



## **MEMORANDUM**

**January 26, 2016**

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

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

**Subject: Approval of the Application for Charter Renewal of East Harlem Scholars Academy Charter School and Its Authority to Operate East Harlem Scholars Academy Charter School (Manhattan)**

### **Action Requested**

The proposed resolution authorizes the approval of a charter renewal for East Harlem Scholars Academy Charter School, a charter school education corporation with authority to operate two charter schools, and the renewal of its authority to operate one of its schools, East Harlem Scholars Academy Charter School, both for a full term of five years, 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 East Harlem Scholars Academy Charter School (the "Education Corporation") the authority to operate two charter schools including East Harlem Academy Charter School (the "School"), which is located in Manhattan; and

Whereas the Education Corporation has requested renewal of the authority to operate the School, and renewal of its charter, both for a full term of five years pursuant to Subdivision 2851(4); 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 for charter renewal and 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 School's 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 Education Corporation's application for charter renewal be, and hereby is, approved and its charter be, and hereby is, renewed for a full term of five years through and including July 31, 2021; and be it further

Resolved that the Education Corporation's application for renewal of the authority to operate the School for an additional five years be, and hereby is, approved; and be it further

Resolved that: 1) the Education Corporation's schools as described in its application for charter renewal including the School meet 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 its schools including the School in an educationally and fiscally sound manner; and, 3) so approving the charter renewal application, and the application to renew the Education Corporation's 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, acting for 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 proposed charter shall include such assurances and terms as the Institute shall deem necessary and appropriate; and, 2) thereafter to submit the proposed charter to the New York State Board of Regents for its 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 not for profit education corporations it has authorized. 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 State University Board of Trustees* (the "SUNY Renewal Policies") (last amended September 4, 2013 and available at: <http://www.newyorkcharters.org/category/operational-resources/renewal/>), the State University of New York Charter Schools Institute (the "Institute") 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 school 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 renewal are on file in the Albany office of the Institute.

As set forth in the Institute's Renewal Report for East Harlem Scholars Academy 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 East Harlem Scholars Academy Charter School (the "Education Corporation"). As a result of this review, and a review of the other school the Education Corporation is permitted to operate, the Institute recommends that the Education Corporation's application for initial charter renewal and application to extend its authority to operate the School should both be granted for a full term of five years without conditions. If

this resolution is approved, the Education Corporation's charter and authority to operate the School will both be renewed through July 31, 2021.

For the education corporation listed above, the Institute properly notified the school district in which the education corporation is located regarding the receipt of an application for charter renewal. As of January 14, 2016, no comments were received.