



MEMORANDUM

February 24, 2021

To: Members of the Charter Schools Committee

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

Subject: Approval of the Application for Renewal of Authority to Operate Capital Preparatory Harlem Charter School (Manhattan)

Action Requested

The proposed resolution authorizes the renewal of the authority of Capital Prep Charter Schools NY, a charter school education corporation with authority to operate more than one school, to operate one of its schools, Capital Preparatory Harlem Charter School, for a full term of five years with conditions pursuant to New York Education Law § 2851(4). If the charter school does not meet certain academic conditions, it will not be able to apply for renewal at the end of the charter term.

Resolution

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

Whereas the Board of Trustees has granted Capital Prep Charter Schools NY (the "Education Corporation") the authority to operate more than one school including Capital Preparatory Harlem Charter School (the "School"), which is located in Manhattan; and

Whereas the Education Corporation requested renewal of the authority to operate the School for a full term 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 to renew the authority to operate the School, the means by which the School 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 in the 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 renewal of the authority to operate the School, be, and hereby is, approved to the extent, and as limited and restricted herein, for a full term through and including June 30, 2026 subject to the following conditions:

- By the end of the 2024-25 school year, the School must meet targets on certain student performance measures to be set forth in the accountability plan for the School in the renewal charter agreement, and agreed upon by the Education Corporation and the Institute (the "Academic Conditions");
- If the School fulfills the Academic Conditions, and otherwise meets the requirements of renewal as set forth in the SUNY renewal policies in effect at the time, the Education Corporation shall be eligible to apply for renewal of the authority to operate the School;
- if the School does not meet the Academic Conditions, the Education Corporation shall not be eligible to apply for any type of renewal and its authority to operate the School shall not be renewed;

and, be it further

Resolved that: 1) the School, as described in the Education Corporation's application for renewal of authority to operate the School meets the requirements of the New York Charter Schools Act of 1998 (as amended) and applicable laws, rules, and regulations; 2) the Education Corporation, as limited and restricted, can demonstrate the ability to operate the School

in an educationally and fiscally sound manner; and, 3) so approving the application to renew the 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, on behalf of the Board of Trustees, be, and hereby is, directed to: 1) enter into a proposed charter revision with the Education Corporation in accordance with this resolution, which shall include such assurances and terms as the Institute shall deem necessary and appropriate; 2) thereafter, submit the proposed revision to the New York State Board of Regents for review, comment, and potential approval; and, 3) report to the Charter Schools Committee the measures and targets comprising the Academic Conditions.

Background

The New York Charter Schools Act of 1998 (as amended) permits the Board of Trustees to renew 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 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: <https://www.newyorkcharters.org/wp-content/uploads/SUNY-Renewal-Policies.pdf>), the SUNY Charter Schools Institute (the "Institute") generally 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 Capital Preparatory Harlem 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 Capital Prep Charter Schools NY (the "Education Corporation"). As a result of this review, the Institute recommends that the Education Corporation's application to extend its authority to operate the School be granted for a full term of five years with conditions in order to apply for renewal of authority to operate the School as stated herein. If this resolution is approved, the Education Corporation's authority to operate the School will be renewed through June 30, 2026 to the extent and as limited and restricted by the terms as approved herein.

For the school listed above, the Institute properly notified the school district in which the school is located regarding the receipt of an application to renew the above education corporation's authority to operate the school. As of February 16, 2021, no comments were received.