



MEMORANDUM

February 13, 2025

To: Members of the Charter Schools Committee

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

Subject: Approval of Revision to the Charter of Elm Community Charter School

Action Requested

The proposed resolution authorizes a charter revision, pursuant to New York Education Law § 2852(7), for Elm Community Charter School to add a new middle school program. Elm Community Charter School, which currently serves K through 5th grades, would expand to operate a middle school program commencing with 6th grade in the 2026/27 school year and adding a grade each year to serve K through 7th grades in the 2027/28 school year, the final year of the current charter term.

Resolution

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

Whereas Elm Community Charter School, (the "Education Corporation"), is chartered to serve 468 students in K through 5th grade through the 2027/28 school year; and

Whereas the Education Corporation desires to revise its charter to revise its current enrollment and add a middle school program starting with approximately 112 students in 6th grade in the 2026/27 school year and add a grade each year totaling a proposed 840 students in K through 7th grade (the "Proposed Change in Program"); now, therefore, be it

Resolved that the Proposed Change in Program be, and hereby is, approved; and, be it further

Resolved that the Charter Schools Committee finds: 1) the Proposed Change in Program meets the requirements of the New York Charter Schools Act of 1998 (the “Act”) and all applicable laws, rules, and regulations; 2) approval of the Proposed Change in Program (together with the other terms of the Education Corporation’s charter) would permit the Education Corporation in an educationally and fiscally sound manner; and, 3) approval of the Proposed Change in Program 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 State University of New York Charter Schools Institute (the “Institute”), acting for the Board of Trustees, be, and hereby is, directed to: 1) enter into a proposed revision to the Education Corporation’s charter in accordance with this resolution, which proposed revised charter shall include such assurances and terms as the Institute deems necessary and appropriate; and, 2) thereafter, submit the proposed revision to the New York State Board of Regents for its review, comment, and potential approval.

Background

Pursuant to Resolution No. 2012-038, dated June 12, 2012, the Board of Trustees delegated authority to revise charters to the Charter Schools Committee. The Institute determined that the changes set forth in this resolution require a revision of the charter school education corporation’s charter pursuant to Education Law § 2852(7), which must be approved by the Board of Trustees in its capacity as a “charter entity” under the Act.

The Board of Trustees approved the charter of Elm Community Charter School (the “Education Corporation”) on June 8, 2017. The Board of Trustees granted the School a full-term, five year renewal on April 26, 2023. (See the Institute’s renewal report available at: [Elm Renewal-Recommendation-Report.pdf](#).)

The overall health of the Education Corporation – academically, fiscally, and operationally – is positive. The Institute made its Summary of Performance for the School available to the Board of Trustees (copy on file in the Office of the Secretary and the Albany office of the Institute).

The Institute reviewed the proposed middle school program elements (including enrollment projections, curriculum, and staffing) and budgets and found them satisfactory. The Institute also reviewed the proposed revision from the legal

and fiscal perspectives and finds it suitable under the Act and applicable law. Based on the foregoing, the Institute recommends the Charter Schools Committee approve the requested revision.

Pursuant to Education Law § 2857(1), the Institute properly notified the school district in which the education corporation is located regarding the receipt of an application for charter revision. As of February 4, 2025 the Institute received no comments.