M E M O R A N D U M

March 10, 2020

To: Members of the Charter Schools Committee

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

Subject: Denial of the Application for Charter Renewal of Heketi Community Charter School (Bronx)

Action Requested

The proposed resolution denies the application for charter renewal of Heketi Community Charter School education corporation pursuant to New York Education Law §§ 2851(4) and 2852(3), (6), which will result in the closure of its school at the end of the current school year.

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, has considered prior to denial of the application for charter renewal of Heketi Community Charter School (the “Education Corporation”), located in the Bronx, the following:

- the renewal report of the State University of New York Charter Schools Institute (the “Institute Renewal Report”) that was provided to the Board of Trustees;
- the petition of the Education Corporation made in opposition to the Institute’s non-renewal recommendation (the “Petition”);
- the Institute’s response thereto; and,
the totality of the materials, arguments and evidence presented by the Education Corporation and the Institute at a hearing held by the Committee on March 10, 2020 in accordance with 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 "Hearing");

(copies of written materials referenced above on file in the Albany office of the Institute); now, therefore, be it

Resolved that the Education Corporation’s application for charter renewal, be, and hereby is, denied for reasons set forth in the Institute’s Renewal Report, the Institute’s response to the Petition, and the materials and argument presented by the Institute at the Hearing; and, be it further

Resolved that the Institute, acting for the Board of Trustees, be, and hereby is, directed to: 1) take steps necessary and appropriate to close the Education Corporation’s school at the end of the current school year, which closure shall occur prior to any summer school program; 2) terminate its charter; and, 3) assist the Education Corporation and the New York State Board of Regents in the dissolution of the Education Corporation and/or the revocation of its provisional charter.

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. Per Subdivision 2851(4), renewal is permissive (“may renew”), and Subdivision 2852(6) requires SUNY’s denial of an application to be in writing. Pursuant to Resolution No. 2012-038, dated June 12, 2012, the Board of Trustees delegated authority to renew or deny charter renewals 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 Heketi Community Charter School (the “Education Corporation”), which was distributed to the Board of Trustees, the Institute, pursuant to the SUNY Renewal Policies, conducted a renewal review of the Education Corporation including two renewal site visits. As a result of this review, the Institute recommends that the Education Corporation’s application for subsequent charter renewal be denied.

When the Institute’s preliminary recommendation is non-renewal, the education corporation is provided an opportunity to have Institute staff come to the school to hear a presentation by the education corporation’s board of trustees, school leadership, staff, parents and/or the school community at large regarding why the education corporation’s charter should be renewed. In this case, the Education Corporation requested such an opportunity, and the Institute attended a presentation at the school on January 28, 2020. Thereafter, if the Institute’s recommendation to the Charter Schools Committee remains non-renewal, the education corporation may petition the Committee directly, which the Education Corporation did on March 10, 2020.

The Board of Trustees approved a charter for the Education Corporation in September 2010. The Board of Trustees approved a short-term renewal of three years for the Education Corporation in March 2017 with the charter expiring on July 31, 2020. If this resolution is approved, the Education Corporation’s school will close at the end of the current school year and will not provide summer instruction.

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 March 2, 2020, no comments were received.