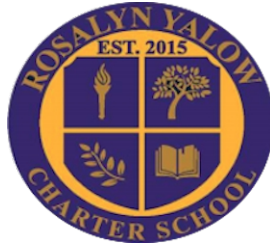


APPROVED



The Rosalyn Yalow Charter School

Minutes

Monthly Board Meeting

Date and Time

Tuesday March 21, 2023 at 6:30 PM

Location

4th floor cafeteria
Rosalyn Yalow Charter School
650 Grand Concourse, Bronx, NY 10451

Mission Statement

The Rosalyn Yalow Charter School will eliminate the learning achievement gap for economically disadvantaged urban children—including special needs students and English language learners—by using engaging and demanding education; a team teaching model, linking an experienced teacher with a licensed social worker in grades K-2 and with a teaching fellow in later grades; rich extracurricular activities (fencing, arts, chess) to educate the whole child; and family support counseling—all in order to graduate our students at or above grade level in literacy and math.

Vision

Yalow's goal: Developing the whole child, encouraging each young student to excel.

Trustees Present

B. Yalow (remote), I. Lee (remote), M. Balbuena (remote), R. Lyon (remote), S. Hayes

Trustees Absent

G. Feliciano, L. Howard

Guests Present

A. Diacou, K. Smaw

I. Opening Items

A. Record Attendance and Guests

B.

Call the Meeting to Order

B. Yalow made a motion to call the meeting to order at 6:42 p.m.
S. Hayes seconded the motion.
The board **VOTED** unanimously to approve the motion.

II. Executive Director Report

A. Extraordinary unapproved Board expenditures

A. Diacou mentioned that it's come to his attention that the board had spent \$112,000 on investigations which were not budgeted and that he could not find any documentation that any of these expenditures had been approved by the board.

M. Balbuena asked the finance committee to pay Deloitte Transactions and Business Analytics LLC \$39,000. Subsequently he reported that, to date, Deloitte is owed \$69,000, of which \$30,000 was paid to Deloitte as an initial retainer on October 6, 2022, leaving a current balance due Deloitte of \$39,000.

On Saturday, March 18, 2023, M. Balbuena provided A. Diacou with a contract dated May 31, 2022, among Paul T. O'Neil, Esq. of Barton Gilman LLP, and Miguel Balbuena, Yalow's board chairman, and Deloitte Transactions, and signed June 1, 2022. The written contract does not cap fees paid to Deloitte. There is no record that this contract was approved by Yalow's board in either May 2022 or June 2022, which is a violation of Yalow's Financial Policies and Procedures (FPP).

B. Yalow noted that although the written contract is a violation of the Yalow's FPP, it was signed by the school's board chairman and will be considered a valid debt under law. As such, the school is obligated to pay Deloitte, irrespective of how the board handles the violation of its financial policies and procedures.

M. Balbuena stated that he will ask Deloitte for a detailed invoice of their hourly work. B. Yalow noted that any time Deloitte spends detailing its work will be billable time under the contract, but agreed that the school has a right to know how Deloitte spent the school's money.

B. 2023 Charter Renewal Application

Yalow's Board needs to make final decisions applicable to the 2023 Charter Renewal Application, including:

- does the board intend to expand the school to 6th, 7th, and 8th grade?
- If so, where will the expansion grades be located and how will an expansion be financed?
- will the board expand itself?
- who will write the charter renewal application?

C. Replacement of CHHS electrical switches

No cost update. Completion date for replacement of Hayes electric switches not yet available.

- electrical contractor bid specifications sheet being prepared by Lecce Engineering is 80% complete (see attached).

- Yalow working cost estimate remains \$1.5 million until contractor bidding is complete.
- no decision on whether or not CHHS will order switches prior to selection of new electrical contractor

Minor progress with respect to Archdiocese approval to install rooftop dunnage to support 11 HVAC compressor units. Archdiocese is considering raising the parapet roof deck, which will require installation of guardrails. Once the roof deck decision is finalized, installation dunnage can proceed.

- field engineer roof inspection scheduled for March 22, 2023

D. 55th Annual NYS Scholastic Chess Championships

26 of Yalow's k-5 students competed in the 2023 NYS Scholastic Chess Championships in Saratoga, NY, over the March 10-12 weekend. Result for the 3 Yalow teams follow:

- *K-5 Under 1000 team* tied for 9th place
- *K-5 Under 600 team* placed 10th in a 4-way tie
- *K-1 Under 400 team* tied for 9th place

E. 2023 Lottery

The 2023 Yalow lottery will be scheduled for Monday, April 3, 2023. Applications received by midnight April 1 will be included in the lottery, although rolling admissions will continue throughout the spring and summer to fill open k-2 seats.

New student requirements for 2023-2024:

March 17, 2023 enrollment: 442
5th-grade graduates: (73)
Starting point 6/30/23: 369
10.7% summer attrition: (39)

**resulting enrollment after
summer student attrition: 330**

New student enrollment targets for 2023-2024:

- 112 new students to breakeven at 442
- 206 new students to reach charter maximum 536

Approx. 145 new students enrolled in Yalow by September 2023.

