in students and staff. As such, the Niagara Charter School's climate is characterized by safety, kindness, joy in learning, and positive leadership by staff and students. The School's mission encompasses academic success and compassionate character. The School celebrates academic growth and character development. Teachers and school leaders communicate clear expectations for student character and model those values in their own practice.

Policies and practices encourage students to take responsibility for learning, to demonstrate empathy and caring, and to be stewards of the School.

The OLWEUS Bully prevention program was implemented beginning in the 2010-2011 school year. This program uses researched based practices to prevent harassment and discrimination. For example, teachers are trained in the use of positive consequences to reinforce positive behavior, and on the spot interventions when appropriate.

Clear School-Wide Expectations

1. The School has established a code of character, known as P.R.I.D.E. (Participation, Respect, Integrity, Dedication, and Excellence) to which all students and staff members aspire. The code addresses both relational character (treating others well) and performance character (doing one's best), so that success as a good person and success as a scholar are joined. Students and staff are held accountable for upholding the code of character.
2. School faculty members explicitly teach and refer to P.R.I.D.E. in classrooms. The components of P.R.I.D.E. are used daily to acknowledge positive or challenging behaviors. Teachers support students to make connections between character and their academic success.
3. The School establishes policies and procedures that celebrate character traits and hold students accountable to them. Character achievement is identified in progress reports, disciplinary protocols, awards, and public acknowledgments.
4. When students or teachers report student progress, learning targets for academic growth are separate from learning targets for character. Both are important. For example, "I can take responsibility for my learning by coming to class prepared to learn," "I can complete my assignments daily," and "I can treat others with respect."
5. Adults model the character traits with students and in their professional relationships.
6. The character traits are practiced in the classroom, lunchroom, in the halls, during recess, before and after school, and whenever students represent the school in the community.

Traditions

1. A common set of EL traditions are used in whole-school settings and in classrooms (e.g., community circles, crew, and team-building activities) to foster character.

2. The School customizes EL traditions, developing its own unique traditions that express the School's vision of a positive community that is focused on learning.
3. Students play an active role in maintaining school traditions and acting as leaders (e.g., being ambassadors for visitors, leading meetings, maintaining the building, mentoring younger children, leading morning announcements).
4. School spaces accommodate various traditions and classroom configurations (e.g., crew circles, collaborative groups, community meetings).

A Climate of Learning

1. Adults act as models of lifelong learning for students. Adult learning is visibly celebrated (e.g., in community circles, and professional development participation).
2. Multiple forms of intelligence and learning profiles are recognized and cultivated (e.g., mathematical, linguistic, kinesthetic).
3. The climate of learning is inclusive of all school members. Students and staff with different cultural backgrounds or different learning needs are treated with respect.
4. School discipline is framed in terms of self-discipline and becoming a self-directed learner.
5. Student misbehavior is treated as a learning opportunity for both students and teachers. Teachers probe for causes of misbehavior or conflict, and consequences are logical, consistent, and clearly communicated.
6. Classroom norms, established by teachers and students, reinforce the school character traits and establish classroom cultures focused on responsibility for learning, compassionate behavior, and positive student leadership.

Additionally, Expeditionary Learning defines character as having two facets, relational character and performance character. Relational character skills are essential for positive collaboration, ethical interaction, appropriate participation, and personal responsibility for actions (e.g., kindness, honesty, integrity). Performance character skills (habits of scholarship) are needed to obtain a standard of excellence in academic or real-world endeavors (e.g., organization, perseverance, craftsmanship). In Niagara Charter School, both types of character are essential for success in school and in life. Fostering character is not an add-on; it is embedded in all aspects of the school culture and permeates academic studies. Character is a focus all day long.

In addition to the structures in place to build a safe climate and culture conducive to teaching and learning, the School has implemented the OLWEUS Bullying Prevention Program which has been chosen by the National Substance Abuse and Mental Health Services as one of the best programs in the country designed to curb bullying. A survey was conducted at the beginning of the year and this data was used to identify “hot spots” and to formulate action steps to address areas of concern. This anti-bullying program is well-aligned with the EL model which empowers teachers, staff, and students with the skills to create a school community that fosters safety, support, and civility for all students.

Niagara Charter also has in place structures to effectively address the social, emotional, and health needs of its students. A full time counselor works with the classroom teachers to identify or assess behavioral needs of students that affect the teaching and learning process toward preventing crises before they occur. Additionally, the School employs its own school nurse to assess, monitor, and address any student health needs.

g. Professional Development

The CAO and AAO focus on academic improvement, specifically through the development of quality teachers. Starting with establishing and communicating high expectations, the CAO provides professional development, feedback, and coaching aligned with a formal evaluation system designed to promote the professional growth of every teacher and ensure school-wide excellence.

Professional development opportunities have been increased during the past year to provide the necessary resources to develop every teacher’s content knowledge and instructional repertoire. At the beginning of the year an interest inventory was given to the teachers and staff to help administration differentiate professional development. The inventory also seeks to identify teachers who have best practices to share during faculty meetings. Multiple opportunities are available for staff to attend institutes through EL, visit other EL schools, and attend sessions on various topics through BOCES open sessions (i.e., Cooperative Learning, Lucy Calkins, and Math clusters around the Common Core Learning Standards). During the 2011-2012 school year, approximately 87% of the general education teachers, all of the special education teachers, and two out of three special area teachers attended one or more professional development workshops off campus. All teacher assistants and building based substitutes attend the professional development provided by EL School Designers at NCS.

Niagara Charter School’s administration monitors the effectiveness of Expeditionary Learning professional development opportunities through mid and end of the year implementation reviews. The implementation review is an electronic survey completed by classroom teachers, specials, special education and administration to evaluate the implementation of the EL model. The results are compiled into a report written by a third party and shared with the school designers

and administration. When teachers return in August, this information is shared with them. The results are used to build the following school year's work plan.

The work plan aligns a few prioritized goals, objectives, strategies and evidence of attainment. Student assessment data and performance outcomes are reviewed in conjunction with the EL yearly work-plan to determine if goals were met. Administration uses the provided feedback to monitor the effectiveness of the operations of the School along with other aspects. EL professional development is also monitored by administration using feedback provided from the teachers. For example, exit tickets are used at the end of a PD to evaluate the effectiveness of the session, to check for understanding, and to identify additional needs of the staff.

Niagara Charter School also provides mentoring to new/first year teachers, as well as teachers in need of improvement. This model is meant to provide effective strategies for improving both skills and teacher retention rates. New teachers are paired with highly effective teachers in order to provide them with ongoing support. Each grade level is given daily common planning time (42 minutes), and during this time teachers can work and plan within their teams. Each grade level also has an additional 35 minutes at the end of each school day to plan and prepare for future instruction. In addition, the Assistant Academic Officer serves as an instructional coach, meeting with the new teachers and those identified as in need of improvement on a monthly basis to discuss best teaching practices and any other areas of focus.

New teachers are required to attend the introduction to Expeditionary Learning over the summer, and they participate with the whole staff in monthly professional development throughout the year provided by EL. Other sources of professional development include Kagan Cooperative Learning, Writing Workshop by Lucy Calkins, Response to Intervention, and Effectively Dealing with Disruptive Students. Sessions were provided by the Bureau of Educational Research and Erie 1 BOCES, and were chosen based on the data collected from informal and formal observations conducted by administration.

2. **IS THE SCHOOL ORGANIZATIONALLY VIABLE AND ABLE TO OPERATE IN A FISCALLY SOUND MANNER?**

a. **Organizational Performance Goals**

The Niagara Charter School Board of Trustees has assessed the need to build upon its knowledge of the Expeditionary Learning model and how to best shape the School's operations and systems to elevate and sustain student achievement. The Board of Trustees continues to increase its knowledge and understanding of data (assessments and other measures related to the key dimensions of the EL model) and how to use that data to engage the stakeholders and to improve the decision-making process.

The Board has faithfully adhered to the school's By-Laws, and has been in compliance with all laws, rules and regulations governing charter school operations.

b. **Financial Performance Goals**

The primary financial goal inherent in the School's charter is to operate in a fiscally sound manner. Three specific goals under this umbrella included: 1) eliminating the School's fund balance deficit by the end of the 2009-2010 school year; 2) fundraising to complete a playground project; and 3) completing a build-out of the existing facility during the 2011-2012 school year.

The School met each of the three financial performance goals and proven its ability to operate in a fiscally sound manner. First, the School eliminated its fund balance deficit. As of June 30, 2010 the School had positive net assets totaling \$22,417. As of June 30, 2011, the School had improved its financial position, having total net assets of \$645,740. Next, the playground project was a success both functionally and financially, as fundraising goals was met and the playground was built. Finally, the build-out was completed *early and under-budget*. The School's improved financial position allowed us to pay for the build-out using cash flow, thus avoiding finance charges or rent increase. The build-out was completed in the summer of 2011.

c. **Organizational Capacity**

The School's Organizational Chart identifying the names and titles of the School's Leadership Team appears in Appendix D (School Organizational Chart). It is important to note that the 2011-12 school year began with the leadership of a new Chief Academic Officer and Assistant Academic Officer.

This administration uses clear protocols and processes to hire teachers and other school staff. Multiple faculty members participate in a group interview process to identify new teaching staff members. Finalists are required to demonstrate their proficiency with best practices (e.g., presenting sample curricula, facilitating a lesson with students, or sharing a portfolio of their work).

Retention decisions are made by the CAO using informal and formal observations based upon the Charlotte Danielson's rubric. Observations are conducted by the CAO and AAO. The Danielson rubric includes specific criteria for teacher performance aligned with the EL model and the NYS teaching standards. Evaluations are conducted two times per year, and pre and post observation conferences are part of the process. During the post observation meeting, the final report is communicated to the teacher. Documentation required by the teacher includes a pre-observation form, formal lesson plan, reflection form, and student work samples.

Teachers that are rated ineffective or developing on the Danielson rubric are placed on an improvement plan by the CAO. The plan is created with the CAO with input from the teacher. It is monitored on a monthly basis by administration and the teacher, and additional observations are conducted to determine if the teacher should maintain employment. If the teacher(s) does not show growth towards effective and highly effective ratings, he or she would be notified by administration that employment is being discontinued.

Upon the departure of the original CAO, who served from 2006-2011, the Board of Trustees promoted the Assistant Academic Officer to be the Chief Academic Officer at the beginning of the 2011-2012 school year. The Board of Trustees interviewed candidates for the AAO position from both within and outside the School. At the conclusion of the process one of the School's teachers was selected as the Assistant Academic Officer. The Board is pleased to have identified its new school leadership from within its ranks which helps to maintain stability and continuity in its EL teaching and learning environment. Under the new leadership, the school has shown academic improvements.

The Board of Trustees has engaged an outside consultant to regularly monitor, mentor, and conduct the annual evaluation of the Chief Academic Officer's performance. The outside consultant is a retired Superintendent experienced in the evaluation of principals. He was selected by the Board to complete the required training for principal evaluations and complete the required evaluation. The Board selected as its evaluation tool the Reeves Leadership Performance Matrix from the New York State Education Department's list of Approved Teacher and Principal Practice Rubrics. The results of the evaluations are a factor in employment decisions and the CAO's professional development decisions. A copy of the evaluation form(s) for the school leader appears as Appendix E (Evaluation Form(s) for the School Leader).

The Staffing and Staff Turnover chart appears in Appendix F of the Niagara Charter School's renewal application.

d. Board Oversight and Governance

i. Board Membership and Turnover

The Board of Trustees attempts to retain a diverse group of Trustees. Our Trustees come from different walks of life and a variety of professional backgrounds ideal for supplying Niagara Charter School with responsible and reliable Trustees.

Prior to the Board's annual meeting, a nominating committee is appointed to review resumes of interested parties to become members of the Board. By reviewing Board candidates' backgrounds, the nominating committee tries to make sure that there is a variety of professional backgrounds represented on the Board.

During the Charter period, the Board, as required by its By-Laws, elects two parent Trustees and two teacher Trustees each year. In 2011-2012 the parent and teacher Trustees were re-elected for another term, which maintained consistency for those seats. The Board was glad to retain the talents of these dedicated Board members, and considers their willingness to continue serving the Board as a positive sign of stability and mission dedication and alignment. Due to personal time constraints and availability, the following four at-large Trustees resigned during the Charter period: Daniel Gestwick, Chief Master Sgt. Robert Bradley, Louise B. Colvin and Robert Restaino. The following replacement Trustees were elected for the Board: William Bradberry, Dr. Leticia Hahn, Mary Scheeler and James Phillips, a former parent member.

- ii. Goals established by the Board outside the School's performance goal, the tools for understanding progress towards meeting those goals and the frequency of reporting to the Board of Trustees.

During the most recent Charter Period, the Board has focused on student achievement, as well as community and parent involvement for the School. During the charter term the Board worked to support student achievement by providing the teaching staff with tools and resources necessary for the students of the Niagara Charter School to achieve their highest potential.

- iii. Strategic planning events undertaken by the Board, the results of those efforts and the current status of any initiatives launched as a result of strategic planning.

During this Charter period, the Board, in particular, wanted to be more involved at the governance level with academics, particularly in relation to the hiring of administrators and supporting administration. It has done this by forming two Board committees, Governance and Academic, which report at regular Board meetings. The Governance Committee created a Board of Trustees Governance Calendar that is reviewed regularly to ensure that the Board is meeting the terms of the Charter throughout the school year. The Academic Committee established a protocol for hiring the Assistant Academic Officer and Community Liaison. The Academic Committee is also supporting administration by hiring an independent consultant as an evaluator and mentor for the Chief Academic Officer. The Chief Academic Officer, as a result of this evaluator, is being reviewed under the Reeves Rubric approved by the State Education Department. In addition, administration updates the Academic Committee on teacher evaluations during the school year.

- iv. Discuss how the Board has avoided conflicts of interests where possible and where not possible how the School has managed those conflicts of interest in a clear and transparent manner.

For this Charter period, the Board has been cautious to avoid any conflicts of interest. There were only two potential situations in which any members of the Board may have been conflicted. The first was with Ricky Scott who worked for HSBC Bank, which was the School's bank during the most recent term. Mr. Scott no longer works at HSBC Bank and has no association with the School's new bank, resolving the potential conflict. The other potential conflict related to having teacher members on the Board. The teachers are asked to recuse themselves from voting on personnel, and budgetary/financial issues. Furthermore, teacher Trustees did not participate in Executive Sessions that dealt with those aforementioned issues.

- v. Describe protocols that have been established to ensure that the Board acts in accordance with law, regulations, etc.

The Board adheres to the Open Meetings Law and all applicable regulations. The Board has a recording secretary who prepares the open meetings log, public notices, as well as records minutes at Board meetings. Furthermore, through the use of the Governance Committee the Board is sure to abide by its By-Laws and Charter policies. The Board also has the advice of Counsel as needed, which includes the ongoing review of Board policies and compliance with applicable laws and regulations.

- vi. Describe how the Board evaluates its own effectiveness and what opportunities for further governance training and development it has pursued over the course of the Charter.

The Board presently uses an evaluation tool on an annual basis to determine its own effectiveness. Through the assistance of the Board attorney and the activities of the Governance and Academic Committees, the Board recently determined that it would like to obtain additional training on Expeditionary Learning so it can have a better understanding of how the students can succeed academically at the School. This training is expected to occur within the next six months.

- vii. The Board of Trustees Membership Table appears in Appendix G of the School's renewal application.
- viii. The Board of Trustees does not have any long-term planning documents that it uses at this time. Appendix H is not applicable.

e. School Leadership

Through Expeditionary Learning, NCS administrators build a cohesive school vision focused on student achievement and continuous improvement, and align all activities in the School to that vision. Niagara Charter School's administration uses data wisely to meet student needs and build a school-wide culture of trust and collaboration.

The Chief Academic Officer is responsible for providing the School with leadership and supervision in developing, achieving and enhancing the School's educational programs. The CAO supervises and manages all academic service areas,

and is evaluated annually. . State and local assessments, along with Student Learning Objectives are used as evidence for the Chief Academic Officer's annual evaluation conducted by the consultant and reviewed by the Board.

The Assistant Academic Officer supervises the building based substitutes, teacher assistants, Art and Music teachers and the school nurse. The AAO works in collaboration with the CAO to develop and enhance the School's educational programs. The AAO is held accountable for meeting school goals by being evaluated annually by the CAO using the Reeves rubric.

The Business Manager provides leadership related to the financial management of the School. In addition, he ensures the financial well-being of the School to make a highly effective learning environment. By working closely with the CAO and finance committee, the Business Manager provides the materials and funding necessary to fulfill the academic vision of the School. The Business Manager is evaluated by the Board on an annual basis.

Niagara Charter School's administration monitors the effectiveness of Expeditionary Learning through mid and end of the year implementation review. The implementation review is an electronic survey completed by classroom teachers, specials, special education and administration. The results are compiled into a report written by a third party, and are shared with the School designers and administration. When the teachers return in August, this information is shared with them. The results are used to build the following school year's work plan. The work plan aligns a few prioritized goals, objectives, strategies and evidence of attainment.

A staff survey is also conducted annually, and is used to gauge the teachers' view on the rigor of the academic program. This information is further used to drive any necessary change in the program. Administration uses the provided feedback to monitor the overall effectiveness of the operations of the School.

Each teacher is given a classroom budget and fieldwork budget to support their instruction and expeditions. In addition, the Board of Trustees Finance Committee provides additional funds in the budget to further support teachers in any instructional needs that may arise throughout the school year.

Teachers are given daily common planning time (42 min.) during the school day to work in teams to plan lessons, align curriculum and share best practices. In addition, teachers have from 4:05-4:35 daily to continue this planning. Each month, staff also participates in whole school professional development for three or more hours through Expeditionary Learning, and at monthly faculty meetings, staff turn-key professional development attended outside of school and continue to share best practices.

The School has increased parent attendance at events such as exhibition nights, student-led conferences, monthly community circles, parent-teacher conferences and basketball games. Administration attends the Family School Association meetings to maintain open lines of communication between the School and the parental community.

f. Solvency and Stability

The School's financial plans have allowed it to secure a functional and appropriate school facility, establish a sound education program supplied with needed resources, and stabilized school finances on the strength of strong enrollment and appropriate oversight.

Enrollment has been consistently strong. The School's FTE enrollment has been 349.7, 350, and 350 in the last three years (chartered enrollment is 350). The School relies overwhelmingly on per-student revenue to fund its school program and has never relied on significant fundraising. Federal Title grants supplement the School's program and other revenue is negligible.

The School improved its working capital ratio from .52 to 1 at June 30, 2010 to 1.22 to 1 at June 30, 2011. Given the partial front loaded nature of charter school revenue, a working capital ratio in excess of 1.0 is a positive indicator. Importantly, net cash flow from operating activities also improved. Total net assets improved from \$22,416 at June 30, 2010 to \$645,740 at June 30, 2011. The School's unaudited financial statements for the year ended June 30, 2012 show continued improvement.

g. Internal Controls

The School's Accounting Policies and Procedures Manual (the Manual) provides documentation of the system of internal control in place. The scope of the Manual is comprehensive and the introduction succinctly lays out the general principles.

- This manual is intended to serve as a guide for accounting and financial reporting at NCS. It establishes a basic accounting framework and an expanded reporting system through the use of computerized financial management software. This guide also contains financial and administrative procedures that reflect the handling and flow of transactions and the separation of duties that are critical to effective internal control. Financial procedures generally relate to the activities that enhance the integrity and reliability of accounting and financial reporting.
- The computerized accounting and reporting structure operates within the QuickBooks integrated financial system, which considers the entire school as the legal and accounting entity. This concept eliminates separate accounting records for each funding source and integrates fiscal operations while maintaining separate accountability for each program within the School.
- Financial reporting encompasses both internal and external reporting. Detailed computerized internal reporting creates a complete audit trail from data entry to financial reporting. The system can generate reports at a program level, as well as school-wide. These internal reports provide the basis for external reporting for the School.
- The operation of the QuickBooks accounting software is supported by a user's manual. The manual blends accounting procedures with computer

software processing and describes the actual accounting operations that are performed by the computer.

- The School's accounting software provides the flexibility for continued change to meet internal and external reporting requirements as they emerge. The system establishes accounting standards that should be used in the budgeting process. Actual costs are compared to budget to enable timely budget revisions as required.
- The Business Manager oversees all financial and accounting policies and is ultimately responsible for the overall financial management and internal control of the School. The Board of Trustees is responsible for major decisions regarding fiscal matters and to provide fiscal oversight.
- Current position descriptions are maintained for all employees. Financial duties and responsibilities are segregated to ensure that no single employee has sole control over receipts, disbursements, payroll, and bank reconciliations. To the extent possible, duties are substantially segregated to overcome minimal rotation of duties due in part to a small accounting staff.

As noted in the Manual, physical assets with a value of \$500 or more are recorded into the School's capital asset inventory. Depreciation is calculated on capital assets and entered into the accounting system by general journal entry.

The School maintains a computerized capital asset subsidiary ledger. The subsidiary ledger identifies each asset as to funding source, type, and location. Each item of equipment is assigned an identifying number and is tagged for identification purposes. Items purchased with Title I funds are identified with a tag that is in addition to the School's standard inventory identification number. Title I items are maintained and disposed of as follows:

- a. Items of equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the awarding agency.
- b. Items of equipment with a current per unit fair market value in excess of \$5,000 may be retained or sold and the awarding agency shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the equipment.

Overall administration of property and equipment is the responsibility of the Business Manager and CAO, who will also determine replacement costs and secure appropriate insurance coverage. The Board of Trustees provides overall fiscal oversight.

The School's most recent annual audit does not identify any material or repeated findings that may put the School in fiscal jeopardy. The independent audit for the year ended June 30, 2010 was conducted by Toski, Schaefer & Co., P.C. in accordance with the Guidelines for Audits of Charter Schools. The audit did not identify any deficiencies in internal control over financial reporting that were considered to be material weaknesses. In addition, the audit disclosed no instances of

noncompliance or other matters that are required to be reported under Government Auditing Standards.

h. Financial Oversight

While the full board is responsible for overall financial oversight, the School makes use of a finance committee to assist in the oversight. The members of the finance committee include individuals with knowledge of fiscal operations. The finance committee does not include individuals who are currently handling the finances of the School. The duties of the finance committee include the following:

- a. Review receipts and expenditures for the quarter
- b. Review savings and checkbook balances
- c. Ensure adherence to budget line items
- d. Ensure adherence to separation of fiduciary responsibilities
- e. Notify Board of Trustees of weaknesses in financial structure
- f. Meet with external auditors.

The activities listed above along with review of monthly financial reports and participation in the budget process; ensure accountability is maintained for the School's fiscal operations. The School has strengthened its balance sheet. The School's unrestricted net assets at June 30, 2011 was more than \$645,740 and on pace to increase as of June 30, 2012. In further guarding the School's solvency, the Board has prudently maintained an annually renewable \$200,000 bank line-of-credit. The line is a backstop in case of an unexpected financial disruption occurs. The School has not needed to access the line in the last two years.

i. Financial Reporting

The School has maintained a consistent record of complying with reporting requirements. Reports are filed in a timely manner in the proper format including state and federal grant reports, audits, and the annual report of fiscal performance. At no time has the School received a notification from State Department of Education that a financial document was not filed or was not filed on a timely basis.

j. Facilities

Niagara Charter School occupies a 41,000 square foot building located on a ½ acre parcel of open fields, a small pond, and a playground. The original building, constructed in 2006, was 39,000 square feet. An addition of approximately 2000 square feet was added in 2011 using State Stimulus Funds and other school funds. The addition is a leasehold improvement and did not increase the School's monthly rental costs.

The facility, designed with the input of the School's leadership team, has at its center a full size gymnasium and classrooms forming a ring around the outside to allow natural light to come in from a bank of four windows on one side of each classroom. The School added a full playground to enhance student access to exercise in an engaging and compelling manner. In 2010, state-of-the-art interactive white boards were installed to allow our teachers to stream video, project web sites and other content onto a common interface for the entire class to view simultaneously. The additional 2,000 square feet was added to house a library, a technology room, and a flex-space classroom that is used for a variety of purposes. In the spring of 2012, the School installed a new high-speed, cat 6 wireless network specifically for student usage that was accomplished with eRate funds covering 90% of the cost of the system. Niagara Charter School is also incorporating computer labs into each of the classrooms with the addition of 55 new computers.

The open fields and a small pond surrounding the facility provide teachers with a natural classroom environment through which nature can be explored, researched, studied, and enjoyed firsthand. This natural setting allows for a seamless integration of the School's Expeditionary Learning approach to teaching and learning.

k. Parent/Family and Student Satisfaction

Enrollment History

The Niagara Charter School has maintained full enrollment of 350 students throughout its initial charter period and its current renewal period. The School has consistently had a waiting list ranging from 52 to 83 students, and has had no problem filling the few seats that become vacant each year. The chart below shows (a) the School's enrollment history; (b) demand patterns during the current charter term; and (c) the number of students on a year to year basis who stayed in the School and those who left over the charter term.

Enrollment History	2010-11	2011-12	2012-13
Total Enrollment	350	350	350
Total Not Returning	33	16	21
Total Seats Available	81	64	69
Total Applications Received	149	116	135
Total On Wait List	68	52	66

Involvement of Parents

Parents and families are encouraged to participate in formal and informal ways. For example, families, community members and school partners participate in exhibitions acting as an authentic audience to learn about the work of the students and the School as a whole. Exhibition nights are held twice a year at the School. The School also schedules time each year to engage students and their families in conferences in which students communicate their progress toward both academic learning targets and habits of scholarships.

NCS communicates with families and the community through the School website and monthly calendar and newsletter. Monthly Community Circles are also held and the parents and community are invited to attend. NCS has also hosted several family/community events. For example, in September NCS held a Million Father March. During this event, fathers were invited to bring their child to school, have breakfast with them, and attend the OLWEUS Anti-bullying Community Circle Kick-off. NCS also sponsored an Anti-Bully Walk at a local state park, and teachers, parents, students and community members were all represented.

Parents are expected and encouraged to play an active role in the School. Two Board of Trustees seats are reserved for and filled by parents of students currently in the School. These parent Trustees are selected by the Board of Trustees and subject to SED approval.

Another formalized opportunity for parent and family involvement is through the Family School Association (FSA). The FSA is comprised of families and supporters of students currently enrolled in the School. The FSA is involved in a variety of school activities, including fundraising events, field trips, and promotion of the charter school throughout the community. The FSA has regular interaction with the CAO and Board of Trustees and advises the School's leadership on approaches for providing information to parents, and strategies for arranging staff interaction with parents. Participation in the FSA is voluntary and open to all families and supporters. The FSA serves parents and seeks their participation in a variety of other ways, including providing information on school activities through Niagara Charter School's newsletter or other means. The FSA holds parent information meetings and workshops and ensures that regular communication takes place between parents and the School.

Through the EL model, NCS also provides many opportunities for school leaders, teachers and students to communicate and provide service within the community. All expeditions have a service learning component. Students and teachers regularly discuss the ways they can contribute to a better world; service learning goes beyond charitable volunteer work to include projects that address important academic skills. Administration and teachers build and sustain relationships with community organizations. For example, Buffalo State College and Niagara University have provided NCS with student teachers, junior participants, as well as general volunteers.

Parent Satisfaction

To measure parent and family satisfaction with the School's educational program and other activities, the Niagara Charter School conducts an annual survey of the parents/guardians of currently enrolled students. The survey gauges parent and family satisfaction with the educational program, Expeditionary Learning, school safety, discipline, homework, and interaction with teachers and other school staff. Survey results are studied by the administration and shared with the staff and the Board of Trustees.

In the second year of the charter term, 250 families received the survey. The average rate of response for each year of the charter term is less than 40%. The School's leadership is seeking to employ a number of strategies, such as making the parent survey available online and offering incentives for families who return their completed survey, to boost the response rate. Of those parents responding to the annual survey, the percentage of parents indicating that they "Agree" or "Strongly Agree" with each of the survey variables is generally well over 95% in the 2009-10 and 2010-11 school years. The results from the parents that completed the 2011-2012 survey showed similar results and indicated that overall 91% of the parents were satisfied with Niagara Charter School and would recommend the School to friends and neighbors.

Complaints

There were no grievances filed over the term of the charter. Instructions for filing grievances are available to the public in the School's Employee Handbook and the Parent Handbook. The School's Complaint Policy appears in Exhibit 15 of the renewal application.

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

The Niagara Charter School has not identified any charter-specific performance goals for the current charter term.

b. Mission and Vision

The mission of the Niagara Charter School is to provide students with the knowledge, skills, character, and disposition to meet and exceed New York State standards and give them the resources to lead and succeed in the school and community at large. Students are offered academic, social, and life skills through various projects using traditional and non-traditional methodologies and technological enhancements.

The Niagara Charter School implements New York State standards using various methods influenced heavily by the Expeditionary Learning/Outward Bound school design. The school has been faithful to its mission and vision, and continues to build upon the solid EL foundation to increase student achievement and improve educational outcomes for the students of Niagara Falls and Niagara County.

Philosophical Overview

Niagara Charter School believes that all children, given the proper motivation and tools, can and want to learn. Expeditionary Learning, because it develops the curiosity, skills, and engagement of students, is the ideal design to harness students' natural passion to learn. The School shares the underlying philosophy of EL in that "learning is an expedition into the unknown [and] expeditions draw together personal experience and intellectual growth to promote self-discovery and knowledge."

