



## **MEMORANDUM**

**March 17, 2022**

**To: Members of the Charter Schools Committee**

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

**Subject: Approval of the Application for Charter Renewal of Elmwood Village Charter Schools and Its Authority to Operate Elmwood Village Charter School Hertel (Buffalo)**

### **Action Requested**

The proposed resolution, pursuant to New York Education Law § 2851(4), authorizes: 1) renewal of Elmwood Village Charter Schools, a charter school education corporation with the authority to operate more than one charter; and, 2) renewal of the Elmwood Village Charter Schools' authority to operate one of its charters, Elmwood Village Charter School Hertel, both for full terms of five years.

### **Resolution**

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

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

Whereas the Education Corporation has requested: 1) renewal of its charter; and, 2) renewal of the authority to operate the School, both for full terms of five years (collectively, the "Renewal Application"); 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 Renewal Application, 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 Renewal 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 Renewal Application be, and hereby is, approved for a period of five years; and, be it further

Resolved that: 1) the School, as described in the Renewal Application, 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) approval of the Renewal Application 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 renewal charter 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 renewal charter 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 Elmwood Village Charter School Hertel (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 Elmwood Village Charter Schools (the "Education Corporation"). As a result of this review, and a review of the other charter the Education Corporation is permitted to operate, the Institute recommends the Education Corporation's applications for charter renewal and to extend its authority to operate the School be granted for full terms of five years without conditions. If this resolution is approved, the Education Corporation's charter and authority to operate the School will be renewed through July 31, 2027.

For the charter and education corporation listed above, the Institute properly notified the school district in which the charter is located regarding the receipt of an application for charter renewal and renewal of authority to operate the charter. As of March 9, 2022, no comments were received.