F. Update: Philadelphia Indemnity Insurance Company civil claim

On October 14, 2022, Philadelphia Indemnity filed civil suit asking for \$750,000 restitution for its portion of a mediation settlement with Curtis Nash agreed to on November 23, 2021, on behalf of Walker Memorial Baptist Church, Philadelphia's insured.

Munich Re, Yalow's excess liability insurance policy carrier appointed Lewis Johs Avallone Aviles, LLP to protect the interest of Rosalyn Yalow in this **new** federal action.

March 16, 2023 Consent to Change Attorney attached.

G.

50 CAN/Summer Boost 2023 (Bloomberg Grant)

- Yalow is submitting a grant for the 2023 Summer Boost program, due Wednesday, March 22, 2023. The school is applying for \$120,000 to support 60 students between July 5–August 1, 2023.
- If approved, Yalow will receive 70% (\$84,000) by June 30. The balance of \$36,000 will be received by September 30, after confirmation that Yalow's students had average daily participation of 70%.

Staffing a larger program isn't practical. Teachers are given the month of July for vacation. Yalow's one-month *Summer Teacher Workshop* begins on August 1. Very few teachers are willing to forgo a vacation prior to returning to school on August 1.

III. Principal report

A. Year-to-date attendance 2022–2023 (through March 16, 2023)

First day of school was September 6, 2022.

Average attendance rate: 90.3%

Perfect attendance: 24 students (5.4%)

School-wide Chronic Absentees: 170 of 446 students (38.4%)

Chronic Absentees by Grade:

- Kindergarten: 41 students out of 73 (56.2%)
- 1st grade: 28 students out of 77 (36.4%)
- 2nd grade: 34 students out of 84 (40.5%)
- 3rd grade: 19 students out of 73 (26.0%)
- 4th grade: 27 student out of 63 (42.9%)
- 5th grade: 21 students out of 73 (28.7%)

	Week 14					Week 15				
	12/12	12/13	12/14	12/15	12/16 !!	12/19	12/20	12/21	12/22	12/23
Attendance:	385	398	354	403	NA !!	388	396	352	378	324
	Week 16					Week 17				
	1/2	1/3	1/4	1/5	1/6 !!	1/9	1/10	1/11	1/12	1/13
Attendance:	NA	369	388	413	399 !!	406	422	384	403	NA
	Week 18					Week 19				
	1/16	1/17	1/18	1/19	1/20 !!	1/23	1/24	1/25	1/26	1/27
Attendance:	NA	400	378	395	395 !!	391	415	375	407	397
	1/30	1/31	2/1	2/2	2/3 !!	2/6	2/7	2/8	2/9	2/10
Attendance:	399	394	381	417	NA !!	408	423	382	409	384
	Week 22					Week 23				
	2/13	2/14	2/15	2/16	2/17 !!	2/19	2/20	2/21	2/22	2/23
Attendance:	394	416	372	409	384 !!	- - - WINTER BREAK - - -				
	Week 24					Week 25				
	2/27	2/28	3/1	3/2	3/3 !!	3/6	3/7	3/8	3/9	3/10
Attendance:	398	365	380	410	410 !!	426	423	376	412	405

Snow										
Week 26					Week 27					
	3/13	3/14	3/15	3/16	3/17 !!	3/20	3/21	3/22	3/23	3/24
Attendance:	396	398	352	402	NA !!					

B. Cycle 2 STEP Literacy reading scores

As stated at the February board meeting, student literacy outcomes, as measured by STEP Literacy Assessments, are very encouraging:

- As of STEP Cycle 2, the school has the lowest percentage of K-2 students reading below grade level going back to 2018–2019—4 years.
- 33.5% of students are meeting or exceeding grade level benchmarks for Cycle 2 (increase in overall student performance, from 17.5%).
- Kindergarten students who are below target were struggling primarily with onset-rime and independently practicing concepts about print.
- 1st graders who are below target struggled with phonemic awareness (segmentation), accuracy, letter-sound identification, and reading rate.
- Below target 2nd graders struggle with phonemic awareness (segmentation), accuracy, comprehension, and reading rate.
- Large numbers of 3rd-4th graders are at levels DNA 9, 10, and 11 with retelling and comprehension (silent and written) being the main challenges, as well as a need to work on improving their reading rate.
- 4th and 5th grade students are challenged with comprehension with multiple characters and subplots, and are working on inferring nonfiction texts, understanding author’s craft and understanding key concepts, including in written responses.

Grade-by-grade STEP assessment report attached, including progress reports for special education students.

IV. Finance report

A. FY2022–2023 cash forecast

March 15, 2023 cash balances: \$7,816,871

June 30, 2023 forecast : \$5,057,552 (after monthly operating expenses, estimated construction costs, and title grants)

- Current enrollment of 442 students.
- 2023–2024 budget will be available for board review in April.

The school will have sufficient cash for 2023–2024. Year-end June 30, 2024 cash forecasts depend on assumptions for enrollment (between 440 and 536), inflation, and final costs for the new electrical switch project.