Expeditionary Learning features five key dimensions that are the life of the School; curriculum, instruction, assessment, culture and character, and leadership. Under each dimension are core practices that detail the approach for making the School a high-achieving, engaging learning environment. The practices describe what teachers, students, school leaders, families, and other partners do in fully implementing the Expeditionary Learning model. The core practices of Expeditionary Learning are precisely the means by which the School seeks to ensure more students meet and exceed state performance standards.

c. Admissions and Enrollment

Niagara Charter School purposefully planned for the School to serve students who qualify for the free and reduced price lunch program, Students with Disabilities, and, to the extent possible given the demographics of the county, students for whom English is not their primary language. At the core of the Expeditionary Learning

approach is differentiated instruction which incorporates flexible groupings, demands a classroom culture that honors and respects diverse needs, and holds all students accountable to the same long-term learning targets.

The School has historically recruited and attracted students from the Niagara Falls City School District through a variety of strategies including:

- Mailings to residents of the school district of location and several surrounding districts;
- Posting flyers and notices in local newspapers, supermarkets, churches, community centers, and apartment complexes;
- Conducting Open Houses at public and private elementary schools, after-school programs and youth centers;
- Visiting local organizations in surrounding neighborhoods;
- Canvassing neighborhoods to further reach interested families.
- Posting recruitment information on website; and/or
- Sending recruitment information via e-mail to school supporters

The Niagara Charter School has undertaken various strategies to recruit student applicants. As a result, the School has met and exceeded its enrollment target for students who qualify for free or reduced price lunches. The School has also met and exceeded its enrollment target for Students with Disabilities in comparison to the district of location and the Niagara Falls City School District where the majority of the School's students reside. The School will expand its efforts to attract and retain students for whom English is not their primary language through the School's Community Liaison's recruitment efforts and visits to local organizations for non-English speaking students.

d. Legal Compliance

The Niagara Charter School has never been cited for non-compliance with applicable laws, rules, and regulations and the provisions of its term. The Board has taken important steps (i.e., expansion and diversification of the Board of Trustees, the formation of new ad hoc committees and subcommittees, and participation in board training on governance and financial management) to implement the structures and systems necessary to provide effective oversight.

To ensure that the Board satisfies its legal requirements and obligations, it has continued to retain the services of Attorney Jonathan D. Schechter and his law associates of Gross-Shuman, Brizdle & Gilfillan, P.C., in Buffalo, New York, to advise the Board on policy and legal matters and to ensure the School's compliance with applicable laws, rules, and regulations and the provisions of its charter including the Freedom of Information Law and Open Meetings Law. Mr. Schechter has worked for the School since late 2007. The Board of Trustees notifies the public

of the Board meetings and conducts the meetings in accordance with the Open Meetings Law.

The Chief Academic Officer has the responsibility to ensure that teacher qualifications/certifications are up-to-date and that background checks are conducted. These teacher records are kept in their personnel file in a locked filing cabinet in the School's administrative offices.

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

The School is not requesting any changes to its maximum enrollment, grades served, curriculum model and/or school design that are inconsistent with those approved in the current charter.

b. Academic Program

Goals for Niagara Charter School's New Charter Term

1. During the first year of a five year charter a minimum of 60% of the students who attend Niagara Charter School continually for 2 or more years will meet proficiency levels on the New York State ELA assessments grades 3-6. This will increase by 5% of each charter year.
2. During the first year of a five year charter a minimum of 65% of the students who attend Niagara Charter School continually for 2 or more years will meet proficiency levels on the New York State Math assessment grades 3-6. This will increase by 5% each charter year.
3. A minimum of 75% of the students who attend Niagara Charter School continually for 2 or more years will meet proficiency on the New York State Grade 4 Science assessment.
4. Each year the percentage of Niagara Charter School students that meet proficiency on grades 3-6 assessments, to include ELA and Math, will exceed the respective percentage of students from Niagara Falls City School District by 5%.
5. Each grade level cohort will reduce the gap between the cohort mean performance and 50 MNCE by $\frac{1}{2}$ on the Terra Nova. Once the School cohort is performing on grade level (50 MNCE) it is expected that the student cohort will have positive gains until the cohort is above 64 MNCE (75th percentile). If the student cohort has reached 64 MNCE, it is expected to maintain or have positive gains annually.
6. Students enrolled at Niagara Charter School for 2 or more years will have an average percent proficient that is at or above the state-wide percent proficient on the New York State ELA and Math assessments.

Niagara Charter School will attain the above mentioned academic skills through the following process:

1. Standards Alignment

- Teachers, administration, the BOCES network teams, and school designers will work together to ensure that learning expeditions, case studies, projects, lessons, and curricular decisions are based on the Common Core Learning Standards.
- Teachers, administration, and school designers will review measures of student achievement as indicators of how well the curriculum is

addressing the Common Core Learning Standards, and will regularly make related adjustments to the curriculum.

2. **Student Ownership of Learning and Assessment**

- Students will continually assess and improve the quality of their work through the use of models, reflection, critique, rubrics and work with experts.
- Students will regularly assess their own growth through organizing and reflecting on portfolios of their work. All students will be required and supported to present their work publicly and reflect on strengths, challenges, and goals.
- Assessment will not just be administered to students, but will be discussed and analyzed. Students will identify strategies and next steps needed to achieve learning targets. With support from teachers, students will develop goals that will lead them to achievement.

3. **Fostering a Data-Driven Culture**

- Administration will continue to establish and articulate a clear, consistent vision for data use across the School.
- Administration will consistently model data use and data-based decision making.
- Teachers and administration will select and develop appropriate technology to support data collection so that they have access to data in formats that are easy to interpret, analyze, and act upon.
- Grade level teams will conduct item-level and standard-level analysis for individual students, subgroups, and classes. The teams will create and monitor action plans based on their analysis of student data.
- Teachers will regularly examine student work samples in grade level teams to determine criteria for high-quality work, and to assess student understanding and skills.

4. **Engaging Students with Data**

- Teachers will engage students in regular data-based conversations about progress toward learning targets in academics and character.
- Students will use class work as a data source, analyzing strengths, weaknesses, and patterns to improve their work.

- Students will track their progress on interim assessments, analyze their errors, and describe what the data tells them about their current level of performance.
- Students will use data to set goals and reflect on progress.

5. **Technology Integration**

- Niagara Charter School classrooms are currently equipped with interactive white boards, and each grade level shares a set of student “clickers” for quick checks and assessments.
- In the 2012-2013 school year, technology will be expanding, and each classroom will be equipped with 8-12 student computers. In addition, the School will also have a computer laboratory next to the library.

c. **Organizational Viability and Fiscal Soundness**

The School has been effectively governed in the current charter term. The Board continues to evaluate itself for purposes of determining additional training that may be necessary. It has determined that pursuing training in the Expeditionary Learning model is crucial in supporting the Board with evaluating and monitoring the effectiveness of the program, and more importantly student achievement.

In addition, the Board recently engaged Kenneth A. Rogers, Executive Consultant, to assist with governance and communication. The goal of this process is to facilitate open communication amongst Board Members, so that the Board can continue to work together for the success of the Niagara Charter School. Mr. Rogers was selected based on his experience in counseling with other Western New York Charter School Boards. Mr. Rogers will meet with each member of the Board and lead administrators to understand its current operations. He will also review and update the Board’s self-evaluation process by working with the Governance Committee.

Through its Academic and Governance Committees, as described in Section 2(d) (iii), the Board has been able to provide oversight to the School’s academic program. The Academic Committee is informed of teacher effectiveness by administration, and the CAO reports to the Board at monthly meetings regarding school activity, including academic performance and administrative matters. Additionally, the Governance Committee maintains a Governance Calendar, which helps the Board monitor its duties as set forth in the Charter. The Board intends to continue as a cohesive unit by maintaining its committee structure and obtaining reports from such committees.

The Board will maintain the current organizational structure in place. The School will continue to be governed by a Board of Trustees, which shall have final authority for policy and operational decisions of the School pursuant to Education Law § 2853(l) (f). The Board shall continue to delegate day-to-day administration and decision-making to the CAO. The CAO shall oversee the overall academic operations of the School and report directly to the Board. The CAO shall in-turn appoint an Assistant Academic

Officer, subject to approval by the Board of Trustees, who shall serve as assistant academic leader of the School. The Board shall also appoint a Business Manager who will be responsible for all financial operations of the School. Once the Board has approved the staff positions at the School, the CAO shall have the right to fill or terminate the individuals in such positions without the Board's approval.

The School's plan to maintain fiscal soundness is based on several interrelated concepts. These include effective financial oversight by the School's board of Trustees, realistic budgeting and ongoing budget monitoring, maintenance of appropriate internal controls and procedures, timely and accurate financial reporting, and the maintenance of adequate financial resources to ensure stable operations.

As noted in the response to section 2 (h), the Board, particularly through the finance committee, has established procedures for maintaining financial oversight. A key part of this process is participation and ultimate approval of the annual budget. Monthly financial statements are presented and discussed at each board meeting including a budget to actual comparison for the current year, as well as a comparison to the prior fiscal year-to-date totals for the corresponding period.

The proposed budget (Exhibit 6) for the School represents a realistic, conservative approach with respect to the estimated revenues—which are assumed to remain flat over the five year period—and expenses, which are generally assumed to be growing in line with or greater than inflation. All key assumptions are detailed in the budget template. The School's fiscal plan is informed by its experience operating at full grade configuration and enrollment. This experience reduces the chance for unplanned expenses and allows for more precise planning. This careful approach will allow the School to operate in a fiscally-sound manner while fulfilling all the necessary educational commitments in the charter.

The School's procurement policy is a key driver of maintaining fiscal control. Guiding the purchase of all goods and services of the School is price, quality, and dependability. Particular vendors are chosen for any one or any combination of these factors; however, at all times the selection of a particular good, service, or vendor is made with the intention of maintaining a top-quality school. The execution of contracts and grants are within the scope of the charter school's mission, goals, and annual plans.

When a product is to be purchased that costs more than \$10,000, the CAO, or his or her designee, makes every reasonable effort to secure quotes and product specifications from at least three providers of the product or a similar product. Professional service contracts are excluded from the requirement to seek multiple bids; however, nothing precludes the School from seeking such multiple bids for these contracts. All contractual agreements are in writing, and signed and dated by the CAO or his or her designee.

The School will seek to maintain a balanced budget for each fiscal year. In times of fiscal austerity, the Board may elect to use some of its unrestricted net assets to balance the budget if such use is needed to ensure the integrity of the academic program. Budget to actual comparisons will be made on a monthly and annual basis. The School will also ensure that its current comprehensive accounting policies and procedures manual reflect the practices of the School. An annual review of the current manual will

be performed and necessary revisions, such as updating of outdated procedures or the addition of new policies and procedures will be conducted with board approval.

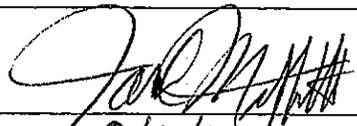
REQUIRED APPENDICES (A-P)

**APPENDIX A: APPLICATION FOR CHARTER RENEWAL
CERTIFICATION STATEMENT**

**APPENDIX A: NIAGARA CHARTER SCHOOL
APPLICATION FOR CHARTER RENEWAL
CERTIFICATION STATEMENT**

Charter School Name	Niagara Charter School
School Location	Niagara Falls, NY
Date School Opened	September 2006
Charter Term History (list terms of initial and all renewal current charters)	Initial Charter July 22, 2005 through June 30, 2010 First Renewal Charter July 1, 2010 through June 30, 2013
Current Enrollment	350
Charter Maximum Enrollment*	350
Charter District(s) or Region* or Community School District if NYC	Niagara-Wheatfield CSD
Charter Grade Span*	K-6
Current Grades Served *	K-6
District(s) Served or Community School Districts if NYC	Niagara-Wheatfield CSD Niagara Falls CSD
*Maximum enrollment, grade span, and district(s) or region for which the school is chartered.	

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.

Signature of Chair of Board of Trustees (or designated signatory)	
Date	8/14/12
Print/Type Name	JAMES C MUFFOLETTO
Title (if designated)	PRESIDENT
Date of approval by Board of Trustees	8/10/12

APPENDIX B: PERFORMANCE GOALS EVIDENCE

**APPENDIX B: NIAGARA CHARTER SCHOOL
PERFORMANCE GOALS EVIDENCE**

Evidence of Attainment of Academic Goals during Current Charter Term

2010-11 Progress Toward Attainment of Academic Charter Goal 1			
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
Each grade level cohort will reduce by 1/2 the gap between the cohort mean performance and 50 NCE on the Terra Nova.	Terra Nova 3rd addition	This is the baseline year for this goal, and also the first year that NCS used the 3 rd edition Terra Nova Overall MNCE were: k-48.2 1-40.3 2-39.1 3-45.2 4-42.9 5-43.6 6-43.9	Teachers were reassigned during the 2011-12 school year, matching strong teachers with teachers who were not as strong or accomplished. Teachers received additional training in the writing process. Administration completed training regarding student centered coaching designed to help teachers make better use of data to meet student needs.

2010-11 Progress Toward Attainment of Academic Charter Goal 2			
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
<p>A minimum of 75 percent of the children who have attended Niagara Charter School continually and consistently for 2 or more years will meet or exceed NYS Learning Standards as measured by attaining Level 3 or 4 on the NYS assessments administered in grades 3-6</p>	<p>NYS ELA and Math Assessments in grades 3-6</p> <p>*Please note that the charter was written and these goals were conceived prior to the changing of the rigor and the cut scores on the NYS Assessments</p>	<p>3rd grade ELA 28%</p> <p>4th grade ELA 21%</p> <p>5th grade ELA 14%</p> <p>6th grade ELA 49%</p> <p>3rd grade Math 37%</p> <p>4th grade Math 45%</p> <p>5th grade Math 36%</p> <p>6th grade Math 40%</p>	<p>This goal was not met.</p> <p>The new CAO and AAO developed an action plan that included:</p> <p>A survey was administered to the staff during the first week of PD on 8/8/11 to identify areas in need of improvement and strengths. Staff provided turnkey training to peers. The results of this survey were shared with NCS's EL school designers and guide the work plan and professional development.</p> <p>Administration increased grade level meetings to twice monthly to focus on examination of quarterly benchmark assessments.</p>

2010-11 Attainment of Goal 2 Continued

The school-wide benchmark assessment data were analyzed at the monthly School Leadership Team meetings to identify gaps and next steps.

Enrichment time was reconfigured and strengthened to focus on ELA for the first 5 months of school and then transition to Math. Delivery via direct, skill-based instruction.

NCS implemented an after school ELA test preparation program from October 2011 to April 2012 for students not yet proficient on the 2010-2011 ELA and Math assessments and for 3rd grade students below reading level. Test taking strategies and ELA skills were the focus. Monthly staff meetings were based on best instructional practices and data.

2010-11 Progress Toward Attainment of Academic Charter Goal 3			
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
Each year the percentage of Niagara Charter School students who score a 3 or 4 on the NYS assessments will exceed the respective percentage of students from the Niagara Falls City School District by 5%.	NYS - Math, ELA and Science Assessments	<p style="text-align: center;">ELA</p> <p>NCS 3rd grade – 28% NCS 4th grade - 21% NCS 5th grade - 14% NCS 6th grade - 49%</p> <p>NF 3rd grade – 38% NF 4th grade - 43% NF 5th grade - 50% NF 6th grade - 52%</p> <p style="text-align: center;">MATH</p> <p>NCS 3rd grade – 37% NCS 4th grade - 45% NCS 5th grade - 36% NCS 6th grade - 40%</p> <p>NF 3rd grade – 45% NF 4th grade - 60% NF 5th grade - 67% NF 6th grade - 66%</p> <p style="text-align: center;">Science:</p> <p>NCS 4th grade - 81% NF 4th grades- 93%</p>	<p>This goal was not met. Along with the actions mentioned in Goal 2, NCS purchased the updated Envision math materials that correlate with the Common Core Standards.</p> <p>Opportunities for professional development inside and outside of NCS increased. To date, staff has participated in the following PD:</p> <p>Cooperative Learning Groups, Expeditionary Learning Math clusters, 6+1 Traits of Writing, Formative Assessments, and RTI for disruptive and behavioral students.</p> <p>NCS staff is working with the BOCES network team to align their instruction and expeditionary maps with the Common Core standards in ELA and Math.</p>

2010-11 Progress Toward Attainment of Academic Charter Goal 4			
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
Students enrolled at the Niagara Charter School for 2 or more years will have an aggregate average percentage proficient (students at Levels 3 and 4) that exceeds Niagara Falls City School District by 5% points	3-6 ELA and Math assessments	Based on the cohort of students in attendance for 2 or more years: 42 students out of a cohort of 154 had an aggregate average percentage of 27% proficient on ELA and 67 students out of a cohort of 154 had an aggregate average percentage of 45% proficient on Math.	The goal was not met and the action steps from Goals 1, 2 and 3 apply to Goal 4.

2010-11 Progress Toward Attainment of Academic Charter Goal 5			
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
In the fourth year of the next charter term, students enrolled at Niagara Charter School for 2 or more years will have an aggregate average percent proficient (students at a level 3 and 4) this is at or above the state-wide mean percent on the NYS ELA and Math assessments.	NYS 3-6 ELA and Math Assessments	52.8% of grade 3-8 students across the state met or exceeded the ELA proficiency standard and 63.3% met or exceeded the standard in math.	Niagara Charter School is working with the ERIE1 BOCES Network teams to align our curriculum with the ELA and Math Common Core Learning Standards.

Organizational Goals Table

Evidence of Attainment of Organizational Goals during Current Charter Term			
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
No organizational goals were established during the current charter term.			

Financial Goals Table

Evidence of Attainment of Financial Goals during Current Charter Term			
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
No financial goals were established during the current charter term.			

Charter Specific Goals Table

Evidence of Attainment of Financial Goals during Current Charter Term			
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
No charter specific goals were established for this charter term.			

2011-2012 Progress Toward Attainment of Academic Charter Goals

Academic goal or objective	Measure used to evaluate progress toward attainment of goal or objective	2011-2012 progress toward attainment of goal or objective	If not met, describe efforts to be undertaken to meet goal or objective														
Each grade level cohort will reduce by ½ the gap between the cohort mean performance and 50 NCE on the Terra Nova.	Terra Nova 3 rd Edition	<table border="0"> <tr><td>Kindergarten</td><td>54.7</td></tr> <tr><td>Grade 1</td><td>50.3</td></tr> <tr><td>Grade 2</td><td>35.8</td></tr> <tr><td>Grade 3</td><td>39.8</td></tr> <tr><td>Grade 4</td><td>50.7</td></tr> <tr><td>Grade 5</td><td>44.8</td></tr> <tr><td>Grade 6</td><td>48.5</td></tr> </table>	Kindergarten	54.7	Grade 1	50.3	Grade 2	35.8	Grade 3	39.8	Grade 4	50.7	Grade 5	44.8	Grade 6	48.5	<p>Met</p> <p>Met</p> <p>Unmet</p> <p>Unmet -- made progress (+0.7)</p> <p>Met</p> <p>Unmet -- made progress (+1.9)</p> <p>Met</p> <p>Two out of the three grade levels that did not meet their goal did show slight progress. Administration has purchased skill specific detailed reports from Terra Nova to work with grade levels to complete more thorough data analysis. Also, during the 2012-2013 school year, NCS will be using the Terra Nova Common Core edition.</p>
Kindergarten	54.7																
Grade 1	50.3																
Grade 2	35.8																
Grade 3	39.8																
Grade 4	50.7																
Grade 5	44.8																
Grade 6	48.5																

2011-2012 Progress Toward Attainment of Academic Charter Goals

Academic goal or objective	Measure used to evaluate progress toward attainment of goal or objective	2011-2012 progress toward attainment of goal or objective	If not met, describe efforts to be undertaken to meet goal or objective
<p>A minimum of 75 % of the students who attend Niagara Charter School continually and consistently for 2 or more years will meet or exceed New York State learning standards as measured by attaining Level 3 or 4 on the New York State assessments administered in grades 3-6.</p>	<p>New York State ELA, Math and Science assessments</p>	<p>ELA (cohort) 3rd – 12% 4th – 52% 5th – 29% 6th – 23%</p> <p>Aggregate Percent Proficient grades 3-6 ELA 29%</p> <p>Math (cohort) 3rd – 17% 4th – 76% 5th – 59% 6th – 51%</p> <p>Aggregate Percent Proficient grades 3-6 Math 49%</p> <p>Science (cohort) 4th – 85%</p> <p>Aggregate Percent Proficient grade 4 Science 85%</p>	<p>Not met in ELA and Math; NCS administration will be providing professional development on establishing a more data driven culture by using data inquiry to improve student achievement. Data Inquiry Teams (grade level meetings) will work collaboratively to look deeply at data and ask questions. The teachers will create action plans based on data analysis to improve teaching and learning. Teachers will use ongoing assessments within the classroom to ensure that action plan goals are being met. They will use the data collected as evidence to build and modify their lessons and instruction.</p> <p>In addition, some teachers are being supported with improvement plans, and staff restructuring was completed.</p>

2011-2012 Progress Toward Attainment of Academic Charter Goals

Academic goal or objective	Measure used to evaluate progress toward attainment of goal or objective	2011-2012 progress toward attainment of goal or objective	If not met, describe efforts to be undertaken to meet goal or objective
<p>Each year the percentage of Niagara Charter students who score a 3 or 4 on the grades 3-6 New York State assessments, to include ELA, Math and Science, will exceed the respective percentage of students from Niagara Falls City School District by 5%.</p>	<p>New York State ELA, Math and Science assessments:</p>	<p>ELA <u>3rd grade</u> Niagara Charter – 16% Niagara Falls – 45.1% <u>4th grade</u> Niagara Charter – 50% Niagara Falls – 47.4% <u>5th grade</u> Niagara Charter – 24.2% Niagara Falls – 42.4% <u>6th grade</u> Niagara Charter – 25% Niagara Falls – 52.8%</p> <p>Aggregate Percent Proficient ELA – 28%</p> <p>Math <u>3rd grade</u> Niagara Charter – 20% Niagara Falls – 52.2% <u>4th grade</u> Niagara Charter – 73.5% Niagara Falls – 56.6% <u>5th grade</u> Niagara Charter – 58.1% Niagara Falls – 56.8% <u>6th grade</u> Niagara Charter – 50% Niagara Falls – 59.7%</p> <p>Aggregate Percent Proficient Math – 50%</p> <p>Science 4th grade Niagara Charter – 91% Niagara Falls - Scores not available</p> <p>Aggregate Percent Proficient Science – 82%</p>	<p>Not met; The School Leadership Team will be expanded to data conversations in the upcoming school year. The team will analyze data related to student achievement on standardized tests and interim assessments. It will also analyze data concerning instructional practice, school culture and parental involvement. Data will be used to monitor progress toward school wide goals and make necessary changes to the academic program.</p>

2011-2012 Progress Toward Attainment of Academic Charter Goals

Academic goal or objective	Measure used to evaluate progress toward attainment of goal or objective	2011-2012 progress toward attainment of goal or objective	If not met, describe efforts to be undertaken to meet goal or objective
<p>Students enrolled at Niagara Charter School for 2 or more years will have an aggregate average percent proficient (levels 3 and 4) that exceeds Niagara Falls City School District by 5%.</p>	<p>New York State ELA, Math and Science assessments.</p>	<p>Niagara Charter School ELA (cohort) 3rd – 12% 4th – 52% 5th – 29% 6th – 23% Aggregate Percent Proficient ELA 29%</p> <p>Niagara Falls ELA 3rd - 45.1% 4th – 47.4% 5th – 42.4% 6th – 52.8%</p> <p>Niagara Charter School Math (cohort) 3rd – 17% 4th – 76% 5th – 59% 6th – 51% Aggregate Percent Proficient Math 49%</p> <p>Niagara Falls Math 3rd – 52.2% 4th – 56.6% 5th – 56.8% 6th – 59.7%</p> <p>Niagara Charter School Science (cohort) 4th – 85% Aggregate % proficient – 85%</p> <p>Niagara Falls Science 4th - Scores not available</p>	<p>Not met; Please refer to Goals 2 & 3 as those statements are applicable. Administration will continue to hold grade level meetings two times per month, and utilize enrichment time and after school programming to reinforce ELA and Math skills.</p> <p>Teachers will be formally observed two times per school year using the Danielson’s rubric. Informal observations and learning walks will also be conducted throughout the year.</p> <p>NCS teachers will continue to participate in the BOCES network trainings on implementation of the Common Core Learning Standards. Expeditionary Learning professional development will be provided on a monthly basis, and teachers will have opportunities to attend off-campus professional development at other EL schools.</p> <p>Topics for off-site professional development will include assessment in daily instruction, primary reading instruction and school culture.</p>

2011-2012 Progress Toward Attainment of Academic Charter Goals			
Academic goal or objective	Measure used to evaluate progress toward attainment of goal or objective	2011-2012 progress toward attainment of goal or objective	If not met, describe efforts to be undertaken to meet goal or objective
In the fourth year of the next charter term, students enrolled at Niagara Charter School for 2 or more years will have an aggregate average percent proficient (level 3 and 4) that is at or above the state-wide mean percent proficient on the New York State ELA and Math assessments.	New York State ELA and Math assessments.	Not Applicable	2011-2012 was the second year of a three year charter for Niagara Charter School.

2011-2012 Progress Toward Attainment of Organizational Charter Goals			
Organizational goal or objective	Measure used to evaluate progress toward attainment of goal or objective	2011-2012 progress toward attainment of goal or objective	If not met, describe efforts to be undertaken to meet goal or objective
Not applicable			

2011-2012 Progress Toward Attainment of Financial Charter Goals			
Financial goal or objective	Measure used to evaluate progress toward attainment of goal or objective	2011-2012 progress toward attainment of goal or objective	If not met, describe efforts to be undertaken to meet goal or objective
Not applicable			

Charter-Specific Goals Table

2011-2012 Progress Toward Attainment of Charter-Specific Goals			
Charter-specific goal or objective	Measure used to evaluate progress toward attainment of goal or objective	2011-2012 progress toward attainment of goal or objective	If not met, describe efforts to be undertaken to meet goal or objective
Not applicable			

APPENDIX C: ENROLLMENT OF STUDENTS WITH SPECIAL NEEDS

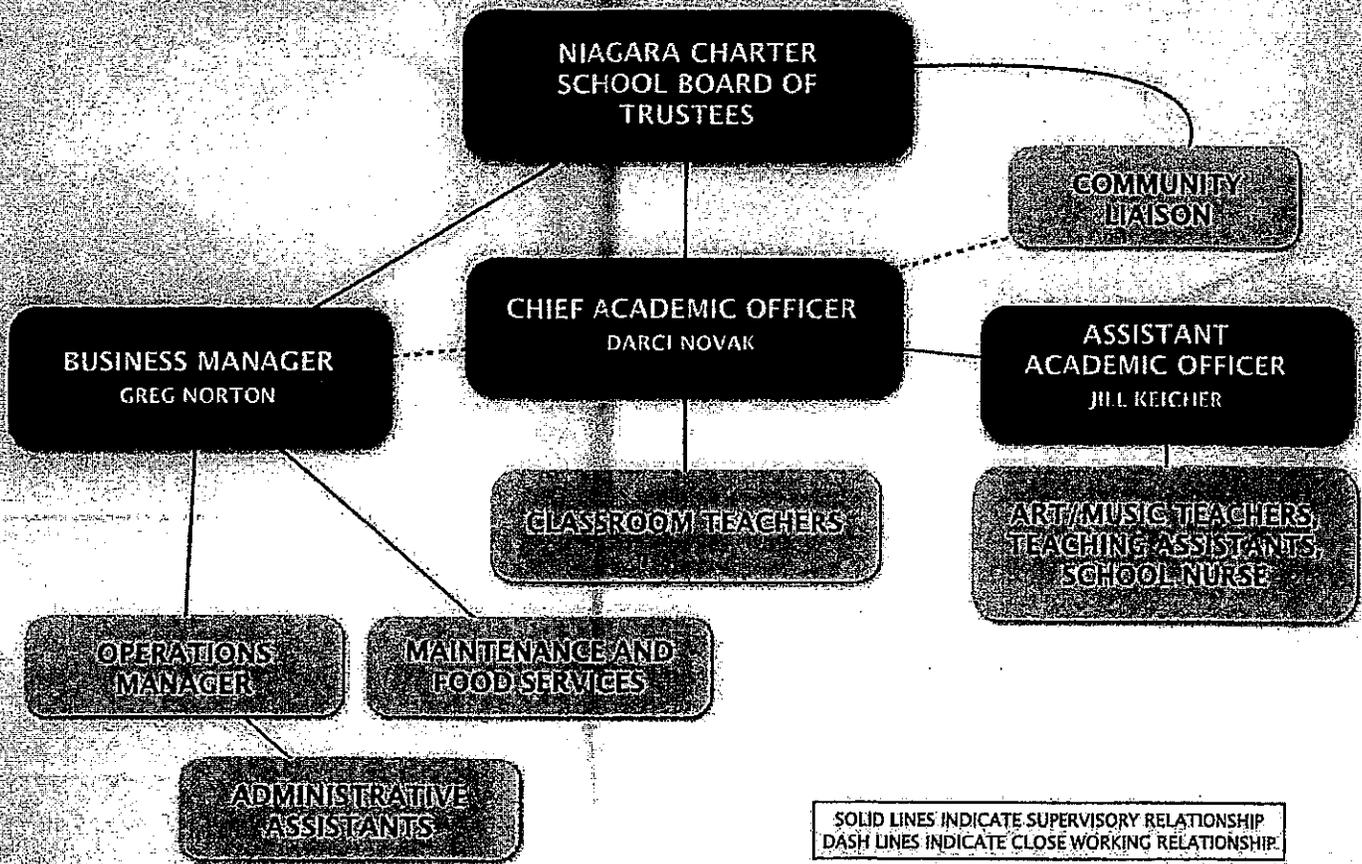
**APPENDIX C: NIAGARA CHARTER SCHOOL
ENROLLMENT OF STUDENTS WITH SPECIAL NEEDS**

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.

