



## **MEMORANDUM**

**December 9, 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 Brownsville Ascend Charter School (Brooklyn)**

### **Action Requested**

The proposed resolution, pursuant to New York Education Law § 2851(4), authorizes the renewal of the authority of Ascend Charter Schools, a not-for-profit charter school education corporation, to operate one of its charters, Brownsville Ascend Charter School, for a term of two years to align its charter term with other charters under the authority of the education corporation.

### **Resolution**

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

Whereas the Board of Trustees has granted Ascend Charter Schools (the "Education Corporation") the authority to operate more than one charter including Brownsville Ascend Charter School (the "School"); and

Whereas the State University of New York Charter Schools Institute (the "Institute") asked the Education Corporation to request renewal of the authority to operate the School for a term of two years rather than five, pursuant to Subdivision 2851(4), in order to align the expiration dates of the Education Corporation's charters; 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 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 through and including July 31, 2024; 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 can demonstrate the ability to operate the School in an educationally and fiscally sound manner; and, 3) 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; and, 2) thereafter, submit the proposed revision to the New York State Board of Regents for review, comment, and potential approval.

## **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 charters. 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 charter 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 Brownsville Ascend 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 Ascend Charter Schools (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 term of approximately two years without conditions. If this resolution is approved, the Education Corporation's authority to operate the School will be renewed through July 31, 2024 to align it with other charters in the Education Corporation.

For the charter listed above, the Institute properly notified the school district in which the charter is located regarding the receipt of an application to renew the above education corporation's authority to operate the charter. As of December 1, 2021, no comments were received.