MEMORANDUM

February 11, 2020

To: Members of the Charter Schools Committee

From: Joseph W. Belluck, Chair, Charter Schools Committee

Subject: Approval of the Application for Charter Renewal of Democracy Prep New York Charter Schools and Its Authority to Operate Bronx Preparatory Charter School (Bronx)

Action Requested

The proposed resolution authorizes: 1) the approval of a five year charter renewal for Democracy Prep New York Charter Schools, a charter school education corporation with authority to operate more than one school; and, 2) renewal of the Education Corporation’s authority to operate one of its schools, Bronx Preparatory Charter School, for a full term of five years, both pursuant to New York Education Law § 2851(4).

Resolution

I recommend that the Charter Schools Committee adopt the following resolution:

Whereas the Board of Trustees has granted Democracy Prep New York Charter Schools (the “Education Corporation”) the authority to operate more than one school including Bronx Preparatory Charter School (the “School”), which is located in the Bronx; and

Whereas the Education Corporation has requested: 1) renewal of its charter; and, 2) renewal of the authority to operate the School, both for full terms of five years pursuant to Subdivision 2851(4); and
Whereas the Charter Schools Committee, acting on behalf of the Board of Trustees, as required by Subdivision 2851(4)(e), has considered, prior to approval of the application for charter renewal and application to renew the authority to operate the School, the means by which the School, and the other schools operated by the Education Corporation, will meet or exceed the enrollment and retention targets of students with disabilities, English language learners, and students who are eligible applicants for the federal Free and Reduced Price Lunch program as set forth inter alia in the School’s renewal application, which targets were prescribed by the State University of New York Charter Schools Institute (the “Institute”) on behalf of the Board of Trustees; now, therefore, be it

Resolved that the Education Corporation’s application for charter renewal, be, and hereby is, approved and its charter be, and hereby is, renewed for a full term of five years through and including June 30, 2025; and, be it further

Resolved that the Education Corporation’s application for renewal of the authority to operate the School for an additional five years be, and hereby is, approved; and, be it further

Resolved that: 1) the Education Corporation’s schools as described in its application for charter renewal including the School, meet the requirements of the New York Charter Schools Act of 1998 (as amended) and applicable laws, rules and regulations; 2) the Education Corporation can demonstrate the ability to operate its schools including the School in an educationally and fiscally sound manner; 3) approval of both the application for charter renewal, and the application to renew the Education Corporation’s authority to operate the School, is likely to improve student learning and achievement and materially further the purposes set out in Education Law § 2850(2); and, be it further
Resolved that the Institute, acting for the Board of Trustees, be, and hereby is, directed to: 1) enter into a proposed renewal charter with the Education Corporation in accordance with this resolution, which proposed charter shall include such assurances and terms as the Institute shall deem necessary and appropriate; and, 2) thereafter to submit the proposed charter to the New York State Board of Regents for its review, comment and potential approval.

Background

The New York Charter Schools Act of 1998 (as amended) permits the Board of Trustees to renew and revise the charters of education corporations it has authorized, and to renew such corporations’ authority to operate charter schools. Pursuant to Resolution No. 2012-038 dated June 12, 2012, the Board of Trustees delegated authority to renew and revise charters to the Charter Schools Committee.

Pursuant to the Policies for the Renewal of Not-for-Profit Charter School Education Corporations and Charter Schools Authorized by the Board of Trustees of the State University of New York (the “SUNY Renewal Policies”) (last amended September 4, 2013 and available at: http://www.newyorkcharters.org/category/operational-resources/renewal/), the SUNY Charter Schools Institute (the “Institute”) typically conducts a renewal site visit; reviews the information in the renewal application as well as other relevant information, such as assessment data and site visit reports; interviews education corporation trustees and staff; and produces a draft renewal report containing its findings and preliminary recommendation. The draft renewal report also contains an evaluation of the performance of an education corporation’s school over the charter term based on the criteria provided in the renewal benchmarks described in the SUNY Renewal Policies. The education corporation receives a copy of the draft renewal report and is given an opportunity to comment on it before it is finalized. The Institute makes final renewal reports available in its Albany office and at: http://www.suny.edu/about/leadership/board-of-trustees/meetings/meetingNotices.cfm. Copies of applications for charter renewal are on file in the Albany office of the Institute.

As set forth in the Institute’s Renewal Report for Bronx Preparatory Charter School (the “School”), which was distributed to the Board of Trustees, the Institute, pursuant to the SUNY Renewal Policies, conducted a renewal review of the School, which is operated by Democracy Prep New York Charter Schools (the “Education Corporation”). As a result of this review and a review of the other schools the Education Corporation is permitted to operate, the Institute
recommends that the Education Corporation’s applications for charter renewal and to extend its authority to operate the School be granted for a full term of five years without conditions. If this resolution is approved, the Education Corporation’s charter and authority to operate the School will be renewed through June 30, 2025.

For the school and education corporation listed above, the Institute properly notified the school district in which the education corporation and the school is located regarding the receipt of an application for charter renewal and for renewal of authority to operate the school. As of February 3, 2020 no comments were received.