School Year	Year 1 2010-2011	Year 2 2011-2012	Year 3 2012-2013
Special Education	40	41	TBD
Section 504	6	10	TBD
English Language Learners	1	0	TBD
Total School Enrollment	350	350	TBD

APPENDIX D. SCHOOL ORGANIZATIONAL CHART

**NIAGARA CHARTER SCHOOL
ORGANIZATIONAL CHART**



APPENDIX E: EVALUATION FORMS FOR THE SCHOOL LEADER

Chief Academic Officer Summary Evaluation

Name:
School: Niagara Charter School

Date:

Evaluator:

Title:

STANDARD: 1.0 Resilience	Highly Effective	Effective	Developing	Ineffective	Not Applicable
1.1 Constructive Reactions					
1.2 Willingness to Admit Error					
1.3 Disagreement					
1.4 Dissent					
1.5 Improvement of Specific Performance Areas					
Overall Rating for Domain 1.0					

STANDARD: 2.0 Personal Behavior & Professional Ethics	Highly Effective	Effective	Developing	Ineffective	Not Applicable
2.1 Integrity					
2.2 Emotional Self-Control					
2.3 Ethical & Legal Compliance with Employees					
2.4 Tolerance					
2.5 Respect					
Overall Rating for Domain 2.0					

STANDARD: 3.0 Student Achievement	Highly Effective	Effective	Developing	Ineffective	Not Applicable
3.1 Planning and Goal Setting					
3.2 Student Achievement Results					
3.3 Instructional Leadership Decisions					
3.4 Student Requirements and Academic Standards					
3.5 Student Performance					
Overall Rating for Domain 3.0					

STANDARD: 4.0 Decision Making	Highly Effective	Effective	Developing	Ineffective	Not Applicable
4.1 Factual Basis for Decisions					
4.2 Decision-Making Structure					
4.3 Decisions Linked to Vision					

4.4 Decisions Evaluated for Effectiveness					
Overall Rating for Domain 4.0					

STANDARD: 5.0 Communication	Highly Effective	Effective	Developing	Ineffective	Not Applicable
5.1 Two-Way Communication with Students					
5.2 Two-Way Communication with Faculty and Staff					
5.3 Two-Way Communication with Parents & Community					
5.4 Analysis of Input and Feedback					
Overall Rating for Domain 5.0					

STANDARD: 6.0 Faculty Development	Highly Effective	Effective	Developing	Ineffective	Not Applicable
6.1 Faculty Proficiencies and Needs					
6.2 Leading Professional Development					
6.3 Formal and Informal Feedback					
6.4 Modeling, Coaching, and Mentoring					
6.5 Recruitment and Hiring of Faculty					
Overall Rating for Domain 6.0					

STANDARD: 7.0 Leadership Development	Highly Effective	Effective	Developing	Ineffective	Not Applicable
7.1 Mentoring Emerging Leaders					
7.2 Identification of Potentially Future Leaders					
7.3 Delegation and Trust					
Overall Rating for Domain 6.0					

STANDARD: 8.0 Time/Task/Project Management	Highly Effective	Effective	Developing	Ineffective	Not Applicable
8.1 Organization of Time and Projects					
8.2 Fiscal Stewardship					
8.3 Project Objectives and Plans					
Overall Rating for Domain 8.0					

STANDARD: 9.0 Technology	Highly Effective	Effective	Developing	Ineffective	Not Applicable
9.1 Use of Technology to Improve Teaching & Learning					
9.2 Personal Proficiency in Electronic Communication					
Overall Rating for Domain 9.0					

STANDARD: 10.0 Personal Professional Learning	Highly Effective	Effective	Developing	Ineffective	Not Applicable
10.1 Personal Understanding of Research Trends					
10.2 Personal Professional Focus					
10.3 Professional Development Focus					
10.4 Application of Learning					
Overall Rating for Domain 10.0					

CAO Signature: _____

Date: _____

Evaluator Signature: _____

Date: _____

School Building: Niagara Charter School
 Grades: K-6

APPENDIX F: STAFFING AND TURNOVER

**APPENDIX F: NIAGARA CHARTER SCHOOL
STAFFING AND 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 2 2010-2011	Year 3 2011-2012	Year 4 2012-2013
Administrators				
Number and FTEs		3	3	3
Departures during school year		0	1 (CAO)	0
Departures at end of school year		0	0	0
Explanation:	At the beginning of the 2011 school year, the previous CAO left NCS for other employment.			
Teachers				
Number and FTEs		20	20	20
Departures during school year		0	2	n/a
Departures at end of school year		2	1	n/a
Explanation:	Over the past three years, the NCS administration has made staffing decisions based on formal observations and student performance data. The four staff members that departed during or at the end of the school year were based on this data collected.			
Other Staff				
Number and FTEs		21	22	22
Departures during school year		0	3 (T.A., Maintenance, Parent Community Liaison)	n/a
Departures at end of school year		0	3 (1 building substitute, 2 T.A.)	n/a
Explanation:	Instructional staffing was based on formal and informal observations. The teacher assistants and building based substitutes departed during or at the end of the school year based on this data. In addition, in 2011 a maintenance person left to return to school and the Community Liaison retired. Both of these positions have been or will be filled for the 2012 year.			

APPENDIX G: BOARD OF TRUSTEES MEMBERSHIP TABLE

**APPENDIX G: NIAGARA CHARTER SCHOOL
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.

Niagara Charter School Board of Trustees				
Trustee Name and Trustee Email Address	Position on the Board (e.g., Officers or Constituent representatives	Voting (Yes/No)	Committee Affiliations	Number of terms served and length of each, including date of election and expiration
William Bradberry Bill.bradberry@yahoo.com	At Large	Yes	Finance	1 three year term Elected: 6/8/10 Expires: 6/30/13
Olga Camacho olgacamacho@niagaracharter.org	Teacher	Yes	Governance	3 one year terms Elected: 6/8/10 Expires: 6/30/13
Dominic DeBose dominicdebose@yahoo.com	Parent	Yes		5 one year terms Elected: 6/1/08 Expires: 6/30/13
Richard D. Hague Jr. Richardhague@earthlink.net	Secretary	Yes	Academic & Governance	2 one year terms 2 three year terms Elected: 9/12/06 Expires: 6/30/14
Dr. Leticia Hahn lhahn@niagara.edu	At Large	Yes	Academic	1 two year term 1 three year term Elected: 6/18/10 Expires: 6/30/15
Janet Hill janethill@niagaracharter.org	Teacher	Yes	Governance	6 one year terms Elected: 6/12/07 Expires: 6/30/13
James C. Muffoletto muffoletto@msn.com	President	Yes	Executive & Finance	1 one year term 2 three year terms Elected: 9/12/06 Expires: 6/30/13
James Phillips mr.james.e.phillips@gmail.com	At Large	Yes	Governance	3 one year terms 1 three year term Elected: 6/22/09 Expires: 6/30/15
Mary J. Scheeler mscheeler@gmail.com	At Large	Yes	Academic	1 one year term 1 three year term Elected: 6/22/09 Expires: 6/30/15
Ricky Scott Ricky_scott@keybank.com	Treasurer	Yes	Finance	2 three year terms Elected: 6/1/08 Expires: 6/30/14
LaKea A. Strong lakeastrong@aol.com	Parent	Yes	Academic	2 one year terms Elected: 6/21/11 Expires: 6/13/13

Dan Gestwick				Elected: 6/8/10 to 2 year term; Resigned: 7/12/11
Robert Restaino:				Elected: 6/22/09 to 3 year term; Resigned: 3/9/10
Ehren Reynolds:				Elected: 6/7/08 & 6/22/09 to one year term Term expired: 6/30/10
Michelle Stevens:				Elected: 6/7/08 to 3 year term; Resigned: 9/14/10
Total Members joining the Board during charter term				4
Total Members departing the Board during the charter term				4

**APPENDIX H: LONG-TERM PLANNING DOCUMENTS
USED BY THE BOARD OF TRUSTEES**

Not Applicable

APPENDIX I: UP-TO-DATE-CERTIFICATE OF OCCUPANCY



OPERATING PERMIT

ISSUED TO:

Niagara Charter School

2077 Lockport Rd.
Niagara Falls, NY 14304

Date Issued: October 6, 2011

Permit Number: 11007

Permit Expires: October 6, 2012

Brian Finberg
Code Enforcement Officer

**APPENDIX J: NIAGARA CHARTER SCHOOL
UP-TO-DATE FIRE INSPECTION CERTIFICATE**



TOWN OF WHEATFIELD

OFFICE OF THE FIRE INSPECTOR

2800 Church Rd

NO TONAWANDA NY 14120

PHONE: 694-1026 FAX: 694-1800

Fire Prevention Inspection Record

Inspection of: Niagara Charter School Date: 10/5/11

Address: 2077 Lockport Rd, W. Falls, NY Phone: 297-4520

Zip Code: 14304 Occupancy Class: F Occupancy: 478

Building Construction: Wood Masonry Metal Basement #Stories 1

Key: C=Conforms V=Violation NA=Not Applicable

Fire Department Service Area

Structure Accessible C

Fire Lanes Obstructed C

Means of Egress

Unobstructed C

Interior Exits C

Exterior Exits C

Stairways C

Corridors C

Exits Unlocked C

Automatic Hold-Open Devices NA

Panic Hardware NA

Emergency Lighting C

Elevator Warning Signs NA

Fire Extinguishers

Service Tags C

1 Per 2500 Sq Ft C

Installed Properly C

Signage C

Unobstructed C

Fire Exits

Illuminated C

Visible C

Housekeeping

Areas Free of Clutter C

Electrical Systems

Receptacles Covered C

No Extension Cords C

System Secured C

Commercial Cooking Equipment

Hoods Maintained Free

of Grease NA

Proper Extinguishing System C

K-Class Ext. within 20 Ft C

Wet System Tagged Bi-Annually C

Fire & Smoke Detectors

Installed C

Maintained C

Hazardous Materials

Materials Labeled NA

Proper Storage Containers

Approved and Self-Closing NA

LP Gas Stored Outside in

Approved Tanks NA

Fire Protection Equipment

Fire Department Connections are

Identified and Accessible C

Fire Detection Tested and

Maintained C

Sprinkler System Maintained C

Sprinkler Valves Unobstructed C

Equipment Secured C

Fire Drills & Evacuation

Routes C

Inspector: Brian Fingberg

Accompanied By: Greg Potts

Position: _____

Re-inspection Date: _____



TOWN OF WHEATFIELD

Wagara Charter
10/5/11

Office Of The Fire Inspector
2800 Church Rd.
N. Tonawanda NY 14120
Phone: 694-1026 Fax: 694-1800

Fire Prevention Inspection Record

Systems and Equipment Testing and Maintenance

Portable Fire Extinguishers		
Testing Organization	AFP	Date June 20th NA
Commercial cooking equipment		
Testing Organization		Date NA
K-Class Extinguisher		Date
Hood Cleaning		Date
Sprinkler System		
Testing Organization	AFP	Date 9/1/11 NA
Fire and Smoke Detectors		
Testing Organization		Date NA
Fire Alarm Systems		
Testing Organization	AFP	Date June 7, 2011 NA
Yard Hydrant		
Testing Organization	AFP	Date June 7, 2011 NA
Standpipe Fire Hoses		
Testing Organization		Date NA
Boilers (2yr.)-Wood and Coal Stoves (1yr.)		
Testing Organization		Date NA
Fire Drill		
Date of Last Drill		Date 5/27/11 NA

Fire Inspection Summary Report

The following recommendations or suggestions are offered as a result of this inspection, with the purpose being the elimination of any violation to the Fire Code found, and placing the premises and occupants in a more fire safe condition. All Fire Code violations shall be corrected in a reasonable time, and in compliance with the New York State Fire Prevention and Building Code Title 9 NYCRR.

Remarks:

None

COPY

NONPUBLIC SCHOOL FIRE SAFETY REPORT

All student use buildings which are owned, operated, or leased by nonpublic schools, shall be inspected for compliance with applicable parts of **NYCRR155.25 Regulations of the Commissioner of Education (Section 8 of report only if applicable)**, and for compliance with the **New York State Uniform Fire Prevention and Building Code (NYSUFPBC)**.

School Name _____

Facility/Building Name _____

Street Address										400701860890001 12 090111 121611									
City/Town/Village										NIAGARA CHARTER SCHOOL									
City/Town/Village										NIAGARA CHARTER SCHOOL									
Zip Code										2077 LOCKPORT RD NIAGARA FALLS 14304									

Municipality Responsible for Local Code Enforcement _____

INSTRUCTIONS

- Read "Instructional Manual" before inspecting the facility and complete a report for each separate facility.
- List only nonconformances on the School Fire Safety Nonconformance Reporting Sheet.
- Part I General Information. School officials must complete this portion annually.
- Part II-A Commissioner of Education Regulations 155.25. Complete Section 8 for all student use buildings with electrically operated partitions. Do not complete sections 1-7.
- Part II-B Fire Code and Property Maintenance Code of New York State. This part to be completed for all student use buildings.
- Part III Certifications. To be completed by persons as indicated.
- This form must be kept on file at the school for three years and must be available for public review.
- Filing the Report: The final submission package includes a total of five pages: the four page Fire Safety Report and the one page Fire Safety Nonconformance Reporting Sheet (Part II, p.4). Insert the Nonconformance Reporting Sheet between pages 3 and 5 of this Report. After inspection, sign the Certifications page (Part III, p.5), staple the pages together, and mail to: Office of Facilities Planning, Fire Safety Unit, Room 1060 EBA, Albany, NY 12234. Make a school administration file copy, and provide copies to the inspector, local fire chief, and the agency responsible for local code enforcement.
- Posting of Certificate of Occupancy: Certificate of Occupancy must be posted in public view in a prominent location within this facility.
- Annual inspection period for nonpublic schools is September 1 to December 1. All reports are due December 16.

400701860890										6089				1 2	
School District Code										Facility Code				Zone	

Part I - General Information
 (To be completed by school official annually)
Facility Profile

1. Indicate the primary use of this facility

- | | | | |
|----------------------------|---|--|------------------------------|
| a. Instruction of students | <input checked="" type="checkbox"/> (0) | f. Bus maintenance w/ or w/o storage | <input type="checkbox"/> (5) |
| b. Administration | <input type="checkbox"/> (1) | g. Public Library | <input type="checkbox"/> (6) |
| c. Storage | <input type="checkbox"/> (2) | h. Other _____ (specify) | <input type="checkbox"/> (7) |
| d. Maintenance | <input type="checkbox"/> (3) | i. Leased instructional | <input type="checkbox"/> (8) |
| e. Bus storage, only | <input type="checkbox"/> (4) | j. Vacant | <input type="checkbox"/> (9) |

2. If this facility is not used for instruction, go to question 3.

a. Indicate grades housed in this facility

K-6

b. Number of teaching stations in this facility

18

c. Number of students in this facility

350

d. Number of staff in this facility

42

3. Indicate ownership status of this facility:

Owned Leased Other Specify _____

If leased, specify leasee Wharft Field Development

4. Enter the name and full mailing address of the fire department which affords protection to this facility.

Name BERG HALL FIRE CO.

Address _____

City _____ Zip Code _____

5. Indicate the fire department organizational status by checking the appropriate box:

- | | | | |
|---------------------|--------------------------|----------------------|-------------------------------------|
| Manned full-time | <input type="checkbox"/> | Unmanned (volunteer) | <input checked="" type="checkbox"/> |
| Manned and unmanned | <input type="checkbox"/> | Unmanned part-time | <input type="checkbox"/> |

PART I - GENERAL INFORMATION - continued
(To be completed by School Official)
FIRE/LIFE SAFETY HISTORY

6. If this facility is used for instruction, complete (a) - (d); otherwise go to question 7.

a. Fire drills were held in accordance with section 807 of the Education Law and F405 of the Fire Code of New York State

Yes No

b. Average time to evacuate facility was:

Minutes and Seconds

c. Arson and fire prevention instruction was provided in accordance with section 808 of the Education Law (revised 9/1/05) which requires every school in New York State to provide a minimum of 45 minutes of instruction in arson, fire prevention, injury prevention, and life safety for each month school is in session. Rev. 7/1/07

d. Employee fire prevention, evacuation, and fire safety training was provided, and records maintained, in accordance with Section F406 of the New York State Fire Code.

7. Have there been any fires in this facility since the last annual fire inspection report?

a. If yes, indicate:

(1) Number of fires

(a1)

(2) Total number of injuries

(a2)

(3) Total cost of property damage

, , (a3)

(4) Was the fire department notified of all fires?

Yes No (a4)

8. If the fire alarm system was activated, was the fire department immediately notified?

SCHOOL FIRE SAFETY NONCONFORMANCE REPORTING SHEET

REVISED 1/09

School District/NP School 400701 860890
 Project # _____
 (building projects only)

Building Name Niagara Charter School
 Facility Code # 6089

If there are no nonconformances, check here

ding is NOT used for any student instruction

Item #	Nonconformance	Date Corrected	Date Reinspected	Item #	Nonconformance	Date Corrected	Date Reinspected	Item #	Nonconformance	Date Corrected	Date Reinspected	Item #	Nonconformance	Date Corrected	Date Reinspected
01A-2				09A-2				15A-2				23A-1			
01B-1				09B-2				15B-1				23B-1			
01C-1				09C-1				15C-2				23C-1			
01D-1				09D-1				15D-2				23D-2			
01E-1				09E-1				16A-2				24A-3			
02A-2				09F-2				16B-2				25A-3			
02B-1				09G-2				16C-2							
02C-3				10A-2				17A-3							
02D-1				10B-2				17B-2							
02E-2				10C-1				17C-2							
02F-3				10D-1				17D-2							
02G-2				11A-2				17E-1							
03A-3				11B-1				17F-3							
03B-1				11C-2				17G-1							
04A-2				11D-2				17H-2							
04B-2				11E-1				17I-2							
04C-1				12A-1				17J-1							
05A-3				12B-3				17K-1							
05B-2				12C-2				17L-1							
05C-2				12D-2				18A-2							
06A-1				12E-1				18B-2							
06B-1				12F-1				18C-2							
06C-1				12G-1				18D-2							
06D-2				12H-1				19A-3							
06E-3				12I-1				19B-2							
06F-1				12J-1				19C-1							
06G-1				12K-1				19D-1							
06H-2				12L-1				19E-1							
07A-3				12M-1				19F-1							
07B-2				12N-1				19G-1							
07C-2				12O-2				19H-2							
08A-2				13A-2				20A-1							
08B-2				13B-2				20B-1							
08C-2				14A-2				20C-1							
08D-2				14B-2				21A-3							
08E-2				14C-2				22A-3							
				14D-1				22B-3							
				14E-1				22C-3							

If any additional nonconformances are observed, check item 25A-3 and list Code section in notes section below. Attach additional sheets if necessary.

Notes:

Department Use Only:
 Nonconformances listed under 25A-3 require SED approval:
 Approved
 Disapproved
 Date _____

Inspector:
 I have received a copy of the previous year's school fire safety report:
 Yes
 No

Item 9E-1 deleted- not required by NYS Fire Code

For public schools in Buffalo, Rochester, Syracuse & Yonkers, nonpublic, charter and noninstructional school buildings, do not complete Sections 1-7. All schools complete Section 8 only if building has electrically operated folding partitions. All schools complete sections 9-25.

Initial Inspection:
 Fire Safety Inspector: Name Brian Fineberg
 Date 10/5/11

Signature Brian Fineberg (26-E-4)
 Registry No.: 240015725 (26-F-4)

Final Inspection (if required):
 Fire Safety Inspector: Name _____
 Date _____

Signature _____ (26-G-4)
 Registry No.: _____ (26-H-4)

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: Town of Wheatfield
Address: 2800 Church Rd.
City/State: North Tonawanda, NY 14120 Zip Code: 14120 (26A-4)

Section III-B. Fire Safety Inspector

I hereby certify that I inspected this building on 10/5/11 (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: Brian Finberg Telephone No.: (716) 694-1026
(Please Print) (Include Area Code)
Title: Code Enforcement Officer
Address: 2800 Church Rd. Signature: Brian Finberg (26B-4)
Wheatfield, NY 14120
Zip Code

Section III-C. Building Administrator, or Designee

I hereby certify that this building was inspected _____ (date) as indicated in Section A above.

Name: GREGORY NORION Telephone No.: (716) 297-4520
(Please Print) (Include Area Code)
Title: Business Manager
Address: 2077 Lockport Rd. Signature: Gregory Norion (26C-4)
Niagara Falls, NY 14304
Zip Code

The State Education Department does not discriminate on the basis of age, color, religion, creed, disability, marital status, veteran status, national origin, race, gender, or sexual orientation in the educational programs and activities which it operates. Portions of this publication can be made available in a variety of formats, including braille, large print or audio tape, upon request. Inquiries concerning this policy of equal opportunity and affirmative action should be referred to the Department's Affirmative Action Officer, NYS Education Department, 89 Washington Avenue, Albany, NY 12234.

APPENDIX K: UP-TO-DATE HEALTH INSPECTION

NOT APPLICABLE

**APPENDIX L: UP-TO-DATE FLAMMABLE
COMPOUNDS AND LIQUIDS CERTIFICATE**
(If applicable)

NOT APPLICABLE

**APPENDIX M: NIAGARA CHARTER SCHOOL
UP-TO-DATE INSURANCE CERTIFICATE**



New York State Insurance Fund

Workers' Compensation & Disability Benefits Specialists Since 1914

199 CHURCH STREET, NEW YORK, N.Y. 10007-1100
Phone: (888) 997-3863

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

***** 542175986
NIAGARA CHARTER SCHOOL
ATTN GREG NORTON
2077 LOCKPORT ROAD
WHEATFIELD NY 14304

POLICYHOLDER
NIAGARA CHARTER SCHOOL
ATTN GREG NORTON
2077 LOCKPORT ROAD
WHEATFIELD NY 14304

CERTIFICATE HOLDER
NEW YORK STATE
EDUCATION DEPARTMENT
89 WASHINGTON AVENUE
ALBANY NY 12234

POLICY NUMBER Z 1432 038-6	CERTIFICATE NUMBER 127182	PERIOD COVERED BY THIS CERTIFICATE 07/01/2012 TO 07/01/2013	DATE 7/18/2012
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THIS IS TO CERTIFY THAT THE POLICYHOLDER NAMED ABOVE IS INSURED WITH THE NEW YORK STATE INSURANCE FUND UNDER POLICY NO. 1432 038-6 UNTIL 07/01/2013, COVERING THE ENTIRE OBLIGATION OF THIS POLICYHOLDER FOR WORKERS' COMPENSATION UNDER THE NEW YORK WORKERS' COMPENSATION LAW WITH RESPECT TO ALL OPERATIONS IN THE STATE OF NEW YORK, EXCEPT AS INDICATED BELOW.

IF SAID POLICY IS CANCELLED, OR CHANGED PRIOR TO 07/01/2013 IN SUCH MANNER AS TO AFFECT THIS CERTIFICATE, 10 DAYS WRITTEN NOTICE OF SUCH CANCELLATION WILL BE GIVEN TO THE CERTIFICATE HOLDER ABOVE. NOTICE BY REGULAR MAIL SO ADDRESSED SHALL BE SUFFICIENT COMPLIANCE WITH THIS PROVISION. THE NEW YORK STATE INSURANCE FUND DOES NOT ASSUME ANY LIABILITY IN THE EVENT OF FAILURE TO GIVE SUCH NOTICE.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS NOR INSURANCE COVERAGE UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICY.

NEW YORK STATE INSURANCE FUND

DIRECTOR, INSURANCE FUND UNDERWRITING

This certificate can be validated on our web site at <https://www.nysif.com/cert/certval.asp> or by calling (888) 875-5790
VALIDATION NUMBER: 479210352



CERTIFICATE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)

7/18/2012

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.

If this certificate is being prepared for a party who has an Insurable interest in the property, do not use this form. Use ACORD 27 or ACORD 28.

PRODUCER Edmund D Stevens Inc 374 Delaware Avenue, Suite 308 Buffalo NY 14202-1683		CONTACT NAME: William Hobson PHONE (A/C, No. Ext): (716)856-3387 FAX (A/C, No): (716)856-9890 E-MAIL ADDRESS: whobson@stevensagency.com PRODUCER CUSTOMER ID: 00004040	
INSURED Niagara Charter School 2077 Lockport Road Niagara Falls NY 14304		INSURER(S) AFFORDING COVERAGE INSURER A: Philadelphia Indemnity Ins. Co INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 18058	

COVERAGES **CERTIFICATE NUMBER:** CP1271800089 **REVISION NUMBER:**

LOCATION OF PREMISES / DESCRIPTION OF PROPERTY (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Loc# 00001 Bldg# 00001: 2077 Lockport Rd Wheatfield NY 14304

See Attached Overflow Pages

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		POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	COVERED PROPERTY	LIMITS			
A	<input checked="" type="checkbox"/>	PROPERTY	PHPK892309	8/1/2012	8/1/2013	BUILDING	\$			
		CAUSES OF LOSS				DEDUCTIBLES				
						BASIC	BUILDING	<input checked="" type="checkbox"/>	PERSONAL PROPERTY	\$ 404,000
						BROAD	CONTENTS	<input checked="" type="checkbox"/>	BUSINESS INCOME	\$ 12 months
	<input checked="" type="checkbox"/>	SPECIAL				500		<input checked="" type="checkbox"/>	EXTRA EXPENSE	\$ 12 months
		EARTHQUAKE							RENTAL VALUE	\$
		WIND							BLANKET BUILDING	\$
		FLOOD							BLANKET PERS PROP	\$
	<input checked="" type="checkbox"/>	Special				500			BLANKET BLDG & PP	\$
	<input checked="" type="checkbox"/>	Special				500			<input checked="" type="checkbox"/>	Computers
	INLAND MARINE		TYPE OF POLICY			\$				
	CAUSES OF LOSS		POLICY NUMBER			\$				
	NAMED PERILS					\$				
A	<input checked="" type="checkbox"/>	CRIME	PHPK892309	8/1/2012	8/1/2013	Employee Dishonesty	\$ 100,000			
		TYPE OF POLICY				\$				
		Employee Dishonesty				\$				
	BOILER & MACHINERY / EQUIPMENT BREAKDOWN					\$				
						\$				
						\$				
						\$				
						\$				

SPECIAL CONDITIONS / OTHER COVERAGES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER

New York State Education Department
 88 Washington Avenue
 Albany, NY 12234

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.

AUTHORIZED REPRESENTATIVE

Peter Stevens/PETE *Peter Stevens*



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
7/18/2012

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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).

PRODUCER Edmund D Stevens Inc 374 Delaware Avenue, Suite 308 Buffalo NY 14202-1683	CONTACT NAME: William Hobson	
	PHONE (A/C, No, Ext): (716)856-3387	FAX (A/C, No): (716)856-9890
E-MAIL ADDRESS: whobson@stevensagency.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Philadelphia Indemnity Ins. Co		18058
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

COVERAGES **CERTIFICATE NUMBER: CL1271800778** 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	GENERAL LIABILITY		PHPK892309	8/1/2012	8/1/2013	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> Educators Professional					PERSONAL & ADV INJURY \$ 1,000,000
	<input checked="" type="checkbox"/> Sexual Abuse/Molestation					GENERAL AGGREGATE \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					PRODUCTS - COMP/OP AGG \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					\$
A	AUTOMOBILE LIABILITY		PHPK892309	8/1/2012	8/1/2013	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ANY AUTO ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS				BODILY INJURY (Per person) \$
	<input checked="" type="checkbox"/> HIRED AUTOS	<input checked="" type="checkbox"/>				BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
						\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB	<input checked="" type="checkbox"/> OCCUR	PHUB389787	8/1/2012	8/1/2013	EACH OCCURRENCE \$ 5,000,000
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				AGGREGATE \$ 5,000,000
	<input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					WC STATUTORY LIMITS OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A				E.L. EACH ACCIDENT \$
						E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$
A	Directors and Officers		PHSD756932	8/22/2012	8/22/2013	Each Occurrence \$ \$1,000,000
A	Employment Practices		PHSD756932	8/22/2012	8/22/2013	Each Occurrence \$ \$1,000,000

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

CERTIFICATE HOLDER New York State Education Department 88 Washington Avenue Albany, NY 12234	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.
	AUTHORIZED REPRESENTATIVE Peter Stevens/PETE <i>Peter Stevens</i>



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/13/2012

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PRODUCER Edmund D Stevens Inc 374 Delaware Avenue, Suite 308 Buffalo NY 14202-1683	CONTACT NAME: William Hobson PHONE (A/C. No. Ext): (716) 856-3387 E-MAIL ADDRESS: whobson@stevensagency.com	FAX (A/C. No.): (716) 856-9890
	INSURER(S) AFFORDING COVERAGE	
INSURED Niagara Charter School 2077 Lockport Road Niagara Falls NY 14304	INSURER A: Sentry Life Insurance NY	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** CL1281300816 **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 INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Student Accident			01-DR048-7998	8/21/2012	8/21/2013	Medical \$25,000

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

CERTIFICATE HOLDER New York State Education Department	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.
	AUTHORIZED REPRESENTATIVE Peter Stevens/PETE <i>Peter Stevens</i>

APPENDIX N: ASBESTOS INSPECTION AND MANAGEMENT PLAN
(If applicable)

NOT APPLICABLE

APPENDIX O: LEAD PAINT INSPECTION
(If applicable)

NOT APPLICABLE

RENEWAL CHARTER EXHIBITS

EXHIBIT 1: MISSION STATEMENT

**EXHIBIT 1: NIAGARA CHARTER SCHOOL
MISSION STATEMENT**

Mission Statement:

The Niagara Charter School is dedicated to fostering the unique potential of each child by providing a rigorous academic program using the expeditionary learning approach which is designed to empower students as life-long learners, resourceful and practical thinkers, active citizens, and future leaders.