V. Approve Board Minutes

A. October 25, 2022 Board Minutes

M. Balbuena made a motion to approve October 25, 2022, November 15, 2022, December 20, 2022, and February 21, 2023 board minutes.

S. Hayes objected to approval of the February 2022 board minutes, and requested that changes be made prior to approval. The written Board minutes do not reflect that 1) B. Yalow

mentions the achievements of school leadership; 2) R. Lyon made suggestions about altering the current structure of the Board chairmanship; and, 3) S. Hayes noted two unfortunate incidents in which the principal was disparaged by members of the Board. First, it was suggested that principal Smaw resign; Second a letter was sent to the NYSED on November 7, stating that she missed a meeting of the education committee while she was in a hospital emergency room tending to her husband.

R. Lyon stated that he was responding to the Board Chairman's request for Board member comments about the school's charter renewal application. He noted that the Board chairman's contributions had been substantial, but that the Board had not been doing the things that it should be doing and should consider changing the Board's leadership or changing the Board in its entirety. The Board has been focusing on the wrong things, and these comments should be reflected in the February 21, 2023 minutes.

M. Balbuena said that he would not be discussing himself in front of school employees. The Board can discuss this in executive session.

M. Balbuena made a motion to approve the minutes from Rescheduled October Board Meeting on 10-25-22.

R. Lyon seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

S. Hayes	No
M. Balbuena	Aye
G. Feliciano	Absent
I. Lee	Aye
R. Lyon	Aye
L. Howard	Absent
B. Yalow	Aye

B. November 15, 2022 Board Minutes

M. Balbuena made a motion to approve the minutes from Monthly Board Meeting on 11-15-22.

R. Lyon seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

I. Lee	Aye
M. Balbuena	Aye
B. Yalow	Aye
R. Lyon	Aye
L. Howard	Absent
G. Feliciano	Absent
S. Hayes	No

C. December 20, 2022 Board Meeting

M. Balbuena made a motion to approve the minutes from Monthly Board Meeting on 12-20-22.

R. Lyon seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

G. Feliciano	Absent
R. Lyon	Aye
L. Howard	Absent
M. Balbuena	Aye
S. Hayes	No
I. Lee	Aye
B. Yalow	Aye

D.

February 21, 2023 Board Meeting

M. Balbuena asked to postpone approval of the February minutes until L. Howard is available to comment.

S. Hayes asked to amend the minutes as submitted.

G. Feliciano asked that S.Hayes send the suggested amendments to the full Board for review.

VI. New Business

A. Motion for Principal Smaw to recommend potential new board members

B. Yalow stated that Principal Smaw is the school's superstar, and that the board should do everything it can to support her efforts. To that end, B. Yalow called for at the following motion to be voted on:

B. Yalow made a motion to recommend that the principal, should she choose, provide recommendations of potential new board members.

R. Lyon seconded the motion.

B. Yalow stated that the key to the school's academics has been the principal, and she has done an exemplary job in an absolutely miserable environment (COVID, shutdowns, etc.). Rather than the personnel committee going out to look for board candidates, the board should ask the principal to find people that she thinks will work well promoting the things that have made our school a success. After doing appropriate due diligence as a Board member, he was inclined to vote in favor of anyone the principal recommends—and who passes due diligence—and likely to vote against anyone who doesn't come with a recommendation from the principal. The principal needs to feel confident that the Board will support the kinds of actions that she has brought to the school and turned it into the academic success that it has been. The principal has the right to recommend, as does anyone regardless of who they are. I suspect that following her recommendations will produce an outstanding slate of board candidates.

The board **VOTED** to approve the motion.

Roll Call

R. Lyon	Aye
B. Yalow	Aye
M. Balbuena	Abstain
L. Howard	Absent
I. Lee	Aye
S. Hayes	Aye
G. Feliciano	Absent

B. S. Hayes request for Board documents

- S. Hayes asked what is the status of the Board's corrective action plan (CAP) requested by NYSED on October 12, 2021.

M. Balbuena said that the CAP is waiting on the the Deloitte audit report on building construction costs to be completed.

- S. Hayes requested a copy of the CAP, as currently drafted.

M. Balbuena said it would be on the April agenda when L. Howard is available. He has been on weekly conversations with NYSED discussing the CAP.

VII. Closing Items

A. Adjourn Meeting

M. Balbuena made a motion to end the meeting.

R. Lyon seconded the motion.

The board **VOTED** unanimously to approve the motion.

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 8:08 AM.

Respectfully Submitted,

A. Diacou

Documents used during the meeting

- Board Memo 3.8.23.pdf
- CH 80% REVIEW ELEC 3-12-23.pdf
- 2023 NYS Scholastic Chess Results .pdf
- NASH 23.03.13 PARTIALLY EXECUTED CONSENT TO CHANGE ATTORNEY.pdf
- Special Daily Attendance Report 03-14 - Google Docs.pdf
- Chronic Absentees.png
- Perfect Attendance.png
- Avg. Attendance.png
- 2022-23 Rosalyn Yalow_Cycle 2 Data Summary Report (1).pdf
- Cash Flow Forecast_031523.pdf