



# Charter Schools Institute

*The State University of New York*

June 20, 2011

## MEMORANDUM

**To: Prospective New Charter School Applicants  
Mr. William Phillips, President, New York State Charter Schools Association**

**From: Susan Miller Barker, Charter Schools Institute Interim Executive Director**

**Subject: Limited call for applications for SUNY charters from the July 2007 Charter Schools Act allocation**

The Charter Schools Institute will issue a special, limited, call for new charter school applications at the end of June/beginning of July.

Specifically, the SUNY Trustees have six remaining charters to award from the Charter Schools Act allocation it received in July 2007, which do not have to be issued through the new Request for Proposal (RFP) process otherwise required by the New York Charter Schools Act (as amended). These charters allow greater flexibility in terms of facilities and school management and operations. For example, schools receiving a 2007 charter could build a facility to meet state and local building codes, rather than having the plans and specifications approved and the certificate of occupancy issued by the State Education Department as required by the May 2010 Act amendments. These schools could also opt to contract with a for-profit entity to manage the delivery of educational services.

Through this call for applications the Institute is expressly seeking to increase the number of high quality charter school seats in areas of the state currently underserved by charter schools. The Institute is seeking applicants who wish to site schools outside of New York City where the lack of facility funds for charter schools and few if any opportunities to share under-utilized district space make meeting the facility requirements of the May 2010 Act amendments a considerable barrier to opening a charter school.

The mandatory eligibility criteria SUNY has set for these charters focus heavily on schools that would benefit most from the added flexibility these charters provide:

- Applicants must seek to establish a charter school outside of New York City;
- Applicants must seek to establish a charter school *outside* of one of the school districts where 5% or more of the student population attends charter schools. These districts currently include: Albany, Buffalo, Hempstead, Lackawanna, Roosevelt, and Troy;

- Applicants must demonstrate that: 1) the specific facility plans for the school would not meet the specifications in the amendments to the Act and meeting the specification would make the school fiscally unsound or unable to open; *or* 2) would not otherwise qualify to apply for a charter pursuant to Education Law §2852(9-a); and
- The Institute must find that the proposed school would significantly benefit from the flexibility provided by a 2007 charter that would be awarded through the currently proposed process.

The Institute will apply its rigorous review policies and practices to the consideration of these applications.

The application itself will follow along the lines of that issued by SUNY for its *January 2011 Request for Proposals to Establish New York Charter Schools*, which is posted on the Institute's website at: <http://www.newyorkcharters.org/openAppKit.htm>, and contain some but not all of the provisions required by the §2852(9-a) charter application process. For example, a demonstration of community outreach would be required. And in the event that the Institute determines that more charters were sufficiently strong to merit a positive recommendation than charters being made available, it would apply the §2852(9-a) preference scoring criteria to those applications to determine which would ultimately be recommended to the SUNY Trustees for approval.

The Institute's proposed timeline will ultimately permit a successful applicant to open a proposed school in the fall of 2012, with the call for applications at the end of June/early July and the recommendation of any successful applicants to the SUNY Trustees in September or November of 2011.

Please do not hesitate to contact me with any questions or for additional information. We would appreciate your sharing the details above with all interested individuals.

Copy: Sally Bachofer, NYS Education Department  
Cliff Chuang, NYS Education Department  
Recy Dunn, New York City Department of Education  
James Merriman, New York City Charter School Center