Vision Statement:

Niagara Charter School is an Expeditionary Learning School, which understands that individuals learn best through purposeful experiences that provide opportunities to become active learners. Through expeditions students are involved in original research, critical thinking, problem solving, and they build character along with academic skills.

Explanation of the Reasons for the Change:

The Niagara Charter School Board of Trustees and the School's Leadership Team believe that a change to the School's mission was warranted going into the School's second renewal. The previous mission statement, created prior to current administration, did not correlate with the core practices of Expeditionary Learning and inspire the ownership on the part of School's stakeholders as desired. The new mission statement also speaks to the essence of our professional development initiatives.

The Board of Trustees' resolution approving this change follows.

EXHIBIT 2: PROJECTED ENROLLMENT

**EXHIBIT 2: NIAGARA CHARTER SCHOOL
PROJECTED ENROLLMENT**

The projected enrollment in chart form, providing the grades proposed to be served in each year of the charter, the number of students expected to be in each grade, the age-range of students that will be served and the total maximum number of students per year. Please be sure that the chart reflects any anticipated attrition over the charter period. If the School will serve kindergarten or developmental kindergarten during its renewal term, please indicate the date by which a child must reach age five in order to be eligible to attend the School (e.g., December 1). This must be submitted regardless of whether it represents any change from the present enrollment structure.

* A child must reach age five by December 1st in order to be eligible to attend the Niagara Charter School.

Grades	Age Range	Proposed Charter Term				
		2013-14	2014-15	2015-16	2016-17	2017-18
K	4-5*	50	50	50	50	50
1	6-7	50	50	50	50	50
2	7-8	50	50	50	50	50
3	8-9	50	50	50	50	50
4	9-10	50	50	50	50	50
5	10-11	50	50	50	50	50
6	11-13	50	50	50	50	50
TOTAL		350	350	350	350	350

The Niagara Charter School's projected enrollment for the proposed second renewal charter term remains unchanged from the School's present enrollment structure. The School will continue to serve 350 students in Kindergarten through sixth grade.

EXHIBIT 3: SCHOOL CALENDAR


NIAGARA
 Charter School
 2012-2013 Calendar

August -- 15 inst. days

8/6 First teacher day
 8/13 First student day
 8/29 Open House (evening)
 8/31 [REDACTED]

February – 18 inst. days

2/8 [REDACTED]
 2/15 No School President's Day
 2/18 No School President's Day

September – 19 inst. days

9/3 Labor Day Holiday
 9/14 [REDACTED]

March – 20 inst. days

3/8 [REDACTED]
 3/22 [REDACTED]
 3/27 Exhibition Night
 3/29 Good Friday – No School

October – 22 inst. days

10/8 Columbus Day Holiday
 10/12 [REDACTED]
 10/23 End of Quarter 1
 10/26 [REDACTED]

April – 17 inst. days

4/1-4/5 Spring Break
 4/8 Classes Resume
 4/9 End of Quarter 3
 4/12 [REDACTED]
 4/16-18 Tentative NYS ELA
 4/24-26 Tentative NYS Math

November – 18 inst. days

11/9 [REDACTED]
 11/12 Veteran's Day Holiday
 11/21-11/23 Thanksgiving Break

May – 22 inst. days

5/3 [REDACTED]
 5/24 [REDACTED]
 5/27 Memorial Day Holiday

December – 15 inst. days

12/12 Exhibition Night
 12/21 [REDACTED]
 12/24 First day of Winter Break
 [REDACTED]

June – 13 inst. days

6/6 [REDACTED]
 6/7 [REDACTED]
 6/13 K graduation
 6/18 6th grade graduation
 6/19 [REDACTED]

January – 21 inst. days

1/1 Last day of winter break
 1/2 Classes resume
 1/11 [REDACTED]
 1/15-1/18 Terra Nova Testing
 1/16 End of Quarter 2
 1/21 Martin Luther King Day
 1/25 [REDACTED]

EXHIBIT 4: SCHOOL SCHEDULES

**EXHIBIT 4: NIAGARA CHARTER SCHOOL
2012 KINDERGARTEN SCHEDULE**

9:00-9:30	Breakfast/ Do now
9:30-10:00	Crew
10:00-11:15	ELA Centers/Guided Reading
11:21-11:51	Lunch
11:51-12:20	Rest/Mini P.E./Pull student for intervention
12:20-1:27	Math Centers
1:27-2:09	Special
2:09-2:45	Science/Social Studies
2:45-3:05	Writing/Snack
3:05-4:00	Enrichment

1st grade Schedule 2012

9:00-9:15	Breakfast/ Do now
9:15-9:45	Crew
9:45-11:00	ELA Centers/Guided Reading
11:00-11:21	Grammar and Writing
11:21-11:51	Lunch
11:51-12:03	Restroom
12:03-12:45	Special
12:45-2:00	Math Centers
2:00-3:05	Science and Social Studies
3:05-4:00	Enrichment

2nd grade Schedule 2012	
9:00-9:30	Breakfast/ Do now
9:30-10:00	Crew
10:00-11:15	ELA Centers/Guided Reading
11:15-11:51	Grammar and Writing
11:51-12:21	Lunch
12:21-12:45	Read Aloud/Math Facts
12:45-1:27	Special
1:27-2:27	Math Centers
2:27-3:03	Science and Social Studies
3:05-4:00	Enrichment

3rd grade Schedule 2012	
9:00-9:30	Breakfast/ Do now
9:30-10:00	Crew
10:00-11:21	ELA Centers/Guided Reading
11:21-12:03	Special
12:03-12:21	Grammar and Writing/Read aloud/DEAR/ELA cont.
12:21-12:51	Lunch
12:51-2:06	Math Centers
2:06-3:05	Science and Social Studies
3:05-4:00	Enrichment

4th grade Schedule 2012	
9:00-9:30	Breakfast/ Do now
9:30-10:00	Crew
10:00-10:39	Math Centers
10:39-11:21	Special
11:21-12:00	Math Centers cont.
12:00-12:21	Test prep/DEAR/Skill and Drill
12:21-12:51	Lunch
12:51-1:00	Restroom
1:00-2:15	ELA Centers/Guided Reading
2:15-3:05	Writing/Science/Social Studies
3:05-4:00	Enrichment
*Klein on A days -- 2:09-2:45 *Schoepflin on B days -- 2:09-2:45	Mini P.E. Mini P.E.

5th grade Schedule 2012

5th grade Schedule 2012	
9:00-9:30	Breakfast/ Do now
9:30-9:57	Crew
9:57-10:39	Special
10:39-11:54	Math Centers
11:54-12:21	Math cont./Read aloud/DEAR/Skill and Drill
12:21-12:51	Lunch
12:51-1:30	Writer's Workshop
1:30-2:45	Writer's workshop cont. /ELA centers
2:45-3:05	ELA Centers/Guided Reading
2:15-3:05	Closing
3:05-4:00	Enrichment
*McGuire on C days – 2:09-2:45 *Wiles on D days -- 2:09-2:45	Mini P.E. Mini P.E.

6th grade Schedule 2012	
9:00-9:15	Breakfast/ Do now
9:15-9:57	Special
9:57-10:27	Crew
10:27-11:51	Math Centers
11:51-12:21	Lunch
12:21-12:31	Read aloud/ DEAR
12:31-1:44	ELA Centers/Guided Reading
1:44-2:15	Grammar and Writing
2:15-3:05	Science and Social Studies
3:05-4:00	Enrichment
*Felmet on E days – 2:09-2:45 *Hill on F days – 2:09-2:45 *Bruno on A days – 2:45-3:21	Mini P.E. Mini P.E. Mini P.E.

EXHIBIT 5: KEY DESIGN ELEMENTS

EXHIBIT 5: NIAGARA CHARTER SCHOOL KEY DESIGN ELEMENTS

The key design element or feature of the Niagara Charter School is Expeditionary Learning, a model for comprehensive school reform which emphasizes high achievement through active learning, character growth, leadership, and teamwork. Expeditionary Learning harnesses the natural passion to learn and is a powerful method for developing the curiosity, skills, knowledge and courage needed to imagine a better world and work toward realizing it.

Design Principles

Expeditionary Learning is built on ten design principles that reflect the following educational values and beliefs:

1. **The Primacy of Self-Discovery:** Learning happens best with emotion, challenge and the requisite support. People discover their abilities, values, passions, and responsibilities in situations that offer adventure and the unexpected. In Expeditionary Learning schools, students undertake tasks that require perseverance, fitness, craftsmanship, imagination, self-discipline, and significant achievement. A teacher's primary task is to help students overcome their fears and discover they can do more than they think they can.
2. **The Having of Wonderful Ideas:** Teaching in Expeditionary Learning schools fosters curiosity about the world by creating learning situations that provide something important to think about, time to experiment, and time to make sense of what is observed.
3. **The Responsibility for Learning:** Learning is both a personal process of discovery and a social activity. Everyone learns both individually and as part of a group. Every aspect of an Expeditionary Learning school encourages both children and adults to become increasingly responsible for directing their own personal and collective learning.
4. **Empathy and Caring:** Learning is fostered best in communities where students' and teachers' ideas are respected and where there is mutual trust. Learning groups are small in Expeditionary Learning schools, with a caring adult looking after the progress and acting as an advocate for each child. Older students mentor younger ones, and students feel physically and emotionally safe.
5. **Success and Failure:** All students need to be successful if they are to build the confidence and capacity to take risks and meet increasingly difficult challenges. But it is also important for students to learn from their failures, to persevere when things are hard, and to learn to turn disabilities into opportunities.
6. **Collaboration and Competition:** Individual development and group development are integrated so that the value of friendship, trust, and group action is clear. Students are encouraged to compete not against each other, but with their own personal best and with rigorous standards of excellence.
7. **Diversity and Inclusion:** Both diversity and inclusion increase the richness of ideas, creative power, problem-solving ability, and respect for others. In Expeditionary Learning schools, students

investigate and value their different histories and talents as well as those of other communities and cultures. Schools and learning groups are heterogeneous.

8. **The Natural World:** A direct and respectful relationship with the natural world refreshes the human spirit and teaches the important ideas of recurring cycles and cause and effect. Students learn to become stewards of the earth and of future generations.
9. **Solitude and Reflection:** Students and teachers need time alone to explore their own thoughts, make their own connections, and create their own ideas. They also need time to exchange their reflections with other students and with adults.
10. **Service and Compassion:** We are crew, not passengers. Students and teachers are strengthened by acts of consequential service to others, and one of an Expeditionary Learning school's primary functions is to prepare students with the attitudes and skills to learn from and be of service.

Core Practice Benchmarks

Expeditionary Learning features five Core Practice Benchmarks which describe what teachers, students, school leaders, families, and other partners do in fully implemented Expeditionary Learning schools. The five Core Practice Benchmarks are:

LEARNING EXPEDITIONS	Project-based thematic studies, or learning expeditions, are the primary units of curriculum in Expeditionary Learning schools.
ACTIVE PEDAGOGY	Active Pedagogy describes school-wide use of effective and engaging instructional practices.
SCHOOL CULTURE AND CHARACTER	Expeditionary Learning builds and sustains a strong school culture that fosters character growth, high expectations, and equity.
LEADERSHIP AND SCHOOL IMPROVEMENT	Expeditionary Learning helps school leaders to support high achievement and continuous improvement.
SCHOOL STRUCTURES	At Expeditionary Learning schools, school leaders organize time, faculties, and students in a way that supports learning expeditions, active pedagogy, and an Expeditionary Learning school culture.

Expeditionary Learning allows students to learn in a real-world environment and offers students field experience in which to discover and hone their skills and strategies. Key to the School's full

implementation and sustainability of the Expeditionary Learning model are several other important design elements including:

- Extended School Year, Extended School Day--Niagara Charter School has an extended school year totaling 200 instructional days. The School's hours of operation are 7 student hours. Before and after school programs may be available beyond those hours for all of our students. Instruction is aligned with the NYS Common Core Learning Standards.
- Physical Education, Art and Music--Niagara Charter School includes a full-year instruction in Art, Music, and Physical Education at all grade levels. Art and Music integration are an integral part of Expeditionary Learning program design. The physical education, art and music teachers attend all professional development and are part of the expedition planning process. This allows Niagara Charter School to ensure that the all special areas are successfully integrated into each expedition. Throughout the year the specials teachers, administration and the EL school designer review how integration is progressing and discuss and develop ways to continue expansion of Enrichment and Remediation Period--An enrichment and remediation period is built into the School schedule to give students extra time with reading and math,
- Non-Violence Education & Conflict Resolution--The Niagara Charter incorporates non-violence education and conflict resolution into the curriculum. The School has initiated a school and community-wide anti-bullying program initiative this year that will continue throughout the next charter term.
- Technology Integration: Teachers at the Niagara Charter School receive professional development to assure basic levels of computer and software proficiency. Additionally, teachers receive professional development on technology integration techniques that allows them to utilize computer technologies within their classrooms, integrate technology into learning expeditions, and develop students' computer literacy skills. The School recently acquired more than 55 computers for teacher and student use this fall. Additionally, the School has dedicated a server solely for student use.

EXHIBIT 6: PROPOSED BUDGET

TOSKI, SCHAEFER & CO.,P.C.
CERTIFIED PUBLIC ACCOUNTANTS

300 ESSJAY ROAD
WILLIAMSVILLE, NY 14221
(716) 634-0700

14 CORPORATE WOODS BLVD.
ALBANY, NY 12211
(518) 935-1089

October 5, 2011

CONFIDENTIAL

The Board of Trustees
Niagara Charter School

Dear Board Members:

We have completed our audit of the financial statements of Niagara Charter School (the School) for the year ended June 30, 2011. Considering the test character of our audit, you will appreciate that reliance must be placed on adequate methods of internal controls as your principal safeguard against irregularities which a test examination might not disclose.

This report is solely for the information and use of the Board of Trustees, management and others within the School.

Status of Prior Recommendation

We reviewed the disposition of the recommendation included in our letter dated September 21, 2010. The following is a summary of the action taken by the School with regard to our recommendation.

Internal Control Over Cash Disbursements - During the 2010 audit we noted, during our test of cash disbursements that there were two checks over the \$2,500 threshold that were only signed by one authorized individual. We also noted a check written for \$750 cleared the bank although it was unsigned. We recommended that the School's policy over cash disbursements be reviewed and properly complied with. In 2011, during our review of disbursements it was noted that all expenditures had proper signatures and all checks were properly authorized.

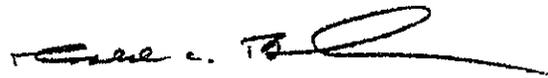
The Board of Trustees
October 5, 2011
Page 2

* * * * *

We wish to take this opportunity to express our appreciation for the courtesy and cooperation extended to us by the School during our audit. If you have any questions regarding the foregoing comments or wish any assistance in their implementation, please contact us at your convenience.

Very truly yours,

TOSKI, SCHABFER & CO., P.C.

A handwritten signature in black ink, appearing to read "Ronald C. Toski", with a long horizontal flourish extending to the right.

Ronald C. Toski, CPA
Managing Director

Niagara Charter School

Contact Name: [Redacted]
 Contact Email: [Redacted]
 Contact Phone: [Redacted]
 Proposed Renewal Charter Term: July 1, 2014 to June 30, 2019

PROJECTED BUDGET FOR RENEWAL CHARTER PERIOD

DESCRIPTION OF ASSUMPTIONS

Total Revenue	4,175,290	4,175,290	4,175,290	4,175,290	4,175,290
Total Expenses	3,932,402	3,887,583	3,973,990	4,063,021	4,168,215
Net Income (Before Cash Flow Adjustments)	242,888	287,707	201,300	112,269	7,075
Actual Student Enrollment	340	340	340	340	340
Total Paid Student Enrollment					

	Year 1	Year 2	Year 3	Year 4	Year 5
	2014	2015	2016	2017	2018

Note: Please insert additional detail lines as appropriate.

REVENUE

REVENUES FROM STATE SOURCES

Per Pupil Revenue:

Niagara Falls	[Redacted]
Buffalo	[Redacted]
Niagara Falls	[Redacted]
Buffalo	[Redacted]
School District - ALL OTHER	[Redacted]

CY Per Pupil Rate

2012	10,926
2013	9,816
2014	10,434
2015	10,469
2016	
2017	
2018	
2019	
TOTAL	10,469

Per Pupil Revenue Percentage Increase

0.0%	0.0%	0.0%	0.0%	0.0%
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<https://stateaid.nysed.gov/charter/>

3,550,625	3,550,625	3,550,625	3,550,625	3,550,625
3,550,625	3,550,625	3,550,625	3,550,625	3,550,625
3,702,290	3,702,290	3,702,290	3,702,290	3,702,290
160,000	160,000	160,000	160,000	160,000

TOTAL Per Pupil Revenue (Average Districts Per Pupil Funding)

Special Education Revenue
 Grants
 Other

TOTAL REVENUE FROM STATE SOURCES

15,000	15,000	15,000	15,000	15,000
3,877,290	3,877,290	3,877,290	3,877,290	3,877,290

Additional grants

REVENUE FROM FEDERAL FUNDING

IDEA Special Needs
 Title I
 Title Funding - Other
 School Food Service (Free Lunch)
 Grants
 Other (REAP)

TOTAL REVENUE FROM FEDERAL SOURCES

38,000	38,000	38,000	38,000	38,000
205,000	205,000	205,000	205,000	205,000
22,000	22,000	22,000	22,000	22,000
19,000	19,000	19,000	19,000	19,000
284,000	284,000	284,000	284,000	284,000

Estimated based on 2011-2012
 Estimated based on 2012-2013 budget
 Estimated based on 2012-2013 budget
 Estimated based on 2012-2013 budget

LOCAL and OTHER REVENUE

Contributions and Donations
 Fundraising
 Erate Reimbursement
 Earnings on Investments
 Interest Income
 Food Service (Income from meals)
 Text Book
 OTHER - Cafeteria Staff Reimbursement

TOTAL REVENUE FROM LOCAL and OTHER SOURCES

1,500	1,500	1,500	1,500	1,500
1,500	1,500	1,500	1,500	1,500
1,500	1,500	1,500	1,500	1,500
1,500	1,500	1,500	1,500	1,500
14,000	14,000	14,000	14,000	14,000

Estimated based on 2012-2013 budget
 Estimated based on 2012-2013 budget
 Estimated based on 2012-2013 budget

TOTAL REVENUE	4,175,290	4,175,290	4,175,290	4,175,290	4,175,290
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EXPENSES

ADMINISTRATIVE STAFF PERSONNEL COSTS

	No. of Positions						
Executive Management	1.00	99,517	100,000	100,000	100,000	100,000	102.5%
Instructional Management	1.00	68,946	69,572	69,936	69,936	69,936	Capped at \$100,000
Deans, Directors & Coordinators	2.00	2,500	2,500	2,500	2,500	2,500	2.5% annual growth
CFO / Director of Finance	1.00	35,000	35,000	35,000	35,000	35,000	2.5% annual growth
Operation / Business Manager	1.00	25,000	25,000	25,000	25,000	25,000	Capped at \$95,000
Administrative Staff	18,200	107,109	109,686	112,831	115,042	117,820	2.5% annual growth
TOTAL ADMINISTRATIVE STAFF	7.20	399,371	404,078	410,028	415,308	420,716	

INSTRUCTIONAL PERSONNEL COSTS

	No. of Positions						
Add Bonuses							
Teachers - Regular	1,000	639,926	655,209	667,490	684,157	701,229	2.5% annual growth
Teachers - SPED	2.00	104,062	105,864	107,330	109,061	111,085	2.5% annual growth
Substitute Teachers	4.00	37,117	37,864	38,713	39,576	40,454	2.5% annual growth
Teaching Assistants	3.00	107,116	107,707	108,075	108,552	109,027	2.5% annual growth
Specialty Teachers	18.00	1,155	1,165	1,173	1,180	1,187	2.5% annual growth
Aides	1.00	5,339	5,392	5,447	5,502	5,557	2.5% annual growth
Therapists & Counselors	1.00	5,339	5,392	5,447	5,502	5,557	2.5% annual growth
Other	1.00	5,339	5,392	5,447	5,502	5,557	2.5% annual growth
TOTAL INSTRUCTIONAL	32.00	1,178,367	1,207,826	1,238,023	1,269,974	1,300,698	

NON-INSTRUCTIONAL PERSONNEL COSTS

Nurse	1.00	25,228	25,228	25,228	25,228	25,228	2.5% annual growth
Librarian	1.00	37,231	37,231	37,231	37,231	37,231	2.5% annual growth
Custodian	2.00	29,540	29,540	29,540	29,540	29,540	2.5% annual growth
Security	2.00	29,540	29,540	29,540	29,540	29,540	2.5% annual growth
Other - Food Service	2.00	35,919	35,919	35,919	35,919	35,919	2.5% annual growth
TOTAL NON-INSTRUCTIONAL	5.00	138,102	139,505	142,993	146,567	150,231	

SUBTOTAL PERSONNEL SERVICE COSTS

	44.20	1,713,840	1,752,209	1,791,044	1,830,847	1,871,645
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PAYROLL TAXES AND BENEFITS

Payroll Taxes	181,109	182,424	183,715	185,020	186,348	187,691	0.765 of payroll
Fringe / Employee Benefits	177,153	177,537	177,931	178,326	178,721	179,116	Average of 5% annual growth
Retirement / Pension	162,733	163,268	163,803	164,338	164,873	165,408	12% then 8% of eligible employee payroll
TOTAL PAYROLL TAXES AND BENEFITS	651,477	620,549	644,811	670,149	696,613		

TOTAL PERSONNEL SERVICE COSTS

	44.20	2,365,317	2,372,758	2,435,855	2,500,996	2,568,258
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CONTRACTED SERVICES

Accounting / Audit	9,500	9,500	9,500	9,500	9,500	9,500	Contractual estimate
Legal	29,000	29,000	29,000	29,000	29,000	29,000	Contractual estimate
Management Company Fee							
Nurse Services							
Food Service / School Lunch							
Payroll Services							
Special Ed Services	5,500	5,500	5,500	5,500	5,500	5,500	Contractual estimate
Titlment Services (i.e. Title I)							
Other Purchased / Professional / Consulting	15,000	15,475	15,959	16,453	16,947	17,441	2.5% annual growth (Consultants, Landscaping/Plowing)
TOTAL CONTRACTED SERVICES	50,000	50,375	50,759	51,153	51,557	51,951	

SCHOOL OPERATIONS

Board Expenses	2,000	2,000	2,000	2,000	2,000	2,000	
Classroom / Teaching Supplies & Materials	48,000	48,000	48,000	48,000	48,000	48,000	
Special Ed Supplies & Materials							
Textbooks / Workbooks	14,000	14,350	14,709	15,072	15,434	15,794	2.5% annual growth
Supplies & Materials other	15,000	15,000	15,000	15,000	15,000	15,000	2.5% annual growth
Equipment / Furniture	11,000	11,000	11,000	11,000	11,000	11,000	2.5% annual growth
Telephone	9,000	9,000	9,000	9,000	9,000	9,000	2.5% annual growth
Technology	9,000	9,000	9,000	9,000	9,000	9,000	2.5% annual growth
Student Testing & Assessment/ Expeditionary Learning Fee	27,185	27,185	27,185	27,185	27,185	27,185	2.5% annual growth
Field Trips	18,000	18,000	18,000	18,000	18,000	18,000	
Transportation (student)	19,000	19,000	19,000	19,000	19,000	19,000	Contractual estimate
Student Services - other	21,000	21,000	21,000	21,000	21,000	21,000	2.5% annual growth
Office Expense	35,000	35,000	35,000	35,000	35,000	35,000	
Staff Development	27,000	27,000	27,000	27,000	27,000	27,000	2.5% annual growth
Staff Recruitment	9,000	9,000	9,000	9,000	9,000	9,000	2.5% annual growth
Student Recruitment / Marketing	9,000	9,000	9,000	9,000	9,000	9,000	2.5% annual growth

School Meals / Lunch	2,000	2,050	2,103	2,154	2,208	2.5% annual growth
Travel (Staff)						
Fundraising						
Other						
TOTAL SCHOOL OPERATIONS	4,500	4,558	4,676	4,770	4,864	2.5% annual growth
FACILITY OPERATION & MAINTENANCE	605,635	609,951	614,376	618,910	623,558	
Insurance						
Janitorial (supplies and equipment)	11,000	11,230	11,466	11,708	11,957	2.5% annual growth
Building and Land Rent / Lease	30,750	31,319	31,907	32,505	33,114	2.5% annual growth
Repairs & Maintenance	20,000	20,500	21,025	21,575	22,150	CPI (proj. 2.5%) annual Increase
Equipment / Furniture	30,000	30,750	31,519	32,307	33,115	2.5% annual growth
Security						
Utilities	10,000	10,000	10,000	10,000	10,000	
TOTAL FACILITY OPERATION & MAINTENANCE	100,000	102,000	104,000	106,151	108,303	CPI (proj. 2.5%) annual increase
DEPRECIATION & AMORTIZATION	729,950	747,999	766,500	785,452	804,899	
Classroom Improvements (School building)						
Equipment and furniture	30,000	30,000	30,000	30,000	30,000	
Other	75,000	75,000	75,000	75,000	75,000	
TOTAL DEPRECIATION AND AMORTIZATION	105,500	105,500	105,500	105,500	105,500	
DISSOLUTION ESCROW & RESERVES / CONTINGENCY	75,000					
TOTAL EXPENSES	3,932,402	3,887,583	3,973,990	4,063,021	4,168,215	
NET INCOME	242,888	287,707	201,300	112,269	7,075	

ENROLLMENT - *School Districts Are Linked To Above Entries*						
Niagara Falls	321	325	325	325	325	
Lockport	10	10	10	10	10	
Niagara Wheatfield						
North Tonawanda	3	3	3	3	3	
School District 5 (Enter Name)						
School District 6 (Enter Name)						
School District - ALL OTHER						
TOTAL ENROLLMENT	340	340	340	340	340	
REVENUE PER PUPIL	12,280	12,280	12,280	12,280	12,280	
EXPENSES PER PUPIL	11,566	11,434	11,688	11,950	12,259	

CASH FLOW ADJUSTMENTS						
OPERATING ACTIVITIES						
Accounts Payable	106,500	106,500	106,500	106,500	106,500	
Accounts Receivable	(75,000)	(75,000)	(75,000)	(75,000)	(75,000)	
Prepaid Expenses						
Accrued Liabilities						
Other						
Total Operating Activities	181,500	106,500	106,500	106,500	106,500	
INVESTMENT ACTIVITIES						
Capital Equipment	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	
Software	(10,000)	(10,000)	(10,000)	(10,000)	(10,000)	
Other						
Total Investment Activities	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	
FINANCING ACTIVITIES						
Proceeds from Bonds						
Other						
Total Financing Activities	-	-	-	-	-	
Total Cash Flow Adjustments	161,500	86,500	86,500	86,500	86,500	
NET INCOME	404,388	374,207	287,800	198,769	93,575	
Beginning Cash Balance	600,000	1,004,388	1,378,594	1,566,944	1,660,519	
ENDING CASH BALANCE	1,004,388	1,378,594	1,666,394	1,865,163	1,958,738	

EXHIBIT 7: STAFFING PLAN

EXHIBIT 7: STAFFING PLAN

Provide an updated staffing plan (Exhibit 7). The staffing plan should include a detailed organization chart outlining key educational staff positions for each year of the proposed charter, and annotations allowing the Charter School Office to understand who will carry out the key educational (and supporting administrative functions) during the next charter period. Both the chart and the annotations should be detailed and comprehensive in scope, especially for those schools planning to add additional grades beyond what was granted in the original charter. Please note that the staffing plan should match the personnel figures in the submitted budget.

Staff Positions	Number (FTE) in Positions				
	Year 1	Year 2	Year 3	Year 4	Year 5
Chief Academic Officer	1	1	1	1	1
Assistant Academic Officer	1	1	1	1	1
Business Manager	1	1	1	1	1
Operations Manager	1	1	1	1	1
Community Liaison	1	1	1	1	1
Special Education Coordinator	1	1	1	1	1
Teachers	18	18	18	18	18
Teaching Assistants	8	8	8	8	8
Substitute Teachers	4	4	4	4	4
Other Professional Staff	2	2	2	2	2
Total	38	38	38	38	38

APPENDIX 7: Niagara Charter School Key Educational Staff Positions and Functions

The Niagara Charter School shall ensure that all personnel meet any applicable certification requirements set forth in Article 56 of the Education Law, but generally will not impose any certification requirements beyond what is mandated by law. A single individual may assume the responsibilities of multiple positions. The descriptions of key education staff positions and functions are below.

