



## **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 Charter Renewal of New York City Charter School of the Arts (Manhattan)**

### **Action Requested**

The proposed resolution authorizes the approval of a five-year, full-term charter renewal with conditions for New York City Charter School of the Arts 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 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 of New York City Charter School of the Arts (the "Education Corporation"), located in Manhattan, the means by which 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 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 charter renewal, be, and hereby is, approved to the extent, and as limited and restricted herein, for a full term through and including July 31, 2026 subject to the following conditions:

- By the end of the 2024-25 school year, the Education Corporation must meet targets on certain student performance measures to be set forth in the accountability plan in the renewal charter agreement (the "Accountability Plan"), and agreed upon by the Education Corporation and the Institute (the "Academic Conditions");
  - As an additional Academic Condition, the Education Corporation must meet a certain percentage of its additional measures related to the arts program; such measures and the target to be set forth in the Accountability Plan;
- If the Education Corporation 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;
- if the Education Corporation does not meet the Academic Conditions, it shall not be eligible to apply for any type of renewal and its charter shall not be renewed;

and, be it further

Resolved that: 1) the Education Corporation's school as described in its application for charter renewal 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 renewal application and renewing the charter 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; 2) thereafter, submit the proposed charter to the New York State Board of Regents for its 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 New York City Charter School of the Arts (the "Education Corporation"), which was distributed to the Board of Trustees, the Institute conducted a renewal review of the Education Corporation pursuant to the SUNY Renewal Policies. As a result of this review, the Institute recommends that the Education Corporation's application for

subsequent charter renewal be granted with conditions in order for the Education Corporation to be eligible to apply for renewal. If this resolution is approved, the Education Corporation's charter will be renewed through July 31, 2026 to the extent and as limited and restricted by the conditions as approved herein.

For the education corporation listed above, the Institute properly notified the school district in which the education corporation is located regarding the receipt of an application for charter renewal. As of February 16, 2021, the Institute received no comments.