



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 NYC Autism Charter Schools and its Authority to Operate NYC Autism Charter School Bronx (Bronx) and NYC Autism Charter School East Harlem (Manhattan)

Action Requested

The proposed resolution authorizes: 1) a five year renewal for NYC Autism Charter Schools, a charter school education corporation with the authority to operate more than one charter; and, 2) renewal of NYC Autism Charter Schools' authority to operate: a) NYC Autism Charter School Bronx for a full term of five years; and, b) NYC Autism Charter School East Harlem through July 31, 2027 to align its charter term with the other charter, all pursuant to New York Education Law § 2851(4).

Resolution

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

Whereas the Board of Trustees has granted NYC Autism Charter Schools (the "Education Corporation") the authority to operate two charters, NYC Autism Charter School Bronx and NYC Autism Charter School East Harlem (collectively, the "Schools"); and

Whereas the Education Corporation requested renewal of its charter and renewal of its authority to operate NYC Charter School Bronx, both for a full term of five years; 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 NYC Autism Charter School East Harlem through July 31, 2027 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 applications for renewal, the means by which the Schools 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 applications, which targets were prescribed by the Institute on behalf of the Board of Trustees; now, therefore, be it

Resolved that the Education Corporation’s applications:

- 1) for charter renewal for a period of five years;
- 2) for renewal of the authority to operate NYC Autism Charter School Bronx for a period of five years; and,
- 3) renewal of the authority to operate NYC Autism Charter School East Harlem through and including July 31, 2027,

be, and hereby are, approved; and, be it further

Resolved that: 1) each School, as described in the Education Corporation’s application for renewal of authority to operate each 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 each School in an educationally and fiscally sound manner; and, 3) approval of the application for charter renewal, and each application to renew the authority to operate a 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 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 NYC Autism Charter School Bronx and NYC Autism Charter School East Harlem (collectively, the "Schools"), which was distributed to the Board of Trustees, the Institute, pursuant to the SUNY Renewal Policies, conducted a renewal review of the Schools, which are operated by NYC Autism Charter Schools (the "Education Corporation"). As a result of this review, the Institute recommends that the

Education Corporation's applications for charter renewal and to extend its authority to operate the Schools be granted through July 31, 2027 without conditions.

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