CHIEF ACADEMIC OFFICER (CAO):

The CAO is required to have a Master's degree in Educational Administration or in other relevant field, or equivalent life experience; a minimum of 5 years' experience in a public school teaching/management position; and a New York State school administration or principal certification.

The Chief Academic Officer is responsible for providing Niagara Charter School with leadership and supervision in developing, achieving and enhancing the School's educational programs and related services with little or no direct supervision. This position supervises and manages all academic service areas which include but is not limited to instructional improvement, curriculum and instruction, professional development, exceptional children services, co-curricular activities, extracurricular activities, and support services. The CAO also administers school improvement efforts and addresses academic concerns of teachers, parents, administrators, students, staff, and the community. The CAO works with the Board of Trustees, other employees and outside agencies to share information and determine the most effective means of meeting student needs. The Board of Trustees evaluates the CAO annually.

Specifically, the Chief Academic Officer:

- Is responsible for the overall operations and administration of Niagara Charter School.
- Serves as leader of all areas aligned to academic outcomes, including but not limited to academic improvement, curriculum, professional development, special populations (exceptional children, academically gifted, English as Second Language) and support services.
- Directly supervises academic staff which includes but is not limited to instructional improvement, curriculum and instruction, professional development, exceptional children services, academically gifted services, co-curricular activities, extracurricular activities, and support services.
- Supervises the Special Education Department and personnel. This includes but is not limited to building administrator for CSE meetings and manifestation hearings, correspondence with NYS Special Education representative, and building administrator for the BASE child study team.
- Prepares and submits all mandatory state reports for special education students.
- Aligns goals for Niagara Charter School and assists with planning academic programs; leads school decision making and problem solving; monitors progress of the programs.
- Evaluates existing curriculum programs and provides direction for the improvement of student achievement.
- Has final authority over the hiring, promotion, salary modifications, demotion, and dismissal of all academic and professional staff.
- Provides leadership in the hiring process, evaluation process, and day-to-day operational problems.
- Prepares and delivers written and oral presentations on academic accountability to the State Education Department, Board of Trustees, teachers, parents and community groups; attends regular meetings of the Board; conducts staff meetings; attends other related meetings.
- Collaborates with community agencies and local universities; seeks advice from, as well as shares information with each group; maintains contact with other educational systems to share ideas and information.
- Conducts special projects as requested by the Board.

- Prepares and submit to the Board of Trustees recommendations relative to all pertinent matters requiring Board action, placing before the Board such necessary and helpful facts, information, and reports as needed to ensure the making of informed decisions.
- Acts with discretion in necessary matters not covered by Board policy, consulting/reporting such action to the Board as soon as possible.
- Attends conferences as are necessary to keep abreast of latest pertinent practices in the field of education.
- Provides a safe environment for learning.
- Ethical Behaviors:
 - Maintain confidentiality about personal information and educational records concerning children, youth and their families
 - Maintain confidentiality concerning employee's personal information
 - Demonstrate respect for diversity in all forms
 - Follow school policies and procedures for protecting the confidentiality, health, safety, and well-being of children
 - Demonstrates a positive attitude toward Niagara Charter School and its personnel
 - Serves as an effective liaison among school, families, and community at large
 - Demonstrate dependability, integrity, and other standards of ethical conduct
 - Demonstrate enthusiasm for and commitment to school's mission and critical success factors
 - Demonstrate commitment and availability to participate in the School's various mechanism for program development and accountability
 - Take responsibility for own actions and demonstrate a commitment to lifelong learning
- Knowledge in curriculum matters, including Expeditionary Learning and curriculum maps
- Knowledge of staff qualifications and performance
- Knowledge of Common Core Learning Standards, including State Assessments
- Communication and collaboration with State Education Department, teachers, staff, parents and students
- Organization and adherence to deadlines

ASSISTANT ACADEMIC OFFICER (AAO)

The Assistant Academic Officer is required to have a Master's Degree in Educational Administration or in other relevant field, or equivalent life experience; 3-5 years of experience in public school teaching/management; a New York State school administration certification or pending certification. Under the direct supervision of the Chief Academic Officer, the Assistant Academic Officer is responsible for providing leadership and direction to all faculty and staff.

The Assistant Academic Officer supervises the building based substitutes, teacher assistants, Art and Music teachers and school nurse. The AAO has the ability to hire, evaluate, and terminate instructional staff upon final approval of the CAO. The AAO shall also be responsible for all CAO duties in the absence of the CAO. The Chief Academic Officer evaluates the Assistant Academic Officer annually.

Specifically, the Assistant Academic Officer:

- Reports to CAO regarding daily school issues including faculty, staff, facilities and student discipline.
- Communicates daily with parents about various issues and concerns (e.g. transportation, discipline, and behavior).
- Evaluates instructional staff as requested by CAO. Collects and logs teachers' lesson plans. Prepares and provides substitute teachers with schedules and assignments.
- Communicates with the bus company concerning students' behavior on school busses, and disciplines and suspends students from busses as warranted.
- Facilitates interview committee meetings and processes and recommends to the CAO potential candidates for employment.
- Works with CAO and EL School designers to set goals and objectives for NCS. Attends EL Professional Development to monitor established goals and objectives.
- Inventories and distributes curriculum materials.

- Supervises after school activities and detention.
- Meets regularly with other leaders of charter schools regarding charter school programs and services. Completes other duties as assigned by CAO.
- Ethical Behaviors:
 - Maintain confidentiality about personal information and educational records concerning children, youth, and their families
 - Maintain confidentiality concerning employees' personal information
 - Demonstrate respect for diversity in all forms
 - Follow school policies and procedures for protecting the confidentiality, health, safety, and well-being of children
 - Demonstrate a positive attitude toward Niagara Charter School and its personnel
 - Be an effective liaison among school, families and community at large
 - Demonstrate dependability, integrity, and other standards of ethical conduct
 - Demonstrate enthusiasm for and commitment to school's mission and critical success factors
 - Demonstrate commitment and availability to participate in the School's various mechanisms for program development and accountability
- Knowledge of staff qualifications, duties and performance; Special Education requirements and responsibilities; Curriculum matters, including Expeditionary Learning and the NYS Common Core Learning Standards and State Assessments
- Communication and collaboration with NYS Education Department, teachers, assistants, staff, parents, and students
- Organization and adherence to deadlines

BUSINESS MANAGER

The Business Manager is required to have a Master's degree in School Business, Finance, and Business or in another relevant field or have equivalent life experience; experience with full budget development and finance administration. Prior public school finance experience a plus, 3-5 years' experience of public school management or business management experience is preferred, and New York State school administration or principal certification or eligibility a plus. The Business Manager reports to the Board of Trustees. The Board of Trustees conducts an annual evaluation of the Business Manager.

The Business Manager provides overall leadership related to the financial management of the School and other aspects of the school not directly related to education, including facilities management, and nurtures and promotes the finances of the School that assists it to become a better learning organization. The Business Manager has the following professional characteristics and skills: problem solving; concern with fiscal solvency of school; sound judgment; responsiveness to financial needs of school community; responsiveness to spending as it relates to Niagara Charter School's curriculum, fiscal integrity, continuous evaluation and responsiveness and completion of planning responsibilities.

The Business Manager shall:

- Assist in the preparation of annual budgets in collaboration with the CAO and recommend such to the Treasurer and Finance Committee of the Board of Trustees for review and approval;
- Prepare and present financial reports and present to the Finance Committee of Board of Trustees for approval;
- Establish and maintain efficient procedures and effective controls for all expenditures of charter school funds in accordance with the adopted budget, subject to direction and approval of the Board of Trustees;
- Assist in the development of suitable instructions and regulations to manage the use and care of all school property under the direction of the Board of Trustees;
- Supervise the timely completion of all financial reports required by the state and federal school code requirements;
- Complete and maintain through delegation such personnel records, pupil accounting records, business records and other records which are required by law;
- Facilitate structuring and negotiation of personnel contracts;
- Arrange and analyze vendor and consultant contracts for approval by the Board of Trustees; Supervise all financial issues related to transportation, food services, environmental programs, purchasing, data processing and the management of the building;
- Informs the Board of Trustees of final action concerning the hiring, promotion, salary charges, demotion, and dismissal of all non-teaching staff;
- Administer the implementation of the fiscal policies of the Board of Trustees;
- Attend and participate in meetings of the Board of Trustees and Finance Committee;
- Advise the Board of Trustees on the need for new or revised fiscal policies and recommend such fiscal policies to the Board for approval;
- Prepare and submit to the Board of Trustees recommendations relative to all pertinent fiscal & operational matters requiring Board action; in conjunction with the CAO placing before the Board such necessary and helpful facts, information, and reports as needed to ensure the making of informed decisions;
- Prepare or oversee preparation of any financial reports requested by the Board;
- Acts with discretion in necessary in matters not covered by Board policy, consulting with the CAO and reporting such action to the Board as soon as possible;
- Attend conferences as are necessary to keep abreast of latest pertinent practices in the field of charter schools;
- Compute and file all financial reports by the due dates set by the New York State Department of Education;
- Discharge such other responsibilities as directed by the Board of Trustees;
- Perform regular performance assessments of non-teaching staff, contractors and vendors
- Prepare for and attend town meetings and parent workshops;

- Be prepared to address and/or resolve non-educational grievances;
- Keep abreast of current educational grant opportunities and write and/or delegate grant-writing tasks as appropriate.
- Meet regularly with other leaders of charter schools regarding charter school programs and services.
- Ethical Behaviors:
 - maintain confidentiality about personal information and educational records concerning children, youth and their families, and concerning employee's personal information
 - Demonstrate respect for diversity in all forms
 - Follow school policies and procedures for protecting the confidentiality, health, safety, and well-being of children
 - Demonstrate positive attitude toward Niagara Charter School and its personnel
 - Demonstrate dependability, integrity, and other standards of ethical conduct
 - Demonstrate enthusiasm for and commitment to school's mission and critical success factors
 - Demonstrate commitment and availability to participate in the School's mechanism for program development and accountability
- Knowledge base, skills, and attitudes in the areas of: Financial skills including all aspects of generally accepted accounting practices; Concepts and practices related to a learning organization; Leadership, organizational, planning, communication and managerial skills; Effective discipline practices in areas of managing staff; Technology deployment and administration; and General concepts and practices of charter school finance and administration

TEACHERS ("Classroom" and "Specialty")

Teachers are required to demonstrate their expertise in the subject they will teach, as evidenced by personal skills and knowledge; an undergraduate major or minor or graduate degree in the subject they will teach, or direct subject-area teaching experience. Teachers are required to have state teaching certification and meet any other applicable credentialing requirements including those under the federal Elementary and Secondary Education Act, as amended.

Teachers must demonstrate effective communication skills; demonstrate ability to engage the interest of young children; flexibility and sense of humor; demonstrate their ability to work with diverse children, including those with special needs; teaching experience in a public or private school, preferably in an urban setting; demonstrate their ability to work well with parents; demonstrate ability to work effectively as a team member; demonstrated ability to evaluate tests and measurements of achievement; and demonstrate willingness to be held accountable for student results.

Teachers and teaching staff report directly to the Chief Academic Officer and are required to:

- Maintain and enrich their expertise in the subject area they teach; develop lesson plans that ensure the attainment of Common Core Learning Standards and the additional
- specific grade-by-grade learning standards set forth in the charter;
- Coordinate lesson plans with other teachers to maximize possibilities for teaching similar topics in the same general time frame, thus reinforcing student knowledge on an
- interdisciplinary basis;
- Provide direct and indirect instruction;
- Long and short-term planning addressing individual needs of students;
- Prepare students adequately for all required assessments;
- Evaluate students' progress;
- Prepare monthly individual student achievement reports for parents;
- Provide an inviting, exciting, innovative, learning environment;
- Engage in effective and appropriate classroom management;
- Serve as advisors to students;
- Perform other duties, as deemed appropriate, by the CAO;

- Meet IEP regulations

SPECIAL EDUCATION COORDINATOR & SPECIAL EDUCATION TEACHER

The Special Education Coordinator and Special Education Teachers are required to have appropriate state certification as a special education teacher and any other credentialing required and applicable. Individuals in these positions must demonstrate their ability to communicate and work effectively with parents, to adapt to individuals specific needs, to adapt to differences and changes in characteristics of students, programs, leadership, staff, and community, to utilize varied teaching methodologies to accommodate students' unique learning styles, to evaluate tests and measures of achievement, and to work effectively as a team member. The Special Education Coordinator must also demonstrate administrative or organizational ability. The Special Education Coordinator and Special Education Teachers report to and are evaluated by the CAO.

Specifically, individuals in these positions:

- provide direct and indirect instruction;
- Long and short-term planning addressing individual needs of students;
- Evaluate students' progress;
- Provide an inviting, exciting, innovative, learning environment;
- Establish and maintain classroom management procedures;
- Prepare written reports accurately and submit in a timely manner;
- Effectively communicate with teachers, parents, and administrators to facilitate the IEP process;
- Effective consultation with parents, students, teachers, and administration;
- Effective professional liaison between school and home when necessary;
- Serve as advisors to students;
- Remain current on rules set forth in special education law and regulations Coordinator will disseminate that information to all faculty staff;
- Maintain privacy of student records and information (Coordinator position only); and
- Serve as primary liaison with CSE of students' district of residence (Coordinator position only).

TEACHER ASSISTANT

Teacher Assistant are required to have applicable credentialing requirements; a minimum of 2 years of successful experience as an aide in a classroom setting, or equivalent (unless matriculating in higher education teaching program); demonstrated ability to communicate and work effectively with staff and parents; demonstrated ability to provide tutoring services; ability to adapt to constantly changing needs; and, demonstrated ability to work with a diverse student population.

Teacher Assistants may work with Special Education students who have TA minutes listed on their IEP. In these instances, the Teacher Assistant may review the student's class notes, keep the student on task, help the student organize materials or tasks, simplify or restate directions, or help the student read. Teacher Assistants report to and are evaluated by the AAO.

Specifically, Teacher Assistants work with teachers to address the individual needs of students; provide an inviting, exciting and innovative, learning environment; demonstrate their ability to relate to students; use materials effectively and keep lesson focused on objective; keep students on task and give feedback about performance; serve as advisors to students; meet IEP regulations when IEP stipulates that the SWD will have required minutes with the teaching assistant; and work with small groups of children under the teacher's direction. The CAO may specify other duties.

COMMUNITY LIAISON

The Community Liaison works to increase and improve parent/family and community involvement in the Niagara Charter School. The Community Liaison meets with parents and provides information in order to encourage communication with parents/families and the community. The Community Liaison reports to the Board of Trustees and works closely with the CAO. The Board of Trustees conducts an annual evaluation of the Community Liaison with input from the CAO.

Job description and responsibilities

1. Recruitment

- Conduct recruitment presentations.
- Obtain applications for the School and the waitlist for grades K-6; focusing on Kindergarten applications from January to April.
- Actively target and inform the community that preference is given to free and reduced lunch students, Students with Disabilities and English Language Learners.
- Update Operation Manager weekly regarding school demographics.

2. Parent Involvement and communication

- Respond to parent questions and concerns.
- Communicate with parents about attendance concerns.
- Conduct student exit interviews.
- Educate and inform parents and the community of the benefits of attending Niagara Charter School.
- Encourage visits to the School.
- Work with families to assist with uniforms and financial assistance with the purchase of uniforms.
- Conduct home visits for various reasons.
- Work closely with the Family School Association.

3. School Responsibilities

- Welcome new students to NCS and provide them and their families with a tour of the building and introductions to staff.
- Visit each homeroom daily greeting staff and students.
- Address school uniform non-compliance issues.
- Speak with teachers and staff about student and family concerns.
- Interact and engage with students, serving as a mentor and role model in the cafeteria and other areas as needed.
- Participate in planning and scheduling school events during, after, and outside of the School day. This includes, but is not limited to: Exhibition Nights, Student- Led Conferences, Parent-Teacher Conferences, and Family School Association meetings.
- Meet bi-weekly with the Chief Academic Officer.
- Provide the CAO and the Board of Trustees with documentation of out of school activities.
- Educate and inform the community about NCS, advertise school events, and distribute pamphlets and support materials.

EXHIBIT 8: BY-LAWS

NIAGARA CHARTER SCHOOL

BY-LAWS

I. NAME

The name of the Corporation is the Niagara Charter School (hereinafter "the Corporation").

II. MEMBERSHIP

The Corporation has no members. The rights which would otherwise vest in the members vest in the Directors of the Corporation (hereinafter the "Trustees") of the Charter School. Actions which would otherwise require approval by a majority of all members or approval by the members require only approval of a majority of all Trustees or approval by the Board of Trustees (hereinafter the "Board").

III. BOARD OF TRUSTEES

A. Powers. The Board shall conduct or direct the affairs of the Corporation and exercise its powers, subject to applicable Education Law, Not-for-Profit Corporation Law, the Corporation's Charter and these Bylaws. The Board may delegate the management of the activities of the Corporation to others, so long as the affairs of the Corporation are managed, and its powers are exercised, under the Board's ultimate jurisdiction.

Without limiting the generality of the powers hereby granted to the Board, but subject to the same limitations, the Board shall have all the powers enumerated in these Bylaws, and the following specific powers:

1. To elect and remove Trustees;
2. To select and remove Officers, agents and employees of the Corporation; to prescribe powers and duties for them; and to fix their compensation;
3. To conduct, manage and control the affairs and activities of the Corporation, and to make rules and regulations;
4. To enter into contracts, leases and other agreements which are, in the Board's judgment, necessary or desirable in obtaining the purposes of promoting the interests of the Corporation;
5. To carry on the business of operating the Charter School and apply any surplus that results from the business activity to any activity in which the Corporation may engage;
6. To act as trustee under any trust incidental to the Corporation's purposes, and to receive, hold, administer, exchange and expend funds and property subject to such a trust;
7. To acquire real or personal property, by purchase, exchange, lease, gift, devise, bequest, or otherwise, and to hold, improve, lease, sublease, mortgage, transfer in trust, encumber, convey or otherwise dispose of such property;
8. To borrow money, incur debt, and to execute and deliver promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations and other evidences of debt and securities;
9. To indemnify and maintain insurance on behalf of any of its Trustees, Officers, employees or agents for liability asserted against or incurred by such person in such capacity or arising out of such person's status as such, subject to the provisions of the New York Not-for-Profit Corporation Law and the limitations noted in these Bylaws.

B. Number of Trustees. The number of Trustees of the Corporation shall be not fewer than five (5) and shall not exceed fifteen (15). The Board shall fix the exact number of Trustees, within these limits, by Board resolution.

C. Election of Trustees.

1. **Election.** 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. Trustees-elect assume office subject to approval by the Charter Entity.

2. **Eligibility.** The Board may elect any person who in its discretion it believes will serve the interests of the Corporation faithfully and effectively.

3. **Interested Persons.** Not more than 49% of the persons serving on the Board may be interested persons. An "interested person" is: (1) any person currently being compensated by the Corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor or otherwise; or (2) any sister, brother, ancestor, descendant, spouse, sister-in-law, brother-in-law, daughter-in-law, son-in-law, mother-in-law or father-in-law of any such person.

3-a. **Organizational Affiliation.** Not more than 40 percent of the persons serving on the Board may be a trustee or employee of a single organization.

3-b. **Parent Members.** There shall be two seats on the Board reserved for a parent of a child matriculating in the School. Parent shall mean a parent, legal guardian or caregiver of a student at the School. The term "caregiver" shall mean an adult who is the primary caregiver for the student and is actively involved with the raising of the child to be determined in the sole and absolute discretion of the Board.

3-c. **Teacher Members.** There shall be two seats on the Board reserved for full time teaching faculty of the Corporation. Such seats shall be appointed by the members of the Board of Trustees.

4. **Term of Office.**

a. The Trustees elected shall be divided into three classes for the purpose of staggering their terms of office. All classes shall be as nearly equal in number as possible.

b. The terms of office of the Trustees classified shall be as follows: that of the first class shall expire at the next annual meeting of the Trustees, the second class at the second succeeding annual meeting and the third class at the third succeeding annual meeting. Following the expiration of these designated terms, the term of each Trustee shall continue for three (3) years, except the term of any Trustee who is a parent of a child enrolled in the charter school; or, a member of the faculty shall be one (1) year.

c. The term of office of a Trustee elected to fill a vacancy in these Bylaws begins on the date of the Trustee's election, and continues: (1) for the balance of the unexpired term in the case of a vacancy created because of the resignation, removal, or death of a Trustee, or (2) for the term specified by the Board in the case of a vacancy resulting from the increase of the number of Trustees authorized.

d. A Trustee's term of office shall not be shortened by any reduction in the number of Trustees resulting from amendment to the Charter, the Bylaws, or other Board action.

e. A Trustee's term of office shall not be extended beyond that for which the Trustee was elected by amendment of the school's charter or the Bylaws or other Board action.

5. **Time of Elections.** The Board shall elect Trustees whose terms begin on July 1st of a given year at the Annual Meeting for that year, or at a Regular Meeting designated for that purpose, or at a Special Meeting called for that purpose.

D. Removal of Trustees. The Board may remove a Trustee in accordance with the applicable provisions of the Education Law and the Not-for-Profit Corporation Law and "For Cause". For Cause shall mean a material and or substantial misstatement and or omissions of fact or failure to disclose any actual or perceived conflicts of interest or for any violation of the School's Code of Ethics all of which to be determined in the Board's sole and absolute discretion.

E. Resignation by Trustee. A Trustee may resign by giving written notice to the Board President or Secretary. The resignation is effective upon receipt of such notice, or at any later date specified in the notice. The acceptance of a resignation by the Board President or Secretary shall not be necessary to make it effective, but no resignation shall discharge any accrued obligation or duty of a Trustee.

F. Vacancies. A vacancy is deemed to occur on the effective date of the resignation of a Trustee, upon the removal of a Trustee, upon declaration of vacancy pursuant to these Bylaws, or upon a Trustee's death. A vacancy is also deemed to exist upon the increase by the Board of the authorized number of Trustees.

G. Compensation of Trustees. Trustees shall serve without compensation. However, the Board may approve reimbursement of a Trustee's actual and necessary expenses while conducting Corporation business.

IV. PRINCIPAL OFFICE

The Corporation's principal office shall be at the following address: Niagara Charter School, 2077 Lockport Road, Niagara Falls, NY 14304; or at such other place as the Board may select by resolution or amendment of the Bylaws. The Secretary shall note any change in office on the copy of the Bylaws maintained by the Secretary.

V. MEETINGS OF THE BOARD

A. Place of Meetings. Board Meetings shall be held at the Corporation's principal office or at any other reasonably convenient place as the Board may designate.

B. Annual Meetings. An Annual Meeting shall be held in the month of June of each year for the purpose of electing Trustees, making and receiving reports on corporate affairs, and transacting such other business as comes before the meeting.

C. Regular Meetings. A minimum of ten Regular Meetings shall be held each year on dates determined by the Board.

D. Special Meetings. A Special Meeting shall be held at any time called by the President, or by any Trustee upon written demand of not less than one-half of the entire Board.

E. Adjournment. A majority of the Trustees present at a meeting, whether or not a quorum, may adjourn the meeting to another time and place.

F. Notices. Notices to Trustees of Board Meetings shall be given as follows:

1. Annual Meetings and Regular Meetings may be held without notice if the Bylaws or the Board fix the time and place of such meetings.

2. Special Meetings shall be held upon four days' notice by first-class mail or 48 hours' notice delivered personally or by telephone, facsimile or e-mail. Notices will be deemed given when deposited in the United States mail, addressed to the recipient at the address shown for the recipient in the Corporation's records, first-class postage prepaid; when personally delivered in writing to the recipient; or when faxed, e-mailed, or communicated orally, in person or by telephone, to the Trustee or to a person whom it is reasonably believed will communicate it promptly to the Trustee.

3. Public notices of Board Meetings shall be made in accordance with the New York Open Meetings Law.

G. Waiver of Notice. Notice of a meeting need not be given to a Trustee who signs a waiver of notice or written consent to holding the meeting or an approval of the minutes of the meeting, whether before or after the meeting, or attends the meeting without protest prior to the meeting or at its commencement, of the lack of notice. The Secretary shall incorporate all such waivers, consents and approvals into the minutes of the meeting.

VI. ACTION BY THE BOARD

A. Quorum. Unless a greater proportion is required by law, a majority of the entire Board of Trustees shall constitute a quorum for the transaction of any business or of any specified item of business.

B. Action by the Board.

1. **Actions Taken at Board Meetings.** Except as otherwise provided by statute or by these Bylaws, the vote of a majority of the Board present at the time of the vote, if a quorum is present at such time, shall be the act of the Board. If at any meeting of the Board there shall be less than a quorum present, the Trustees present may adjourn the meeting until a quorum is obtained.

2. **Board Participation by Other Means.** In all events, a quorum of Trustees must be present to lawfully conduct a Board Meeting of the Charter School. To the extent permitted by Article 7 of the Public Officers Law, trustees participating by means of video-conferencing may be counted toward achieving a quorum. Trustees participating by means of videoconferencing shall do so from a site at which the public may attend, listen, and observe. Once a quorum is present, additional Trustees may participate in a Board meeting through video-conference, provided that all Trustees participating in such meeting can see and hear one another and there is no objection from any Trustee or any person in the public audience. Trustees who participate in a meeting in-person or by live video-conferencing shall be entitled to vote at the Board meeting.

3. **Actions Requiring the Consent of a Majority of the Entire Board.**

Notwithstanding anything contained herein to the Contrary, the following shall require the vote or consent of a majority of the entire Board (excluding, however, any vacant Board positions):

- a. The hiring of the Chief Academic Officer and Business Manager and termination of either of their employment;
- b. Entering into any real estate transactions;
- c. Borrowings or financing of any kind;
- d. The removal of any Trustee;
- e. Any transactions with Interested Trustees.

C. Committees.

1. **Appointment of Committees.** The Board may create committees for any purpose, and the President of the Board shall appoint members to and designate the chairs of such committees. A Board Committee will consist of not fewer than three Trustees, who shall serve at the pleasure of the President of the Board, except that any executive committee of the Board shall comprise not fewer than five trustees.

2. **Standing Committee.** The Board may have a standing Finance Committee, chaired by the Treasurer. Additional members of the Finance Committee will be appointed by the President of the Board.

3. Authority of Board Committees. The President of the Board may delegate to a Board committee any of the authority of the Board, except with respect to:

- a. The election of Trustees;
- b. Filling vacancies on the Board or any committee which has the authority of the Board;
- c. The fixing of Trustee compensation for serving on the Board or on any committee;
- d. The amendment or repeal of Bylaws or the adoption of new Bylaws; and
- e. The appointment of other committees of the Board, or the members of the committees.

4. Procedures of Committees. The Board may prescribe the manner in which the proceedings of any Board Committee are to be conducted. In the absence of such prescription, a Board Committee may prescribe the manner of conducting its proceedings, except that the regular and special meetings of the Committee are governed by the provisions of these Bylaws and the Open Meetings Law with respect to the calling of meetings.

D. Standard of Care.

1. Performance of Duties. Each Trustee shall perform all duties of a Trustee, including duties on any Board Committee, in good faith and with that degree of diligence, care and skill, including reasonable inquiry, as an ordinary prudent person in a like position would use under similar circumstances.

2. Reliance on Others. In performing the duties of a Trustee, a Trustee shall be entitled to rely on information, opinions, reports or statements, including financial statements and other financial data, presented or prepared by:

- a. One or more Officers or employees of the Corporation whom the Trustee believes to be reliable and competent in the matters presented;
- b. Legal counsel, public accountants or other persons as to matters that the Trustee believes are within that person's professional or expert competence; or
- c. A Board Committee on which the Trustee does not serve, duly designated in accordance with a provision of the Corporation's Charter or Bylaws, as to matters within its designated authority, provided the Trustee believes the Committee merits confidence and the Trustee acts in good faith, and with that degree of care specified in Paragraph D.1., and after reasonable inquiry when the need is indicated by the circumstances, and without knowledge that would cause such reliance to be unwarranted.

3. Investments. In investing and dealing with all assets held by the Corporation for investment, the Board shall exercise the standard of care described above in Paragraph D.1. and shall consider among other relevant considerations the long and short term needs of the Corporation in carrying out its purposes, including its present and anticipated financial requirements. The Board may delegate its investment powers to others, provided that those powers are exercised within the ultimate direction of the Board.

E. Rights of Inspection. Every Trustee has the right to inspect and copy all books, records and documents of every kind and to inspect the physical properties of the Corporation, provided that such inspection is conducted at a reasonable time after reasonable notice, and provided that such right of inspection and copying is subject to the obligation to maintain the confidentiality of the reviewed information, in addition to any obligations imposed by any applicable federal, state or local law.

F. Participation in Discussions and Voting. Every Trustee has the right to participate in the discussion and vote on all issues before the Board or any Board Committee, except that any Trustee shall be excused from the discussion and vote on any matter involving such Trustee relating to: (a) a self-dealing transaction; (b) a conflict of interest; (c) indemnification of that Trustee uniquely; or (d) any other matter at the discretion of a majority of the Trustees then present.

G. Duty to Maintain Board Confidences. Every Trustee has a duty to maintain the confidentiality of all Board actions which are not required by law to be open to the public, including discussions and votes which take place at any Executive Sessions of the Board. Any Trustee violating this confidence may be removed from the Board.

VII. OFFICERS

A. Officers. The Officers of the Corporation consist of a President (hereinafter "President"), Vice President (hereinafter "Vice President"), a Secretary (the "Secretary") and a Treasurer (hereinafter "Treasurer"). The Corporation also may have such other officers as the Board deems advisable. Notwithstanding anything contained herein to the contrary, all Officers of the Corporation must be members of the Board of Trustees.

1. **President.** Subject to Board control, the President has general supervision, direction and control of the affairs of the Corporation, and such other powers and duties as the Board may prescribe. If present, the President shall preside at Board meetings.

2. **Vice President.** If the President is absent or disabled, the Vice President shall perform all the President's duties and, when so acting, shall have all the President's powers and be subject to the same restrictions. The Vice President shall have other such powers and perform such other duties as the Board may prescribe.

3. **Secretary.** The Secretary shall: (a) keep or cause to be kept, at the Corporation's principal office, or such other place as the Board may direct, a book of minutes of all meetings of the Board and Board Committees, noting the time and place of the meeting, whether it was regular or special (and if special, how authorized), the notice given, the names of those present, and the proceedings; (b) keep or cause to be kept a copy of the Corporation's Charter and Bylaws, with amendments; (c) give or cause to be given notice of the Board and Committee meetings as required by the Bylaws; and (d) have such other powers and perform such other duties as the Board may prescribe.

4. **Treasurer.** The Treasurer shall: (a) keep or cause to be kept adequate and correct accounts of the Corporation's properties, receipts and disbursements; (b) make the books of account available at all times for inspection by any Trustee; (c) deposit or cause to be deposited the Corporation's monies and other valuables in the Corporation's name and to its credit, with the depositories the Board designates; (d) disburse or cause to be disbursed the Corporation's funds as the Board directs; (e) render or cause to be rendered to the President and the Board, as requested but no less frequently than once every fiscal year, an account of the Corporation's financial transactions and financial condition; (f) prepare or cause to be prepared any reports on financial issues required by an agreement on loans; (g) serve as Chairperson of the Finance Committee; and (h) have such other powers and perform such other duties as the Board may prescribe.

B. Election, Eligibility and Term of Office.

1. **Election.** The Board shall elect the Officers annually at the Annual Meeting or a Regular Meeting designated for that purpose or at a Special Meeting called for that purpose, except that Officers appointed to fill vacancies shall be elected as vacancies occur.

2. **Eligibility.** A Trustee may hold any number of offices, except that neither the Secretary nor Treasurer may serve concurrently as the President.

3. Term of Office. Each Officer serves at the pleasure of the Board, holding office until resignation, removal or disqualification from service, or until his or her successor is elected.

C. Removal and Resignation. The Board may remove any Officer, either with or without cause, at any time. Such removal shall not prejudice the Officer's rights, if any, under an employment contract. Any Officer may resign at any time by giving written notice to the Corporation, the resignation taking effect upon receipt of the notice or at a later date specified in the notice.

VIII. NON-LIABILITY OF TRUSTEES

The Trustees shall not be personally liable for the Corporation's debts, liabilities or other obligations.

IX. INDEMNIFICATION OF CORPORATE AGENTS

The Charter School may, to the fullest extent now or hereafter permitted by and in accordance with standards and procedures provided by § 721 through § 726 of the Not-for-Profit Corporation Law and any amendments thereto, indemnify any person made, or threatened to be made, a party to any action or proceeding by reason of the fact that he, his testate or intestate was a Director, Officer, employee or agent of the Corporation, against judgments, fines, amounts paid in settlement and reasonable expenses, including attorneys' fees.

X. SELF-DEALING TRANSACTIONS

The Corporation shall not engage in any self-dealing transactions, except as approved by the Board in accordance with Article VI.B.3. (e). "Self-dealing transaction" means a transaction to which the Corporation is a party and in which one or more of the Trustees has a material financial interest ("Interested Trustee(s)"). Notwithstanding, no Interested Trustees shall have the ability to vote on any such dealing transaction. Notwithstanding this definition, the following transaction is not a self-dealing transaction, and is subject to the Board's general standard of care: A transaction which is part of a public or charitable program of the Corporation, if the transaction (a) is approved or authorized by the Board in good faith and without unjustified favoritism; and (b) results in a benefit to one or more Trustees or their families because they are in a class of persons intended to be benefited by the program.

XI. OTHER PROVISIONS

A. Fiscal Year. The fiscal year of the Corporation begins on July 1 of each year and ends June 30.

B. Execution of Instruments. Except as otherwise provided in these Bylaws, the Board may adopt a resolution authorizing any Officer or agent of the Corporation to enter into any contract or execute and deliver any instrument in the name of or on behalf of the Corporation; except, however, should any Contract be deemed self-dealing in accordance with the terms of Article X, such Contract must be approved pursuant to the terms of Article VI.B.3. (e). Such authority may be general or confined to specific instances. Unless so authorized, no Officer, agent or employee shall have any power to bind the Corporation by any contract or engagement, to pledge the Corporation's credit, or to render it liable monetarily for any purpose or any amount.

C. Checks and Notes. Except as otherwise specifically provided by Board resolution, (1) checks, drafts, promissory notes, orders for the payment of money, and other evidence of indebtedness of the Corporation may be signed by the President of the Board, the Head of School, or Treasurer and (2) such items for amounts of \$5,000.00 or greater must be signed by two of these individuals.

D. Construction and Definitions. Unless the context otherwise requires, the general provisions, rules of construction, and definitions contained in the Not-for-Profit Corporation Law and the Education Law shall govern the construction of these Bylaws. Without limiting the generality of the foregoing, words in these Bylaws shall be read as the masculine or feminine gender, and as the singular or plural, as the context requires, and the word "person" includes both a corporation and a natural person. The captions and headings in these

Bylaws are for reference and convenience only and are not intended to limit or define the scope or effect of any provisions.

E. Conflict of Interest. Any Trustee, Officer, or Committee member having an interest in a contract, other transaction or program presented to or discussed by the Board or Board Committee for authorization, approval, or ratification shall make a prompt, full and frank disclosure of his or her interest to the Board or Committee prior to its acting on such contract or transaction. Such disclosure shall include all relevant and material facts known to such person about the contract or transaction that may reasonably be construed to be adverse to the Corporation's interest. The body to which such disclosure is made shall thereupon determine, by majority vote, whether the disclosure shows that a conflict of interest exists or can reasonably be construed to exist. If a conflict is deemed to exist, such person shall not vote on, nor use his or her personal influence on, nor be present during the discussion or deliberations with respect to, such contract or transaction (other than to present factual information or to respond to questions prior to the discussion). The minutes of the meeting shall reflect proceedings, including the disclosure made, the vote thereon and, where applicable, the abstention from voting and participation. The Board may adopt formal policies requiring:

1. Regular annual statements from Trustees, Officers and key employees to disclose existing and potential conflicts of interest; and

2. Corrective and disciplinary actions with respect to transgressions of such policies. For the purpose of this section, a person shall be deemed to have an "interest" in a contract or other transaction if he or she is the party (or one of the parties) contracting or dealing with the Corporation, or is a Director, Trustee or Officer of, or has a significant financial or influential interest in the entity contracting or dealing with the Corporation.

F. Interpretation of Charter and Law. Whenever any provision of the Bylaws is in conflict with the provisions of the Charter, the provisions of the Charter shall control. Whenever any provision of the Bylaws is in conflict with provisions of applicable law, the provisions of applicable law shall govern and control, including Article 7 of New York Public Officers Law.

XII. AMENDMENT

A majority of the Trustees may adopt, amend or repeal these Bylaws subject to approval by the Charter Entity.

XIII. CERTIFICATE OF THE SECRETARY

The undersigned does hereby certify that the undersigned is the Secretary of the Charter School, an education Corporation duly organized and existing under the laws of the State of New York; that the foregoing Bylaws of said Corporation were duly and regularly adopted as such by the Board of Trustees of said Corporation; and that the above and foregoing Bylaws are now in full force and effect.

_____, Secretary

Dated: _____

EXHIBIT 9: CODE OF ETHICS

EXHIBIT 9: NIAGARA CHARTER SCHOOL CODE OF ETHICS

The Trustees, officers and employees of the Niagara Charter School shall at all times be in compliance with the following Code of Ethics:

- The Board of Trustees shall conduct or direct the affairs of the School and exercise its powers subject to the applicable limitations of the Education Law, Not-for-Profit Corporation Law, the School's charter and its bylaws. The Board may delegate aspects of the management of school activities to others, so long as the affairs of the School are managed, and its powers are exercised, under the Board's ultimate jurisdiction.
- Not more than 49 percent of the people serving on the School's Board of may be comprised of: (a) people currently being compensated by the School for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor or otherwise; or (b) any sister, brother, ancestor, descendant, spouse, sister-in-law, brother-in-law, daughter-in-law, son-in-law, mother-in-law or father-in-law of any such person.
- Every Trustee has the right to participate in the discussion and vote on all issues before the Board or any Board Committee, except that any Trustee shall be excused from the discussion and vote on any matter involving such Trustee relating to: (a) a "self-dealing transaction" (see below); (b) a conflict of interest, (c) indemnification of that Trustee uniquely; or (d) any other matter at the discretion of a majority of the Trustees. The Board of Trustees and the employees of the School shall not engage in any "self-dealing transactions," except as approved by the Board, and in accordance with its By-Laws. "Self-dealing transaction" means a transaction to which the School is a party and in which one or more of the Trustees has a material financial interest. Notwithstanding this definition, the following transaction is not a self-dealing transaction, and is subject to the Board's general standard of care: a transaction that is part of a public or charitable program of the Corporation, if the transaction (a) is approved or authorized by the Board in good faith and without unjustified favoritism, and (b) results in a benefit to one or more Trustees or their families because they are in a class of persons intended to be benefited by the program.
- Any Trustee or Officer having an interest in a contract, other transaction or program presented to or discussed by the Board of Trustees for authorization, approval, or ratification shall make a prompt, full and frank disclosure to the Board of his or her interest prior to its acting on such contract or transaction. Such disclosure shall include all relevant and material facts known to such person about the contract or transaction, which might reasonably be construed to be adverse to the Board's interest. A person shall be deemed to have an "interest" in a contract or other transaction if he or she is the party (or one of the parties) contracting or dealing with the School, or is any employee, Trustee or Officer of or has a significant financial or influential interest in the entity contracting or dealing with the School.
- Trustees representing any not-for-profit corporation proposing to do business with the Charter School shall disclose the nature and extent of such business propositions.

- No Trustee, officer, or employee of a for-profit corporation having a business relationship with the Charter School shall serve as voting member of the Board of Trustees for the duration of such business relationship, provided, however, that this provision shall not apply to the following:
 - Individuals associated with a partnership, limited liability corporation, or professional corporation, including but not limited to doctors, accountants and attorneys;
 - Individuals associated with an educational entity (including but not limited to schools of education) some of whose faculty may be providing paid services directly or indirectly to such charter school;
 - Individuals associated with a bank, insurance, mutual fund, investment bank, stock brokerage, financial planning, or other financial services organization.
- In no instance shall a Trustee, officer, or employee of a for-profit educational management organization having a business relationship with the charter school serve as a voting member of the Board of Trustees for the duration of such business relationship.
- Trustees, officers, or employees of any external organization shall hold no more than 40 percent of the total seats comprising the Board of Trustees.
- Trustees shall avoid at all times engaging in activities that would appear to be unduly influenced by other persons who have a special interest in matters under consideration by the Board. If this occurs, a Trustee shall write a letter disclosing all known facts prior to participating in a Board discussion of these matters, and the Trustee's interest in the matter will be reflected in the Board minutes.
- Trustees shall make all appropriate financial disclosures whenever a grievance of conflict of interest is lodged against them.
- Trustees shall not use his or her position with the charter school to acquire any gift or privilege worth \$50 or more that is not available to a similarly situated person, unless that gift is for the use of the charter school.
- Charter School Trustees, officers, or employees may never ask a subordinate, a student, or a parent of a student to work on or give to any political campaign.

EXHIBIT 10: ENROLLMENT AND ADMISSIONS POLICY

EXHIBIT 10: NIAGARA CHARTER SCHOOL ENROLLMENT ADMISSION POLICY AND PROCEDURES

General Information

The Niagara Charter School ("School") is dedicated to fostering the unique potential of each child by providing a rigorous academic program using the Expeditionary Learning approach which is designed to empower students as lifelong learners, resourceful and practical thinkers, active citizens, and future leaders. The School, as an Expeditionary Learning School, understands that individuals learn best through purposeful experiences that provide opportunities to become active learners. Through expeditions students are involved in original research, critical thinking, problem solving, and they build character along with academic skills.

The School shall not discriminate against or limit the admission of any student on any unlawful basis, including on the basis of ethnicity, national origin, gender, disability, intellectual ability, measures of achievement or aptitude, athletic ability, race, creed, religion, or ancestry. Niagara Charter School does not require any action by a student or family (such as an admissions test, interview, essay, attendance at an information session, etc.) in order for an applicant to either receive or to submit an application for admission to our school.

Eligibility for Enrollment

The School shall be open to any child who is eligible under the laws of New York State for admission to a public school, and the School shall ensure compliance with all applicable anti-discrimination laws governing public schools, including Title VI of the Civil Rights Act and §2854(2) of the New York Education Law, governing admission to a charter school.

The School enrolls students as early as age 4 (as long as they turn 5 by December 31st) through age 13, which is entering grades K through 6. The School seeks to enroll students from diverse communities and experiences, including English Language Learners and Students with Disabilities.

In accordance with Education Law § 2854(2)(a), the Niagara Charter School will institute a preference for students at-risk of academic failure, defined as students qualifying for the federal free- and reduced- priced lunch programs. The School draws students from approximately seven school districts, with the majority of the School's students being drawn from the Niagara Falls City School District. Among the sending districts, Niagara Falls City School District has the highest level of poverty.

The Niagara Charter School will follow guidance and directions from the New York State Education Department pertaining to §2854(2) (b), which states that: "Applications for admission to a charter school shall be submitted on a uniform application form created by the department and shall be made available by a charter school in languages predominantly spoken in the community in which such charter school is located." The Niagara Charter School will require applicants to complete the School's adaptation of the uniform application.

The School will recruit for open registration and meet with families to introduce them to the educational opportunities and experiences provided at Niagara Charter School. Interested families will submit applications beginning January 15th until April 1st. The deadline for receipt of application submissions is April 1st of each year. Except for homeless students, application submissions must include proof of residency (i.e., a NYS driver's license, telephone bill, or utility bill, etc.)

All students offered admission must accept the offer by May 1st. Students who decline an offer for admission will not be eligible to apply until the following year and will not be included on the School's waiting list until the following year.

Lottery Procedures

If the number of applications exceeds capacity, the School will institute a random selection or lottery. The School will determine and publicize the number of spaces available each year by grade. The School will provide notice in accordance (NYS Public Officers Law §104(1)) that each lottery is open to the public (NYS Education Law §2854(2)(b)), and that a disinterested party not affiliated with the School will conduct and draw the lottery in accordance with the School's admission preference. This lottery will be held after the close of business on April 1st or a date thereafter, sufficiently prior to the annual deadline for notifying the students' district of residence for transportation services. Students not selected for enrollment will be placed on the waiting list.

Admissions Preference

Applications will be drawn from the lottery for the number of seats available in each grade level based on the following admission preferences in accordance with §2854(2) (b):

- First preference will be given to returning students, who will automatically be assigned a seat in the School.
- Second preference will be given to siblings of students already enrolled in the School. For definition purposes, "siblings" are two or more children that are related either by birth by means of the same father or mother or by legal adoption.
- Third preference will be given to students who are "at risk" of academic failure defined based on poverty as measured by eligibility for the federal free- and reduced-priced lunch program. Preference is given to students residing within the district of location which is the Niagara-Wheatfield Central School District first and then students from other districts.
- Fourth preference for admission will be given for students not "at-risk" who reside in the school district of location.
- Any remaining slots shall be available to applicants not "at-risk" who reside outside the district of location.

Waiting List Policy

In the event that a lottery process is necessary to determine enrollment, student names will continue to be drawn after all available spaces have been filled in order to form a waiting list for each preference category for each grade level. This waiting list will be the only official, legal document identifying the names of grade eligible students with applications to the School pending acceptance for the subsequent school year, or when vacancies arise, based upon the order of random selection from the lottery following a recruitment period.

**EXHIBIT 11: CONTRACT WITH
EDUCATIONAL SERVICE PROVIDER**



EXPEDITIONARY LEARNING

247 West 35th Street
Eighth Floor
New York, NY 10001
212-239-4455 tel
212-239-8287 fax
www.elschools.org

TAX ID # 06-1576405

SCOPE OF SERVICES AND COST OF A PARTNERSHIP BETWEEN EXPEDITIONARY LEARNING AND NIAGARA CHARTER SCHOOL

Start date: September 1, 2012

End date: August 31, 2013

School and District Information

Name of School: Niagara Charter School
Street or P.O. Box: 2077 Lockport Road
City, State, Zip: Niagara Falls, NY 14304
School Phone: (716) 297-4520
School Website: www.niagaracharter.org

School Fax: (716) 297-4617

School District: Niagara School District
District Phone: (716) 286-4205
District Website: www.nfschools.net

Superintendent: Cynthia Bianco
District Fax: (716) 286-4283

Principal/Director: Darci Novak
Principal's Phone: (716) 297-4520 x 7202
Principal's Email: darcinovak@niagaracharter.org

Billing Contact Person: Darci Novak
Billing Phone: (716) 297-4520 x 7202
Billing Email: darcinovak@niagaracharter.org

Billing Fax: (716) 297-4617

Additional School or District Contacts:

Billing Address
Street or P.O. Box
City, State, Zip

PLEASE SIGN AND RETURN FULL, ORIGINAL MOU TO THE REGIONAL DIRECTOR

Name: Mark Conrad
Street of P.O. Box: 7 North Pleasant Street, Ste. 3A
City, State, Zip: Amherst, MA 01002

**SEND ALL PAYMENTS TO STEPHANIE LAWKINS, CFO, EXPEDITIONARY LEARNING
247 WEST 35TH ST., 8TH FLOOR, NY, NY 10001**



SCOPE OF CONTRACTED SERVICES

This Memorandum of Understanding covers the period from September 1, 2012 through August 31, 2013, in the multi-year partnership between Niagara Charter School and Expeditionary Learning. During this period, Expeditionary Learning will provide a package of services to faculty and school leaders to foster the full implementation of the Expeditionary Learning school reform design.

The cost for this year's Memorandum of Understanding (MOU) is \$47,135.00

Expeditionary Learning will provide the following package of contracted services:

Direct School Services

22 DIRECT SERVICE DAYS DELIVERED BY EXPEDITIONARY LEARNING STAFF (\$1300 PER DAY)

Direct service includes professional development and technical assistance provided by EL staff that is focused on the goals and outcomes articulated in the work plan. Direct service days may also include days during which EL staff accompanies a group of teachers from the school to an Expeditionary Learning professional development event to provide further intensive work.

The costs associated with direct school services also covers:

- Time the school designer uses to plan the direct service work and create materials for the school.
- Time the school designer uses to work with teachers electronically or by phone, such as providing feedback on expedition plans, writing reports for the school, planning future professional development with the principal and/or instructional guide, and ongoing consulting or planning time for the school with the regional director or other school designers.
- All Expeditionary Learning staff travel costs to and from the school.

All Direct School Service days must be used before August 31, 2013. No days can be carried into the next Expeditionary Learning fiscal year that begins on September 1, 2013 and ends on August 31, 2014.

\$435 **ALLOCATION FOR BOOKS AND OTHER PROFESSIONAL PUBLISHED MATERIALS**

This allocation is only for certain books and professionally published materials that can be purchased through Expeditionary Learning at a discounted price. The school and the school designer determine which, if any, such materials will be included in the MOU based on the annual work plan. A list of standard books and prices can be obtained by contacting Wendy Wolf at wwolf@elschools.org.

Slots Allocated for Off-Site Professional Development

Logistical Information and Agreements Regarding Off-site Professional Development:

- College credit will be available for most offerings through a partnership with the University of Denver. Costs for college credit are separate from this MOU.
- All slots must be used before August 31, 2013. No slots can be carried over into the next EL fiscal year that begins on September 1, 2013. In the event that the school designee desires to



substitute one purchased slot for another equally priced slot, s/he can do so with written permission of the EL Regional Director as long as the change occurs at least 14 days prior to the purchased institute start date. Substitutions are NOT permitted if the purchased institute has already occurred or is within 14 days of occurring.

- Changes to an MOU that involve an increase or decrease to the total price require an addendum that must be written by the EL Regional Director and signed by both parties.
- As part of the registration process, each participant must agree to arrive on time, participate in the full daily schedule (often longer than a normal work day), and stay for the full duration of the event. The planned daily schedule is outlined in the registration confirmation letter. This work day applies to local commuters and overnight guests alike.
- Start and end times for each event are available on line as a part of registration.
- The principal must take responsibility for travel arrangements to ensure that participants arrive on time and stay for the entire event.

0 5-DAY NATIONAL INSTITUTES & LEARNING EXPEDITIONS FOR EDUCATORS (\$1,500 EACH)

- School arranges and pays for transportation to and from institute and some meals.
- Expeditionary Learning pays for all lodging and most meals.
- Minimum enrollment to avoid cancellation = 15. In the event of cancellation, Expeditionary Learning will notify participants 10 days in advance of cancellation. Expeditionary Learning is not responsible for cancellation charges related to travel and lodging.

5 3-DAY INSTITUTES (\$800 EACH)

- The school pays for and must arrange all travel, lodging, and dinner expenses. Expeditionary Learning will provide a coffee/tea service and lunch.
- All participants must stay near the institute location unless they live within one hour of the event.
- Minimum enrollment required to avoid cancellation = 15. In the event of cancellation, Expeditionary Learning will notify participants 10 days in advance of cancellation. Expeditionary Learning is not responsible for cancellation charges related to travel and lodging.

2 LEADERSHIP COHORT PARTICIPATION (\$800 EACH)

- The Expeditionary Learning regional director will schedule one or more leadership cohort meetings. Leadership cohort meetings provide opportunities for leaders to share best practices, address dilemmas and challenges, and focus together on the role of school leaders in implementing the Expeditionary Learning design.
- The school pays for and must arrange all travel, lodging, and dinner expenses. Expeditionary Learning will provide a coffee/tea service and lunch.
- All participants must stay near the institute location unless they live within one hour of the event.
- Minimum enrollment required to avoid cancellation = 15. In the event of cancellation, Expeditionary Learning will notify participants 10 days in advance of cancellation. Expeditionary Learning is not responsible for cancellation charges related to travel and lodging.

0 SLOTS FOR OUTWARD BOUND EDUCATOR COURSES (\$1800)

- Expeditionary Learning pays all lodging and most food costs during the event.
- The school pays for and arranges lodging and to get to and depart from the event.



2

NATIONAL CONFERENCE (\$750 EACH)

Schools pay all travel, lodging, and food costs. Additional slots to the National Conference can be added and paid for separately at the time of NC registration.

0

NATIONAL CONFERENCE PRE-CONFERENCE DAY (\$200 EACH)

An optional pre-conference day set of offerings will be available for an additional fee of \$200.00 per person—descriptions will be provided with National Conference on-line registration materials. Pre-conference days can also be added and paid for separately at the time of NC registration.

5

SITE SEMINARS (\$400 EACH)

- Two-day or three-day visits to highly implementing Expeditionary Learning schools.
- Schools pay all travel, lodging, and most food costs.
- Fees for site seminars are split between the school(s) hosting the seminar and Expeditionary Learning.

\$1500

SCHOOL-BASED OR CLUSTER-BASED INSTITUTE

Funds set aside for cluster or school-based institutes during the 2012-2013 fiscal year by prior arrangement with and approval from the Expeditionary Learning Chief Operating Officer.

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EXPEDITORY LEARNING NETWORK MEMBERSHIP \$ AMOUNT

Fewer than 10 staff:	\$2500
10-19 Staff:	\$5000
20-29 Staff:	\$7500
30 or more staff:	\$10,000

- Ability to purchase additional off-site professional development slots at network prices.
- Copies of *The Expeditionary Learning Core Practices* for each staff member.
- Access to Expeditionary Learning's EL Commons and on-going technical support and upgrades.
- Access to the on-line Expeditionary Learning Archive of Student Work.
- Access to the on-line Expeditionary Learning Planner
- Ability to advertise job openings on the Expeditionary Learning website.
- Copies of materials for on-site work at schools for each staff member.
- School-specific support from the regional field director including consultation, travel to schools, budget preparation, and support of the implementation review process.
- Eligibility for Fund for Teachers scholarships—value up to \$5,000 per person or \$10,000 per team of teachers.
- Central office accounting and billing services.



Agreement

Expeditionary Learning and Niagara Charter School agree to the above scope of services from September 1, 2012 to August 31, 2013. This scope of services may be changed only in writing and must be signed by both parties.

Expeditionary Learning's intellectual property remains the property of Expeditionary Learning, and Expeditionary Learning will have perpetual license to use any content developed by teachers or school leaders in Expeditionary Learning network schools, while such content shall remain the property of the school or the creator(s) per school policy.

Expeditionary Learning Representative

School Signatory

Title: Regional Director

Title:

Date:

Date:

EXHIBIT 12: TABLE OF MANAGEMENT FUNCTIONS

(If applicable)

NOT APPLICABLE

**EXHIBIT 13: CODES OF CONDUCT
AND/OR DISCIPLINARY CODES**

EXHIBIT 13: NIAGARA CHARTER SCHOOL STUDENT DISCIPLINE CODE

The Niagara Charter School approach to student discipline will be positive as the students will be recognized for good behavior and accomplishments while there also will be clear, consistent consequences for negative behavior.

Student Records

The Charter School shall maintain written records of all suspensions and expulsions including the name of the student, a description of the behavior engaged in, the disciplinary action taken, and a record of the number of days a student has been suspended or removed for disciplinary reasons.

Short Term Suspension

A short-term suspension refers to the removal of a student from School for disciplinary reasons for a period of five or fewer days. A student who has committed any of the infractions listed below shall be subject minimally to a short-term suspension, unless the Head of School determines that an exception should be made based on the individual circumstances of the incident and the student's disciplinary record. The Head of School reserves the right to adjust the punishment for each infraction per his or her judgment.

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
- Use 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
- 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.

Procedures and Due Process for Short Term Suspension

The Head of School may impose a short term suspension, and shall follow due process procedures consistent with federal case law pursuant *Goss v. Lopez* (419 U.S. 565). Before imposing a short term suspension, or other, less serious discipline, the School principal shall provide notice to inform the student of the charges against him or her, and if the student denies the charges, an explanation of the evidence against the student. A chance to present the student's version of events shall also be provided.

Before imposing a short term suspension, the Head of School shall immediately notify the parents or guardian in writing that the student may be suspended from school. Written notice shall be provided by personal delivery, express mail delivery within 24 hours of the decision to impose suspension at the last known address (es) of the parents or guardians.

Where possible, notification also shall be provided by telephone. Such notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the parents or guardian of their right to request an immediate informal conference with the Head of School. Such notice and informal conference shall be in the dominant language of mode of communication used by the parents or guardian.

The parents or guardian of the student and the student shall have the opportunity to present the student's version of the incident and to ask questions of the complaining witnesses. Such notice and opportunity for an informal conference shall take place prior to the suspension of the student unless the student's presence in the School poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference shall take place as soon as possible after the suspension as is reasonably practicable.

The Head of School's decision to impose a short term suspension may be challenged by the parent(s) or guardian in accordance with the Charter School's complaint process.

Long Term Suspension/ Expulsion

A long term suspension refers to the removal of a student from School for disciplinary reasons for a period of more than five days. Expulsion refers to the permanent removal of a student from School for disciplinary reasons. A student who is determined to have committed any of the infractions listed below shall be subject minimally to a long-term suspension or expulsion, unless the Head of School determines that an exception should be made based on the circumstance of the incident and the student's disciplinary record. Such a student may also be subject to any of the disciplinary measures outlined elsewhere in this document including a referral to the appropriate law enforcement authorities.

Disciplinary Infractions

- Possess, use, attempts 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 reasonable necessary to protect him or herself from injury;
- Vandalize school property causing major damage;
- Commit any act, which school officials reasonably conclude warrants a long-term suspension.

A student who commits any of the acts previously described as causes for short term suspension may, instead or in addition, be subject to a long term suspension at the Head of School's discretion only if the student has committed the act at least three times in the academic year.

Procedures and Due Process for Long Term Suspension

The Head of School may impose a long term suspension. Such a suspension may be imposed only after the student has been found guilty at a formal suspension hearing. In extreme circumstances, the head of school may expel the student from school. Upon determining that a student's action warrants a possible long term suspension, the head of school shall verbally inform the student that he or she is being suspended and is being considered for a long term suspension (or expulsion) and state the reasons for such actions. The Head of School also shall immediately notify the student's parent(s) or guardian(s) in writing. Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within 24 hours of suspension at the last known address. Where possible, notification also shall be provided by telephone if the School has been provided with a contact telephone number for the parent(s) or guardians(s). Such notice shall provide a description of the incident or incidents which resulted in the suspension and shall indicate that a formal hearing will be held on the matter which may result in a long term suspension (or expulsion). The notification provided shall be in the dominant language used by the parent(s) or guardian(s). At the formal hearing, the student shall have the right to be represented by counsel, question witnesses, and present evidence.

If the Head of School initiates the suspension proceeding, he or she shall personally hear and determine the proceeding or may, in his discretion, designate a hearing officer to conduct the hearing. The hearing officer's report shall be advisory only and the Head of School may accept or reject all or part of it. The Head of School's decision to impose a long term suspension or expulsion may be challenged by the parent or guardian in accordance with the charter school's complaint process as described in Appendix 15.

Firearm Violations

Federal and State law require the expulsion from School for a period of not less than one year of a student who is determined to have brought a firearm to the School, or to have possessed a firearm at School, except that the Head of School may modify such expulsion requirement for a student on a case-by-case basis, if such modification is in writing, in accordance with the Federal Gun-Free Schools Act of 1994 (as amended). "Weapon," as used in this law means a "firearm," as defined by 18 USC 8921, and includes firearms and explosives. (New York Education Law 3214(3) (d) effectuates this federal law.)

The Head of School shall refer a student under the age of sixteen who has been determined to have brought a weapon or firearm to school to a presentment agency for a juvenile delinquency proceeding consistent with Article 3 of the Family Court Act except a student fourteen or fifteen years of age who qualifies for juvenile offender status under Criminal Procedure Law 1.20(42). The Head of School shall refer any pupil sixteen years of age or older or a student fourteen or fifteen years of age

who qualifies for juvenile offender status under Criminal Procedure Law 1.20(42), who has been determined to have brought a weapon or firearm to school to the appropriate law enforcement officials.

Provision of Instruction during Removal

The Charter School will ensure that alternative educational services are provided to a child who has been suspended or removed to help that child progress in the School's general curriculum. For a student who has been suspended, alternative instruction will be provided to the extent required by applicable law. For a student who has been expelled, alternative instruction will be provided in like manner as a suspended student until the student enrolls in another school or until the end of the school year, whichever comes first.

Alternative instruction will be provided to students suspended or expelled in a way that best suits the needs of the student on a case-by-case basis. Instruction for such students shall be sufficient to enable the student to make adequate academic progress, and shall provide them the opportunity to complete the assignments, learn the curriculum and participate in assessments. Instruction will take place in one of the following locations: the child's home, a contracted facility (e.g. in the school district of location), or a suspension room at the School. During any removal for drug or weapon offenses, additional services shall include strategies designed to prevent such behavior from recurring. Instruction will be provided by one or more of the following individuals who shall be certified in accordance with 2854(3)(a-1) of the Education Law: the student's teacher(s), aides or trained volunteers, individuals within a contracted facility, and/ or a tutor hired for this purpose.

Students with Disabilities

The Charter School shall implement the following disciplinary policy procedures with respect to Students with Disabilities.

If a student violates the Charter School's Discipline Code and is being considered for a suspension or removal, the School must ensure the following due process protections are provided to the student and to the student's parent(s). For the suspensions of five school days or less, the student's parent(s) or guardian must be provided with a written notice, and a follow up telephone call if possible, within 24 hours of the incident leading up to the suspension which describes the basis for the suspension and explains that the parent or guardian has the right to request an informal conference with the Head of School and appropriate staff to discuss the incident and question any complaining witness against the student.

For suspensions in excess of five consecutive school days, the student's parent(s) or guardian must be provided with a written notice which indicated that the district proposes to suspend the student from school in excess of five consecutive school days, describes the basis for the proposed suspension, explains that the student has an opportunity for a fair hearing conducted by the Head of School or designated officer of the director at which the student will have a right to question any witnesses accusing him/ her of committing the misconduct charge and to present witnesses on his/ her behalf. Where possible, notification must also be provided by telephone. For any student of compulsory school age, the School must provide alternative education to the student during the suspension.

In addition to the above, there are additional procedures and protections that apply to Students with Disabilities including:

- The provision of a free and appropriate education to students who are suspended or removed for disciplinary reasons for more than ten school days in a school year, this included a teacher going to the student's home or the student coming to the School after the scheduled school day to receive the required instruction according to the IEP;
- The responsibility of school to address behaviors that result in suspensions or removals for more than ten school days in a school year (functional behavioral assessment and behavioral intervention plans);
- The determination of the relationship between the behavior and the student's disability when a suspension or removal would result in a disciplinary change of placement (manifestation determination);
- Providing the parent of the student a copy of the procedural safeguards notice (special education rights) whenever a disciplinary action will result in a disciplinary change in placement which is a removal for more than 10 consecutive school days;
- An expedited process to resolve disagreements between parents and schools regarding certain disciplinary actions;
- Protections for students who are not classified when a parent asserts that the School had knowledge, prior to the behavior that resulted in the disciplinary action, that the student was a student with a disability;
- Expedited evaluations of students suspected of having a disability during the time the student is suspended.

The Charter School has the authority to suspend or remove students with a disability to interim alternative educational setting for up to 45 days for offenses relating to illegal drugs, controlled substances, weapons, or where the student represents a safety concern. In instances when the School maintains that it is dangerous for a student to remain in his current educational placement, the School can request an expedited due process hearing to move the student to an interim setting. The School can remove a student with a disability from his or her current placement when necessary, even though the student had previously been removed earlier in the school year, as long as the removal does not constitute a disciplinary change in placement. The charter School will work closely with the Committee on Special Education to establish clear guidelines for communication and decision-making on disciplinary matters.

In addition to the discipline procedures applicable to all students, the following procedures are applicable to Students with Disabilities [A student not specifically identified as having a disability but whose school district of residence or charter school prior to the behavior which is the subject of the disciplinary action, has a basis of knowledge—in accordance with 34 CFR 300.527(b)—that a disability exists may request to be disciplined in accordance with these provisions.] The Charter School shall comply with sections 300.519-300.529 of the Code of Federal Regulations (CFR) and the following procedures, except that in the event that the following procedures are inconsistent with federal law and regulations, such federal law and regulations shall govern.

The Charter School shall maintain written records of all suspensions and expulsions of students with a disability including the name of the student, a description of the behavior engaged in, the disciplinary action taken, and a record of the number of days a student has been suspended or removed for disciplinary reasons.

Students for whom the Individualized Educational Plan (IEP) included a Behavior Intervention Plan (BIP) will be disciplined in accordance with the BIP. If the BIP appears not to be effective or if there is a concern for the health and safety of the student or others, if the BIP is followed with respect to the infraction, the matter will be immediately referred to the Committee on Special Education (CSE) of the student's district of residence for consideration of a change in guidelines.

If a student identified as having a disability is suspended during the course of the school year for a total of eight days, such student will immediately be referred to the CSE of the student's district of residence for reconsideration of the student's educational placement. Such a student shall not be suspended for a total of more than ten days during the school year without the specific involvement of the CSE of the student's district of residence prior to the eleventh day of suspension, because such suspensions may be considered to be a change in placement.

In considering the placement of students referred because of disciplinary problems, the CSE of the student's district of residence is expected to follow its ordinary policies with respect to parental notification and involvement.

The Charter School shall work with the district to ensure that the CSE of the student's district of residence meets within seven days of notification of any of the following:

- 1) The commission of an infraction by a student with a disability who has previously been suspended for the maximum allowable number of days.
- 2) The commission of any infraction resulting from the student's disability.
- 3) The commission of any infraction by a disabled student, regardless of whether the student has previously been suspended during the school year if, had such infraction been committed by a non-disabled student, the head of school would seek to impose a suspension in excess of five days.

The Charter School shall ensure that when the suspension or removal of a student with a disability will constitute a disciplinary change of placement, the CSE will be immediately notified so that the CSE can meet its required obligations to convene a CSE meeting within 10 school days to make a manifestation determination.

EXHIBIT 14: PERSONNEL POLICIES



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Features of Our School

Mission Statement

Niagara Charter School is dedicated to fostering the unique potential of each child by providing a rigorous academic program using the expeditionary learning approach designed to empower students as life long learners, resourceful and practical thinkers, active citizens, and future leaders.

Vision Statement

Niagara Charter School is an Expeditionary Learning School where students learn best through purposeful, hands on experiences that provide opportunities to become active learners. Through learning expeditions students are involved in original research, critical thinking, problem solving, and building character along with academic skills.

Expeditionary Learning

Expeditionary Learning (EL) allows students to learn in a real-world environment. EL offers students field experience in which to discover and hone their skills and strategies.

Extended School Year, Extended School Day

Niagara Charter School has an extended school year totals 200 instructional days. The school's hours of operation are 7 student hours. Before and after school programs may be available beyond those hours for all of our students. Instruction is aligned with the NYS Learning Standards and Common Core Learning Standards.

Art, Music, Physical Education

Niagara Charter School includes a full-year instruction in Art, Music, and Physical Education at all grade levels.

Enrichment and Remediation Period

An enrichment and remediation period is built into the school schedule to give students extra time with reading and math, and to develop each student's talents through special classes offered by our staff and possibly outside agencies.

Non-violence Education & Conflict Resolution

The Niagara Charter incorporates in its curriculum non-violence education and conflict resolution.



About this Handbook

The policies in this handbook are to be considered guidelines. As our business atmosphere and economic conditions are always changing, the contents of this handbook may be changed at any time. Niagara Charter School at its option, may change, amend, delete, suspend or discontinue any part or parts of the policies in this handbook at any time without prior notice. Any such action shall apply to existing as well as future employees with continued employment being the consideration between the employer and employee for such changes, amendments, or deletions. This handbook contains the policies and practices in effect at the time of publication.

Employees may not accrue eligibility for monetary benefits that they have not earned through actual time spent at work. No statement or promise by management may be interpreted as a change in policy nor will it constitute an agreement with an employee.

The provisions of this Employee Handbook are not intended to create contractual obligations with respect to any matters it covers. Nor is this Employee Handbook intended to create a contract guaranteeing that an employee will be employed for any specific time period.

Note: For purposes of this Handbook "Niagara Charter School" may be referred to as "Niagara," "NCS," or the "School."

Legal References

References to statutes and regulations are intended for historic and informational purposes. To the extent that any provision of this handbook conflicts with any applicable law, rule or regulation; the law, rule or regulation shall govern.

Employment-At-Will

Niagara follows the practice of "employment-at-will." This handbook is not a contract and is not to be construed to form a contract or a warranty of benefits. This handbook merely describes the school's general philosophy concerning policies and procedures. Employment with Niagara is voluntarily entered into and employees are free to resign at any time. Similarly, Niagara is free to conclude its employment relationship with any employee at any time, with or without notice, with or without cause, or for no reason at all. Written or oral statements made to employees are not to be interpreted in any way that alters the at-will relationship. Although we hope that our relationship shall be long and mutually beneficial, it should be recognized that no employee has a contractual right, express or implied, to remain an Niagara Charter School employee. Our relationship is, and will always be, one of voluntary employment-at-will.

Equal Employment Opportunity

Niagara Charter School provides equal employment opportunity to all applicants and employees without regard to race, color, gender, age, disability, religion, creed, national origin, genetic predisposition, marital status, sexual orientation, political belief or activity, veteran status, victims of domestic violence or any other status protected by law.

The policy applies to all areas of employment, including recruitment, hiring, training and development, promotion, transfer, termination, layoff, compensation, benefits, social and recreational programs, and all other conditions and privileges of employment in accordance with applicable federal, state and local laws.



It is Niagara Charter School policy to comply with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA) and its amendments. Niagara will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability. Niagara will make reasonable accommodation wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the duties and assignments connected with the job and provided that any accommodations made do not require significant difficulty or expense.

You must notify management of your need for an accommodation. Upon doing so, a member of management may ask you for your input on the type of accommodation you believe may be necessary and the functional limitations caused by your disability. Additionally, when appropriate, the School may request your written authorization to obtain additional information from your physician or other medical or rehabilitation professionals to verify your claimed functional limitations and need for an accommodation.

This is reflected in all Niagara practices and policies regarding hiring, training, promotions, transfers, rates of pay, layoff, and other forms of compensation. All matters relating to employment are based upon ability to perform the job, as well as dependability and reliability once hired. In addition, Niagara will not use the services of any placement agency known to discriminate in its referrals on the basis of any of the characteristics mentioned above.

General Policies

Full-Time Employees

Employees who consistently work 40 hours in a regular workweek.

Regular Part-Time Employees

Employees who consistently work 20 or more hours in a regular workweek.

Provisional Employees

Employees who consistently work less than 20 hours in a regular workweek. Provisional employees are not entitled to any benefits except for those required by law.

Per Diem Employees

Employees who work on an "as needed" basis, e.g. substitute teachers. Per Diem employees are not entitled to any benefits except for those required by law.

Non-Exempt Employees

All employees are classified as either "exempt" or "non-exempt." This distinction is mandated and necessary by law. Non-exempt employees normally work on an hourly basis and are entitled to one and one half times (1 1/2) times their regular base rate when they work in excess of 40 hours in a regular workweek.

Exempt Employees

Exempt employees include staff whose duties and responsibilities allow them to be "exempt" from overtime pay provisions as provided by the Federal Fair Labor Standards Act (FLSA) and any applicable



state laws. Exempt employees are paid on a salary basis that is not subject to fluctuation based on hours worked.

Salary

Teacher salaries are based upon years of teaching experience and educational level pertaining to job title.

- Teachers will earn an additional \$100 per year on the school's base salary for each credit hour beyond their Bachelors Degree up to a maximum of 30 hours.
- A Masters degree in education will earn an additional annual salary of \$1,600
- Upon approval of the Board of Trustees and contingent upon state funding, teachers' salary scale will increase each year, at the beginning of the new school year, by the Federal Cost of Living (in the Northeast Urban area) adjustment percentage for the previous year up to a maximum of 5%.
- Any classroom teacher who meets the description of Cooperating Teacher may receive student teachers and whatever compensation the college may provide for this service at that time.
- Staff will be paid bi-weekly throughout a twelve month period each school year. For administrative staff, the payroll year begins the first day after the end of the previous school year and ends on the last day of the school year. For instructional staff, the payroll year begins August 1st of each year.

Mandatory Deductions from Paycheck

Niagara Charter School is required by law to make certain deductions from each paycheck including federal, state and local income taxes and your contribution to Social Security, as required by law. These deductions will be itemized on your check stub. The amount of the deductions may depend on your earnings and on the information furnished on your W 4 form, including the number of dependents/exemptions claimed. Any change in name, address, telephone number, marital status or number of exemptions must be reported to management immediately, to ensure proper credit for tax purposes. The W-2 form you receive each year indicates precisely how much of your earnings were deducted for these purposes.

If you believe that an improper deduction has been made to your salary, you should immediately report this information to management. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made, and Niagara Charter School will make a good faith commitment to comply in the future.

Fingerprinting of Prospective Employees

Unless otherwise authorized in accordance with law and regulation, Niagara Charter School shall not employ or utilize a prospective school employee, as defined below, unless the State Education Department (SED) has granted such prospective school employee a "full" clearance for employment. Niagara Charter School shall require a prospective school employee who is not in the SED criminal history file to be fingerprinted for purposes of a criminal history record check by authorized personnel of the designated fingerprinting entity. For purposes of this provision of law, the term "criminal history record" shall mean a record of all convictions of crimes and any pending criminal charges maintained on an individual by the Division of Criminal Justice Services (DCJS) and the Federal Bureau of Investigation (FBI).

Prior to initiating the fingerprinting process, Niagara Charter School shall furnish the applicant with written notice on a form prepared by the Commissioner of Education addressing the fingerprinting requirements and the applicant's right to obtain, review and seek correction of his/her criminal history information. Additionally, where the prospective school employee is not already in the SED criminal history file, Niagara Charter School shall obtain the signed, informed consent of the applicant to perform the criminal



history check. Every set of fingerprints taken shall be promptly submitted to the Commissioner of Education for purposes of clearance for employment.

Where the prospective school employee is already in the SED criminal history file, Niagara Charter School shall request the clearance for employment on forms or an equivalent manner prescribed by SED. Furthermore, Niagara Charter School shall notify SED, in a manner prescribed by the Department, of a prospective school employee who has commenced employment with or began providing services for Niagara Charter School, the date of the commencement of such employment or service, and the position held by such individual. Similarly, Niagara Charter School shall notify SED, in a manner prescribed by the Department, of a fingerprinted employee who has been separated from employment with the School or ceased providing services for the School, and the date of such separation from employment or cessation of services. All criminal history records processed by DCJS and the FBI and sent to the Commissioner of Education are confidential. The records may not be published or in any way disclosed to persons other than the Commissioner unless otherwise authorized by law.

Unless otherwise exempted pursuant to law, the applicant shall be responsible for the payment of fees to SED for a criminal history record check. However, if approved by Board resolution, Niagara Charter School may authorize the payment of such fees on behalf of prospective employees. The Board is also authorized to waive the payment of such fees in cases of unreasonable financial hardship to the applicant or his/her family. If the Board decides to waive payment of the fees for the prospective employee, payment of the fees becomes the School's responsibility.

All "prospective school employees" of the School must be fingerprinted. For purposes of this policy and the applicable provisions in law and Commissioner's Regulations, "prospective school employee" shall mean any individual who will reasonably be expected by the School to provide services which involve direct contact, meaning in person, face-to-face communication or interaction, with students under the age of twenty-one (21) and who is either:

- a. Seeking a compensated position with the School and is not currently employed by the School or a student enrolled in the instructional program of a grade level in the School; or
- b. An employee of a provider of contracted services to the School who is to be placed within the; or
- c. A worker who is to be placed within the School under a public assistance employment program pursuant to Title 9-B of Article 5 of the Social Services Law, directly or through contract.

Individuals excluded from a criminal history record check/fingerprinting pursuant to this provision of law and regulations are those individuals who:

- a. Are seeking a position as a school bus driver or school bus attendant and are cleared for employment pursuant to the Vehicle and Traffic Law; or
- b. Have provided services to the School in the previous school year either in a compensated position, or as an employee of a provider of contracted services to the School, or as a worker placed within the School under a public assistance employment program pursuant to Title 9-B of Article 5 of the Social Services Law directly or through contract; or
- c. Will reasonably be expected by the School to provide services for the School on no more than five (5) days in the school year in which services are to be performed, provided that the School provides in-person supervision of such individual by one or more employees of the School while that individual is providing such services. Individuals providing such time-limited and supervised services may include but shall not be limited to artists, guest lecturers and speakers, and sports officials.

Any prospective employee who previously has been fingerprinted in order to obtain certification, and whose fingerprints remain on file with the Division of Criminal Justice Services (DCJS), will not be



required to be fingerprinted again for purposes of a criminal history record check except however, clearance must be obtained for Niagara Charter in accordance with SED policy.

Hiring Of Relatives

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

Relatives of persons currently employed by ECS may be hired only if they will not be working directly for or supervising a relative or will not occupy a position in the same line of authority within the school. Employees cannot be transferred into such a reporting relationship.

If the relative relationship is established after employment, one of the individuals will need to be transferred or employment terminated.

In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

Paid Time Off (PTO)

Niagara Charter School full-time teachers will be granted PTO in the form of 6 personal days, 12 sick days, and 5 vacation days per year. Full-time Teacher Assistants will be granted 6 personal days, 12 sick days, and 5 vacation days. Unused personal days will convert to sick days at the end of the school year. Vacation days must be used in the school year they are granted or they are lost. Teachers and teacher assistants must request vacation days 10 days in advance. Requests must be submitted using the Short-Term Absence Form (commonly referred to as "blue sheets"), making every effort not to disrupt instruction. If approved, the form will be given to the operations manager to record time taken, and a copy will be provided to the employee.

Teachers, teachers' assistants, building substitutes, school counselor, front office staff, cafeteria staff, and the school nurse may not schedule vacations prior to or after a holiday or school break. Sick, vacation and personal days may NOT be used together. The administration requests that teachers and staff submit vacation request forms by January 1 of the current school year. The Chief Academic Officer must approve vacation request forms.

No two (2) teachers or building substitute teachers will be allowed to schedule vacation at the same time. In the event of conflict in vacation dates requested, the teacher or building substitute teachers filing their Vacation Days Request Form first will get the dates. If filed at the same time then the teacher or teacher assistant with seniority will get the dates. Approval of vacation days will be contingent upon the CAO's determination that they will not interfere dramatically with instruction.

Accumulated sick days may not exceed 180 (teachers), 180 (building substitute teachers/assistants and Office staff) days and at no time will the school buy back these days.

Bereavement leaves of absence up to five days with pay will be granted after the death of a family member. Family members include: mother, father, sibling, spouse, partner or child. 2 days for grandparents, niece, nephew, cousin, equivalent in-laws, or at the approval of the CAO. Sick days may be taken for bereavement of other extended relatives.

With prior approval of the Board of Trustees, Teachers may be granted leaves of absence without pay and without loss of job or seniority for: childcare (up to 3 years), educational pursuits (up to 2 years), special service experience, military leave, and other approved personal reasons (up to 1 year). A replacement



teacher will be hired in the said teacher's absence, knowing that the original teacher may return at year's end as long as 30 days notice is given prior to returning. The Board of Trustees must approve all such leaves. Leaves for study, travel, and special service/experience may be given credit for increment and level of education when such leaves are planned for and agreed upon with the CAO and Board of Trustees.

Call In Procedures

In the event of an unexpected absence, instructional staff members are required to telephone CAO or CAO's designee, and all other staff members are to telephone his/her immediate supervisor the evening prior to the absence (if possible) or by 7:00 am on the morning of the absence. All employees must call on their own behalf. Text messages will NOT be accepted. If you should have to leave a voice mail message, please include a number where you can be reached if any questions, and indicate when you plan to return to work. Upon return to work, a Short Term Absence Form is to be completed and submitted to the supervisor. A call in will be charged to sick time only. **A physician's note will be required if calling in before or after a holiday or on a day that was previously denied by administration**

Jury Duty

It is your civic duty as a citizen to report for jury duty whenever called. Employees called for jury duty will receive their regular rate of pay for the duration of their jury service. You must notify your supervisor within forty-eight (48) hours of receipt of the jury summons and bring in a copy of your summons in order to be compensated. Employees will only be paid for jury service if the service falls on one of their regularly scheduled work days. On any day or half-day you are not required to serve, you will be expected to return to work.

Snow Days

In the event that school is cancelled due to inclement weather, you will be notified by radio, television, e-mail or text message if you will need to report for work. If you have requested PTO on a day that results in a snow day, you will not be required to use the PTO time.

Staff Use of Computerized Information Resources

Niagara Charter School will provide staff with access to various computerized information resources consisting of software, hardware, computer networks and electronic communication systems. This may include access to electronic mail, so-called "on-line services" and the "Internet." It may also include the opportunity for some staff to have independent access to the resources from their home or other remote locations. All use of the resources, including independent use off school premises, shall be subject to this policy and accompanying regulations.

NCS encourages staff to make use of the resources to explore educational topics, conduct research and contact others in the educational world. NCS anticipates that staff access to various computerized information resources will both expedite and enhance the performance of tasks associated with their positions and assignments.

Use of the resources is conditioned upon written agreement by the staff member that use of the resources will conform to the requirements of this policy and any regulations adopted to insure acceptable use of the resources. All such agreements shall be kept in the staff member's file.

The same standards of acceptable staff conduct that apply to any aspect of job performance shall apply to use of the resources. Employees are expected to communicate in a professional manner consistent with applicable NCS policies and regulations governing the behavior of school staff. Electronic mail and



telecommunications are not to be utilized to share confidential information about students or other employees.

This policy does not attempt to articulate all required and/or acceptable uses of the resources; nor is it the intention of this policy to define all inappropriate usage. NCS regulations will further define general guidelines of appropriate staff conduct and use as well as proscribed behavior.

NCS staff shall also adhere to the laws, policies and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and rights of privacy created by federal and state law.

Staff members who engage in unacceptable use may lose access to the resources and may be subject to further discipline under the law and in accordance with applicable collective bargaining agreements. Legal action may be initiated against a staff member who willfully, maliciously or unlawfully damages or destroys property of Niagara Charter School.

Staff data files and electronic storage areas shall remain NCS property, subject to NCS control and inspection. Assigned staff may access all such files and communications to insure system integrity and that users are complying with requirements of this policy and accompanying regulations. Staff should NOT expect that information stored on the resources would be private.

Staff members are asked to check their school email account daily during the school year and at least once a week during summer break for communications sent about school business.

Performance Based Compensation

At the end of each year in school year, the school's board of trustees may elect to pay a bonus to the staff that will be based on administration recommendation.

Immigration Act Requirements

In compliance with the federal Immigration Reform and Control Act of 1986 (IRCA), as amended, Niagara is committed to employing only individuals who are authorized to work in the United States. Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. If an employee is authorized to work in this country for a limited period of time, the individual will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by Niagara Charter School.

Workers' Compensation

On-the-job injuries are covered by our Workers' Compensation insurance policy. This insurance is provided at no cost to you. The amount of benefits payable to an employee and the duration of payment depend upon the nature of the injury or illness.

If an employee is injured on the job, no matter how slightly, he/she is to report the incident immediately to his/her supervisor. The employee will be taken to a nearby urgent care center or hospital if the injury cannot be treated on school premises. Further, we ask for employees to alert management to any condition that could lead to or contribute to an employee accident.

Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize a claim. NCS will abide by all requirements set forth by the state's Workers' Compensation law and other applicable laws or regulations. No adverse action will be made against an employee in retaliation for filing a Workers' Compensation claim.



Retirement System

Niagara Charter School currently participates in the New York State Teachers Retirement System. For eligibility and information employees should see the Operations Manager. In addition, the school, at its discretion, may offer non-instructional staff a 403b retirement account option on a per employee basis.

Hours of Service

- Niagara Charter School teachers and teacher assistants are required to be on duty from 8:55 a.m. until 4:35 p.m. each day school is in session.
- Full-time office staff members are required to be on duty 8 hours each day as per the administrative calendar.
- School building summer hours are 8:00 a.m. to 2:00 p.m. Monday-Friday.
- Every teacher will receive a 30-minute lunch break each day along with a forty-two minute prep/planning period. Teacher's assistants will receive a 30-minute lunch break and a 15-minute daily break. Office staff will receive a 60-minute lunch break.
- Time will be provided for teachers to plan their instruction each day. Every effort will be made to schedule common planning time within each six-day session for academic teams as well as individual teachers with their support teachers.
- This staff planning time will also be scheduled, as it is necessary to the success of our integrated project focus during the year.
- New teachers, teacher's assistants, and building substitute teachers shall be required to attend up to four days of orientation sessions prior to the opening of the school year.
- The school CAO may ask teachers, teacher's assistants, building substitute teachers, and office staff members to work over and above these hours. The CAO may choose at his/her discretion to award these hours as compensatory time.
- School Administrators may call before or after-school staff meetings. Every effort will be made to give prior notification of these meetings; honoring teachers need to schedule after-school activities.

Discipline and Safety

- It is the responsibility of every staff member to develop and maintain a safe learning environment for all students as per the school's Discipline Policy.
- The school staff will develop clear expectations for student behavior. The administration will distribute these expectations to parents and students, make them visible throughout the building, and adhere to them equitably.
- All staff members are responsible for modeling respectful, empathetic behavior and to engage in peaceful conflict resolution with students and whenever students are present.
- If a student's behavior is grossly unacceptable or persistently mildly unacceptable, the staff involved with the situation is responsible for informing the student's parents and the school administration.
- Every effort will be made to work with the school social worker, counselor, special education teacher when appropriate, and the family to help a child change undesirable behaviors.
- In the event that a student becomes a danger to himself or others, the school will work within the realms of the Safe School legislation and the school's discipline policy to keep classrooms, hallways,



bathrooms, cafeteria, and all other boundaries of the school – including community project areas - physically and emotionally safe for all students.

- Any student physically assaulting a staff member, stealing from a staff member, or vandalizing a staff member's property may not be readmitted to that staff member's care without the staff member's permission. Such permission may not be coerced. Our school's Discipline Policy and New York State's Safe School Legislation will be utilized in determining where and how the student will continue his education.

Evaluations

- Teachers with no teaching experience will be able to work with a Mentor Teacher. This relationship will continue until the Mentor teacher and the new teacher no longer feel it is needed.
- In the event that a Mentor Teacher feels that the new teacher is not meeting expectations, concrete suggestions for change must be provided along with mentoring to enable change. This is to be administered in a non-threatening setting that focuses on the positives within the teacher's practices while prioritizing needs for change.

Every effort will be made through our mentoring program to help teachers improve their skills. No teacher who is performing satisfactorily and working on prioritized items will be terminated at any time during the school year. However, teachers who are detrimental in the classroom (children are not emotionally or physically safe, or learning is not occurring) or who refuse to work on identified needs (teaching is marginally satisfactory, but stagnant) may be terminated after being given notice that work is not meeting school expectations and termination may occur. Time between notice of severity and finding cited improvement may vary, but in no instance will this time for improvement be less than four weeks unless the staff member's action have been proven to be detrimental to students or staff. This means that we reserve the right to terminate an employee who is not effective in the classroom. In most cases we will give the employee at least 4 weeks to make improvements. However, if there is something that is grossly inadequate and hinders the learning or teaching environment we may expect faster gains or we may terminate.

- Documented parental concerns for a particular teacher will be addressed through the Mentor Teacher, Assistant Academic Officer, CAO, or the Board of Trustees as needed.
- The above process shall be replicated for teacher's assistants with the following modifications: All new teacher assistants at Niagara Charter School will work with a Mentor. The Mentor shall meet with the new teacher assistants as needed to set goals and provide feedback. The Mentor will keep records of these meetings.
- The Operation Manager and office staff shall work with the Business Manager and CAO in a similar fashion.
- Instructional staff will have two formal observations and a minimum of two informal observations each school year. Observations will be conducted by the CAO or AAO and will use the Danielson's Framework for Teaching rubric.
- All evaluations, regardless of content, will be shared with school administration. The CAO has final say in firing of staff.
- If any staff member should be arrested, they will be placed on unpaid leave pending investigation.



Professional Development

All instructional staff members are required to participate in all professional development provided through the school year.

Afterschool Events

All instructional staff members will participate in afterschool events such as Exhibition nights, Open House, Student led conferences, parent-teacher conferences, and other school events as directed by the CAO.

Code of Conduct

Policy

Niagara Charter School has established certain rules and regulations regarding employee behavior that are necessary for efficient operation. Conduct that interferes with operations, bring discredit to NCS, or is offensive to families, visitors or fellow employees will not be tolerated.

Niagara Charter School may modify the provisions of this policy/procedure at any time with or without notice. The provisions of this policy do not constitute a contract of employment, nor is it a covenant. It is a guideline only and may be superseded when, in the opinion of the Administration of the Niagara Charter School, circumstances so require.

Procedure

- All employees are expected to conduct themselves in a professional manner conducive to the efficient operation of Niagara Charter School.
- Employees shall adhere to the organization's Code of Conduct Policy and understand that any violations of the policy may result in disciplinary action up to and including discharge.
- Rules set forth in this policy are not intended to be inclusive of all standards of job performance and personal conduct. Violations, such as those listed below, may result in disciplinary action up to and including discharge:
- Failure to report to work punctually as scheduled and being at the work station, ready for work, at the assigned starting time.
- Failure to personally notify your supervisor in advance when you will be absent from work or unable to report to work on time.
- Failure to comply with the school's safety and health regulations.
- Failure to wear clothing that is appropriate for the work being performed.
 - a. Clothing must not be too tight, low cut or revealing
 - b. Clothing must not have rips, tears, holes or frayed edges
 - c. No jeans, denim skirts or denim shirts
 - d. No overalls or cargo pants
 - e. No spandex or Lycra pants
 - f. No see through clothing items
 - g. Appropriate undergarments must be worn
 - h. No athletic shoes, thong-styled shoes, flip-flops, open toe or beach shoes. If open toe, shoe must have a sling-back.
 - i. No shorts
 - j. No sweat suits



- k. Physical education teachers and coaches may wear athletic shoes/clothing and T-shirts with sleeves when teaching or coaching
 - l. The CAO may allow and announce the use of athletic or casual wear during designated days
 - i. One day per month will be set aside for the staff to have a denim day for charity. The CAO must approve the date.
- Failure to perform assigned tasks efficiently.
 - Failure to maintain cleanliness and orderliness in the work place and the work area.
 - Behavior or conduct deemed to be offensive or undesirable.
 - Violation of any policy and/or procedure.
 - The possession, sale or use of illegal drugs, narcotics, or alcohol on Niagara Charter School's property or on Niagara Charter School's time or business.
 - Reporting to work under the influence of illegal drugs, narcotics or alcohol.
 - The use of profanity or abusive language.
 - Insubordination--the refusal by an employee to follow his/her supervisor's instructions concerning a job related matter.
 - The possession of firearms or other weapons on Niagara Charter School's property or on Niagara Charter School's time or business.
 - Theft or misuse of Niagara Charter School's property, a student's property or the property of any other employee.
 - Gambling on Niagara Charter School's property. Administration must approve, in advance, all charitable raffles and other forms of solicitation.
 - Assault, attempted assault or threats toward a fellow employee, student, or visitor.
 - Falsification of any Niagara Charter School record or report, such as, but not limited to, an application for employment, financial record, time card, student records, daily activity sheet, shipping or receiving record or claim for benefits.
 - Unauthorized use or possession of a computer or abuse of school or another's property or supplies.
 - Violation of the Niagara Charter School's harassment policy.
 - Misuse and/or disclosure of confidential information, including, but not limited to, protected student information or Niagara Charter School confidential proprietary information.
 - Failure to treat all students, visitors, coworkers and volunteers with respect and in accordance with the Niagara Charter School's values.
 - The foregoing examples are illustrative of the type of behavior that will not be permitted, but are not intended to be all-inclusive. Any question in connection with this policy should be directed to the Human Resource Department.
 - Teachers are also responsible for the following relative to this policy:
 - a. Uphold the values, ethics and mission of the organization and profession.
 - b. Conduct all personal and professional activities with honesty, integrity, respect, fairness and good faith in a manner that will reflect well upon the organization and the profession.
 - c. Comply with all laws pertaining to education.



- d. Maintain competence and proficiency in education.
- e. Refrain from participating in any activity that demeans the credibility and dignity of the organization and/or the profession.
- f. Maintain only professional relationships with direct reports and any other employee to avoid the potential for conflict of interest, perceived inequity or hostile work environment.
- g. Respect the customs and practices of students or others served, consistent with the organization's philosophy.
- h. Work to ensure a safe and healthy working environment that is free from harassment, discrimination or coercion of any kind and is conducive to proper utilization of employees' skills and abilities.
- i. Be truthful in all forms of professional and organizational communication, and avoid disseminating information that is false, misleading or deceptive.
- j. Work to ensure the existence of a process to evaluate the quality of performance.
- k. Avoid practicing or facilitating discrimination and institute safeguards to prevent discriminatory organizational practices.

Special Information

1. The type and severity of any disciplinary action taken as a result of a rule violation will depend on the individual circumstances and the employee's work record.
2. Contracted service employees are expected to follow the same guidelines for rules of conduct as Niagara Charter School employees.

Employee Health Benefits

- Dental, Life, and Health insurance benefits shall be contracted through an independent agent for eligible Niagara Charter School employees.
- Employees who waive health insurance coverage from Niagara Charter School will be paid waiver payment at the end of the school year. This amount may change from one school year to another, employees should check with the business manager at the start of the school year as to the amount of that year's health insurance waiver. Employees hired during the school year will have their waiver amount pro-rated. Any employee dismissed prior to the end of the school year will forfeit their insurance waiver payment.
- In the event that employees are needed part-time, or wish to job share, their benefits allotment will be pro-rated.

Basic Information for Teachers

Bulletin Boards and Hall Displays

Bulletin boards and hall displays are a vital and integral part of the atmosphere in our school. They give us the opportunity to recognize the excellent work of our students and demonstrate to them that they should be proud of the work that they have completed carefully and proficiently. It gives students a sense of pride to see their work displayed in the halls and it also shows parents and families current work samples that reflect the rigorous learning that takes place at Niagara. The bulletin boards are to be reflective of the Common Core Learning Standards.



Displays should be appealing to the eye and as professional looking as possible. A few basic hints for good displays:

- Mount students' work.
- Use sticky tack. Do not use tape or staples on the walls.
- Papers should be corrected / only final copies should be displayed.
- An explanation of the display should be posted.
- Color and balance should be considered.
- If something falls off, replace it so that the display is kept intact.
- Credit your classroom/yourself in some way.

NOTE: Teachers are responsible for the maintenance of their displays.

Mandatory Room Postings

- School Mission Statement
- Emergency Plans
- Fire drill instructions
- Your daily schedule
- Daily Learning Targets
- Bus schedule
- Sub folder to have available on your desk that contains detailed lesson plans of the day's activities.

Grading / Report Cards

- All teachers are expected to keep grade books and enter grades in the Power Teacher software on a regular basis. This information will be reflected in the Parent Portal and is the responsibility of teachers to be kept current.
- Each test or base for computing marks should be neatly and accurately identified in the grade book and entered into Power Teacher.
- All teachers should be able to answer parent questions about "fairness of grades" by using the grade book (also, portfolio, projects, etc.) and Power Teacher entries.
- Period marks must be reported in the grade book and Power Teacher
- There are *four* marking periods.
- All final grades for a marking period must be entered into Power Teacher by the date provided by the CAO.

Homeroom

This time is to be used for school / classroom organization (attendance, lunch count, etc.). Students must have various instructional opportunities available to them during this time.



Lesson Plans

Teachers will keep lesson plans for all subjects that are taught. Plans should be stated in behavioral terms and have a measurable assessment. All lessons should correlate to NYS Common Core standards and NCS curriculum, and Expeditionary Learning should be tied in to each grade level. A copy of your lesson plans should be handed in by the close of school every Thursday. This will be kept in the CAO's office.

Personal Property in School Building

Many people bring personal property to school for instructional purposes. All members of the staff are urged to exercise every precaution to prevent the loss of such items. Niagara Charter School cannot be responsible for the loss of personal property through theft, accident, negligence, or any other reason.

Accidents and Illnesses on School Premises

Accidents

- All accidents on school property shall be reported to the CAO immediately.
- As soon as a student who has suffered an accident has been properly cared for, an Accident Report is to be filled out and submitted to school administration. Special care should be taken to include names, addresses, phone numbers, and any pertinent information regarding witnesses, as well as a statement giving details of the accident.

Illnesses

- If a student becomes ill in school, send the child to the office with a Nurse's Referral (will be provided). The nurse will attend to the matter. However, if the nurse is not available, the office staff will handle the situation. *Note: For medication purposes only, if the nurse is not available, the CAO or AAO will provide students with their medication (as medication is kept in a locked area) and observe those students administer their own medication. If by chance a student needs medication administered, the student's parent or guardian will be required to come to the school and administer the medication. No member of the school staff is allowed to administer medication to students.*

Field Work

Educational field work constitute a valuable method of teaching and learning when conducted according to approved procedures. In conducting such work, the following policies should be followed:

- The work should relate to a definite educational objective, correlated to the curriculum.
- Teachers may plan and conduct such trips only with the authorization of CAO.
- Field trips must be scheduled by June 1 of the current school year.
- Methods of transportation for field trips must be approved by the CAO.
- Check(s) paying for expenses associated with the field trip, such as transportation, admission fees, etc. must be requested at least 1 week prior to the field trip. Total amounts are required to cut a check; no checks with blank amounts are allowed to leave the school.



- Pupils should be carefully prepared in advance, so that they may receive the maximum educational benefits from the trip.
- Each student must return the field trip permission slip (will be provided) signed by a parent/guardian or they will not be allowed to go on the field trip. **NO EXCEPTIONS!**
- Students must return from the field on school transportation. Parents who join the field trip will not be allowed to drive their children home directly from the field trip.

Field Work Budgets

Each level is given an annual field trip budget at the start of the school year. Budgets do not carry over from year to year, except for monies that the level raises through fund-raising. Field trip check requests must be submitted no later than June 1 of the current school year.

Walking Field Trips

- The Office must be notified whenever a teacher takes students out of the building.
- Teachers should have students take home a "Walking Field Trip" letter and permission slip (will be provided). A new slip must be signed for every field trip.

Fire Drills

This is to clarify procedures when the fire alarm is sounded. Please follow the same procedures that you would during a fire drill. Take your class out of the building as quickly and quietly as possible. *There are no false alarms!* If the fire alarm goes off, the building must be evacuated at once. A determination will be made as to whether there is a fire and where it exists. We will not take chances with the safety of our students and staff, even if it is inconvenient. Your cooperation is expected and appreciated.

Once the all-clear signal is given you may return to the building, but direction should only be taken from an administrator. You and your class will be asked to return to the building only after firemen have determined that no hazards exist.

Please help to keep students quiet and orderly while leaving and re-entering the building. It is important that students are quiet so that they may hear any instructions from their teacher. In case of a fire, your proscribed route of exit may be blocked. Remain calm, keep students quiet, and find an alternative means of exit. This will help insure everyone's safety.

Cafeteria Rules

- Enter and leave the dining hall in an organized manner with your own class.
- Teaching Assistants will supervise the grade levels.
- When you need to move about the dining hall area (going to the lavatory, getting a napkin, etc...) you should do so in a responsible manner (quiet voices, no running, etc...).
- All eating areas must be kept clean for the next group of students. Trash should be removed and thrown in the proper receptacles. Trash should also be picked up off the floor.



Teacher Classroom Budgets / Purchase Orders

- At the start of the school year, teachers will be given an annual classroom budget to spend on materials for their classroom. Classroom budgets do not carry over to the next school year. Check request for classroom budgets must be submitted no later than June 15 of the current school year.
- Any materials under \$100.00 or purchases under that amount...the teacher is to submit the receipt(s) to the Business Manager for reimbursement.
- If a teacher wishes to make a purchase of a single item or has a receipt(s) totaling more than \$100.00, the teacher must get approval from the CAO, and then submit it to the Business Manager for reimbursement.

ALL MATERIALS PURCHASED WITH CLASSROOM BUDGET MONEY (EXCEPT FOR CONSUMABLE SUPPLIES) ARE THE PROPERTY OF NIAGARA CHARTER SCHOOL

Procedures for Communicating Concerns (Teachers)

- Staff meetings will be held on a regular basis. They may also include representatives from our various partners and affiliate agencies.
- Any personal matters should be directed to the CAO, AAO or Business Manager.

Teachers' Role and Responsibility re: Student Dismissal

- Teachers will maintain a list of transportation arrangements for all of the students in their homeroom. This list should be posted in their classroom.
- Teachers shall instruct students on the procedures for:
 - a. Going to the bus
 - b. Waiting for the bus
 - c. Boarding the bus
 - d. Behavior while riding the bus
 - e. Exiting the bus
- Avoid scheduling outdoor activities immediately prior to dismissal.
- Do not give students food or toys to take with them on the bus.
- Develop a method for getting the children's work home safely. For example, rolling up papers in a tube, placing in bags, etc.
- When pinning something to a younger student, use safety pins.
- All students must be dismissed on time.
- All students must be escorted to the bus on time.
- No student should be dismissed early without the proper procedure being followed (see Family Handbook)



Student Records

Student records are to remain in the main office unless a teacher signs them out. You **must** sign them back in when you return them. IEPs and other confidential information should not be shared with any one unless there is a release form in the student's folder.

Textbooks

Students should be issued a textbook number upon entering your room. A textbook number will be assigned to each child in your room. You should receive a textbook list with your students name and number (homeroom# + 1,2,3...) on it. Please make sure the textbook assigned to the student has the correct number in it. Any damage done to books throughout the year should be brought to administration's attention. Students should not need to bring textbooks home unless they are making up work.

Smoking Policy for a Tobacco-Free School

Statement of Purpose

The Niagara Charter School recognizes the need to protect children and those serving them from the negative effects of secondhand smoke originating from burning tobacco and tobacco products. It is the aim of this smoking policy to discourage through positive example, the use of all tobacco products. Tobacco products have been identified by the Surgeon General of the United States as the number one health problem in our country. It is a remedial problem and one for which the Niagara Charter School and its employees will take responsibility.

Terminology

Smoking - any use of tobacco and /or tobacco products.

School Grounds - any building, structure, or surrounding outdoor area, including parking lots, walkways, athletic fields, contained within the legally defined property boundaries of the Niagara Charter School; and in any vehicles owned by same, or contracted to transport students.

Smoking Materials - includes, but is not limited to, tobacco products, holders and lighters.

Tobacco-Free Schools - schools having a policy, which prohibits the use of cigarettes, or any other tobacco products by student's staff, parents, visitors and vendors, in school buildings, in administrative offices, in bus garages, on school grounds, or at any school sponsored event.

Methodology

The Niagara Charter School maintains a TOBACCO FREE ENVIRONMENT and SMOKING IS PROHIBITED, WITHOUT EXCEPTION.

There is to be NO SMOKING:

- In school buildings
- On school grounds, to include doorways, parking lots, and in school or personal vehicles.



- On school buses or other school owned or contracted vehicles
- While away from the school building on a sanctioned field trip or sporting event
- While accompanying students in an official capacity

There is to be NO SMOKING in these places or at these times:

- Regardless of the immediate presence of students
- Regardless of school session or non-school session time

There are to be NO SMOKING MATERIALS brought into the school building by any student, nor displayed by any administrator, faculty, or staff member.

Enforcement

Enforcement will be effected through the Department of Health with assistance of employees of the Niagara Charter School. Individuals, student or staff, will be cited and fined by the Health Department.

Niagara Charter School will implement an enforcement policy regarding the monitoring of our building and its environment for our students. This refers specifically to monitoring the:

- Lavatories
- School buses
- Classrooms, corridors, stairways, cafeteria
- Auditorium
- Outside school property

Violators are to be reported to the main office or building supervisor and/or the Department of Health, on the county or state level, for discipline.

Penalties

VIOLATORS ARE SUBJECT TO A FINE OF \$1,000.00 PER DAY

Violations of this policy by staff members (defined as employees of the Niagara Charter School or its contractors) will be subject to review and disciplinary procedures as outlined in the personnel handbook. Further, the County or State Department of Health may levy fines.

Violations of this policy by students will be subject to disciplinary procedures outlined in the student (family) handbook. Further, the County or State Department of Health may levy fines to students/parents.

Maintenance of Public Order on School Property

The following rules shall govern the conduct of students, teachers, staff, licensees, invitees, and other persons, whether or not their presence is authorized, on all property or facilities operated under the auspices of the *Niagara Charter School*.



These rules and penalties are not to be considered exclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal, state or local law, rule, regulation or ordinance, or the imposition of a fine or penalty provided for therein. Additionally, these rules and regulations should not be construed to limit, but rather exist in conjunction with any other codes of conduct established for the school, such as a disciplinary code and/or a bill of student rights and responsibilities.

Prohibited Conduct

No person, either singly or in concert, shall:

- Willfully cause physical injury to any other person, or threaten to use force that would result in such injury.
- Physically restrain or detain any other person, or remove such person from any place where he or she is authorized to remain, except as necessary to maintain the established educational process.
- Willfully damage or destroy school property, nor remove or use such property without authorization.
- Without permission, express or implied, enter into any private office or classroom of an administrative officer, teacher, or staff member.
- Enter or remain in any building or facility for any purpose other than its authorized use or in such a manner as to obstruct its authorized use by others.
- Without authorization, remain in the building or facility after it is normally closed, nor without permission, enter any building or facility prior to its normal opening.
- Refuse to leave any building or facility after being required to do so by the head of the school or an authorized administrative officer or his or her designee.
- Willfully obstruct or interfere with the free movement of persons and vehicles.
- Deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures, and meetings or deliberately interfere with the freedom of any person to express his or her views, unless such disruption is necessary to maintain order of the educational process.
- Possess on school property any rifle, shotgun, pistol, revolver, knife, chain, club, or other weapon, whether or not the person has a license to possess such weapon. Further, it is the duty of the head of the school to inform the police of the presence or use of any such weapon or implements used as weapons on school property.
- Commit acts that threaten the safety and welfare of persons on school property.
- Violate any federal or state statute or regulation, local ordinance or school policy.
- Possess, use or distribute alcohol, drugs or drug paraphernalia.
- Harass or coerce any person.
- Refuse or fail to comply with a lawful order or direction of a school official in the performance of his or her duty.
- Distribute or post on school property any written material, pamphlets or posters without the prior approval from the head of the school.

Penalties and Enforcement

Penalties for violations of these rules include, but are not limited to:



- The withdrawal of authorization to remain upon school property.
- Ejection.
- Arrest.
- For students, suspension or other disciplinary action.
- For school employees, dismissal or other disciplinary action.

Staff members are required to report known violations of these rules to the head of school and to make reasonable efforts to stop the prohibited conduct, failure to do so may result in disciplinary action. The CAO is responsible for the enforcement of these rules.

Emergency Conditional Appointments

Upon the recommendation of the CAO, the Board may make an emergency conditional appointment when an unforeseen emergency vacancy has occurred. When such an appointment is made, the process for conditional appointment as enumerated above must also be initiated.

Emergency conditional appointment may commence prior to notification from the Commissioner of Education on conditional clearance but shall terminate twenty (20) business days from the date such appointment commences or when Niagara Charter School is notified by the Commissioner that conditional clearance is either granted or denied, whichever occurs earlier; however, if conditional clearance is granted, the appointment shall continue as a conditional appointment.

Prior to the commencement of such appointment, Niagara Charter School must obtain a signed statement for emergency conditional appointment from the prospective employee indicating whether, to the best of his/her knowledge; the prospective employee has a pending criminal charge or criminal conviction in any jurisdiction.

An unforeseen emergency vacancy shall be defined as:

- a. A vacancy that occurred less than ten (10) business days before the start of any school session including summer school, or during any school session including summer school, without sufficient notice to allow for clearance or conditional clearance (however, this provision shall not apply if the Board of Trustees finds that Niagara Charter School has been unable to fill the vacancy despite good faith efforts to fill the vacancy in a manner that would have allowed sufficient time for full clearance or conditional clearance); and
- b. When no other qualified person is available to fill the vacancy temporarily; and
- c. When the emergency conditional appointment is necessary to maintain services that Niagara Charter School is legally required to provide or services necessary to protect the health, education or safety of students or staff.

Freedom of Information Policy

The School will comply with the state's "Freedom of Information Law" (FOIL). When the School receives a request for information under FOIL, it shall be responded to in the following manner:



Procedure

- Within five business days of receipt of a written request, the school shall make the information available to the person requesting it, deny the request in writing, or provide a written acknowledgment of receipt of the request that supplies an approximate date, which shall be reasonable under the circumstances, for the request will be granted or denied.
- If the School determines to grant access to the requested information, and if circumstances prevent disclosure to the person making the request within twenty business days of the acknowledgment of receipt of the request, the School shall state, in writing, both the reason for the delay and a date certain, within a reasonable period of time, depending on the circumstances, when the request will be granted in whole or in part. Failure of the School to conform to the provisions of paragraph one above or this paragraph two, shall constitute a denial of the request for information.
- If an individual is denied access to a record, he or she may, within 30 days, appeal such denial to the CAO of the School or his or her designee.
- Upon timely receipt of such an appeal, the School shall, within 10 business days of the receipt of the appeal, fully explain the reasons for further denial or provide access to the record sought. The school also must forward a copy of the appeal, as its ultimate determination, to the Committee on Open Government.

Exceptions to disclosure

The School may deny access to a requested record for a variety of reasons, including, but not limited to that:

- Such access would constitute an unwarranted invasion of personal privacy;
- Such access would violate either state or federal law;
- Such records are compiled for law enforcement purpose; and,
- Such records are inter-agency or intra-agency materials, which are not statistical or factual tabulations of data; instructions to staff that affect the public, or a final policy.

Except for records specified in Public Officer Law 87(3), the School shall not be required to prepare any record which it does not maintain or have in possession.

Fees

To copy information, the School will charge the requesting party the greater of the statutory maximum or \$0.025 per page. Copying costs in excess of \$25.00 shall be paid in advance of making copies. Check and money orders will be accepted and should be made payable to Niagara Charter School.



APPENDIX A - SOCIAL NETWORKING POLICY

In light of the growing number of social networking and social media sites and the growing usage of the same, NCS believes it is in the best interests of NCS, and its teachers and staff to set out a policy concerning communicating or otherwise interacting with students or their parents/guardians through social networking or social media sites.

Teachers and staff are not permitted to engage in communications with or concerning students on social networking, social media sites, or instant messaging services including but not limited to Facebook, My Space, AOL Instant Messaging, Twitter, chat rooms, or any other similar sites or services that may exist now or in the future. Teachers and staff should not issue invitations to or accept invitations from NCS students or their parents/guardians to join social media sites or networks. For example, teachers and staff should not "friend" students or parents/guardians. Likewise, to the extent a teacher or staff member is currently a "friend" with or connected to one or more students or parents/guardians through social networking or social media sites, they should terminate those connections promptly. Teachers and staff are not permitted to use their personal e-mail addresses for the transmission of e-mails to or from students or their parents/guardians.

Teachers and staff should not access, or attempt to access, social networking or social media sites for the purpose of communicating with or obtaining information about NCS students, or their parents/guardians. Likewise, no information should be posted on such sites concerning students, as student information is considered private and confidential.

In the event a teacher or staff member believes it is in the best interests of an NCS student to access a social networking or social media site of any students or their parents/guardians, the teacher or staff member should immediately bring his or her concerns to the attention of the Chief Academic Officer so that an appropriate course of action may be determined by NCS

EXHIBIT 15: COMPLAINT PROCESSES

EXHIBIT 15: NIAGARA CHARTER SCHOOL COMPLAINT PROCESSES

The Niagara Charter School's Complaint Policy will remain in effect for the next charter renewal term.

Any individual or group may bring complaints to the Board of Trustees of the Niagara Charter School. Complaints are submitted in writing to the Board of Trustees at least one week prior to the next scheduled Board meeting. Complaints submitted later will be addressed at the subsequent meeting of the Board of Trustees. Emergency issues are dealt with on an as-needed basis, with the Board responding at or prior to its next regular public meeting. Every effort is made to respectfully address each matter to the satisfaction of the individual or group that presented the complaint. The Board, as necessary, may delegate the CAO or other responsible party to act upon the complaint and report to the Board. The Board of Trustees shall render a determination in writing.

In accordance with Education Law § 2855(4), if after presentation of such a complaint to the Board of Trustees, the individual or group determines that the Board has not adequately addressed the complaint, that individual or group may present the complaint in writing to the School's charter entity, the New York State Board of Regents through the State Education Department's Charter School Office, which shall investigate and respond. Written complaints may be sent to the Charter School Office at 89 Washington Avenue, Albany, New York 12234. The Board of Regents shall have the power and the duty to issue appropriate remedial orders to the Board of Trustees of the Charter School under their jurisdiction to effectuate the provisions applicable under Education Law.

EXHIBIT 16: TRANSPORTATION POLICY

EXHIBIT 16: NIAGARA CHARTER SCHOOL TRANSPORTATION POLICY

The Niagara Charter School Transportation Policy will remain in effect for the next charter renewal term.

Niagara Charter School students receive transportation services for which they are eligible under §2853(4) (b) and §3635 of the Education Law. Specifically, local school districts that provide yellow-bus service to students who reside beyond the statutory mileage limits and attend non-public schools also provides yellow-bus services to students who reside beyond the statutory mileage limits from the Niagara Charter School to the School.

Subject to annual approval and funding by the Board of Trustees, the Charter School may seek to provide transportation for any students enrolled in the School who are not eligible for transportation from his or her residence, such as, for example, students who reside within the Niagara Falls City School District. Niagara Charter School provides funding for transportation in these instances in the budget. The School may accomplish this by arranging provision of transportation with the school districts to provide such services to resident students attending the School as the districts would receive state transportation aid monies for this purpose. In the event the Charter School does not provide for transportation of ineligible students, the parents or guardians of such students will be responsible for providing for transportation. The Charter School is in session on days when the school districts of residence are not in session, and the School makes the necessary transportation arrangements. Funding is included in the School's budget for this purpose.

EXHIBIT 17: ENROLLMENT AND RETENTION POLICY

**EXHIBIT 17: NIAGARA CHARTER SCHOOL
ENROLLMENT AND RETENTION TARGETS PLAN**

Enrollment and Retention Targets Plan (Exhibit 17). Specifically, describe the means by which the School will meet or exceed enrollment and retention targets for Students with Disabilities, English Language Learners, and students who are eligible applicants for the free and reduced price lunch program. The description might include such recruitment strategies as outreach to parents in the community for whom English is not their primary language, to parents of Students with Disabilities, and to parents of students who would qualify for free or reduced-price lunch; enrollment set-asides the School might use to increase enrollment of targeted, at risk students; and methods for evaluating the efficacy of the School’s recruitment and enrollment efforts during the term of the charter. Retention target attainment strategies might include specific programmatic elements at the School that will assist in retaining the three target populations. Updated information about enrollment and retention targets can be found at: <http://www.p12.nysed.gov/psc/enrollment-retention-targets.html>

Grade-span	Free- and Reduced-Price Eligible Students		Limited English Proficient		Students with Disabilities	
	Unadjusted Target	YOUR SCHOOL	Unadjusted Target	YOUR SCHOOL	Unadjusted Target	YOUR SCHOOL
		Effective Target		Effective Target		Effective Target
K-1st	37.3%	32.0%	1.8%	0.6%	7.1%	4.8%
K-2nd	39.6%	35.3%	1.9%	0.2%	5.7%	5.2%
K-3rd	40.9%	36.5%	1.2%	0.3%	8.4%	6.2%
K-4th	41.4%	37.1%	1.1%	0.2%	8.4%	6.0%
K-5th	40.0%	36.4%	1.0%	0.2%	8.9%	6.3%
K-6th	41.4%	37.0%	1.1%	0.2%	9.5%	7.0%

The School has historically recruited and attracted students from the Niagara Falls City School District through a variety of strategies including:

- Mailings to residents of the school district of location and several surrounding districts;
- Posting flyers and notices in local newspapers, supermarkets, churches, community centers, and apartment complexes;
- Conducting Open Houses at public and private elementary schools, after-school programs and youth centers;
- Visiting local organizations in surrounding neighborhoods;
- Canvassing neighborhoods to further reach interested families.
- Posting recruitment information on website; and/or

- Sending recruitment information via e-mail to school supporters

The Niagara Charter School has undertaken various strategies to recruit student applicants. As a result, the School has met and exceeded its enrollment target for students who qualify for free or reduced price lunches. The School has also met and exceeded its enrollment target for Students with Disabilities in comparison to the district of location and the Niagara Falls City School District where the majority of the School's students reside. The School will expand its efforts to attract and retain students for whom English is not their primary language through the School's Community Liaison's recruitment efforts and visits to local organizations for non-English speaking students.