

MEMORANDUM

January 22, 2013

To: Members of the Charter Schools Committee

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

Subject: Approval of an Extension and Revision of the Charter of Leadership Preparatory Charter School 4 (Brooklyn)

Action Requested

The proposed resolution authorizes the approval of a five-year charter extension for Leadership Prep Charter School 4, a charter school that has not yet opened, and changes in its proposed grades served and enrollment.

Resolution

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

Whereas the SUNY Charter Schools Institute (the "Institute"), acting on behalf of the Board of Trustees, conducted an analysis of the application for extension (renewal) and revision of the charter (collectively, the "Extension Application") of Leadership Preparatory Charter School 4 (the "Education Corporation"), to be located in Brooklyn, consistent with the *Practices, Policies and Procedures for the Renewal of Charter Schools Authorized by the State University Board of Trustees* (last amended on June 25, 2012 and available at: <http://www.newyorkcharters.org/schoolsRenewOverview.htm>) and has recommended that: 1) the Education Corporation's charter be extended for a term consistent with the number of planning years taken, in this case through October 27, 2018; and 2) that its final grades served and enrollment be increased from Kindergarten through 3rd grade to Kindergarten through 8th grade, and from 223 students to 645 students; and

Whereas the Charter Schools Committee, acting on behalf of the Board of Trustees, as required by Education Law subdivision 2851(4)(e), has considered, prior to approval of the application to extend the charter, the means by which the Education Corporation 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; now, therefore, be it

Resolved that: 1) the Education Corporation's school as described in its Extension Application meets the requirements of the New York Charter Schools Act (as amended) and applicable laws, rules and regulations; 2) the Education Corporation has demonstrated the ability to operate in an educationally and fiscally sound manner; and 3) approving the Education Corporation's application and extending and revising its charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision 2850(2) of the Education Law; and be it further

Resolved that the Education Corporation's Extension Application be, and hereby is, approved and its charter be, and hereby is, extended commencing with the expiration of the current charter and terminating after October 27, 2018 with authority to provide instruction as follows:

- 2013-14 – 130 students in Kindergarten and 5th grade;
- 2014-15 – 250 students in Kindergarten – 1st grade and grades 5 - 6;
- 2015-16 – 410 students in Kindergarten – 2nd grade and grades 5 – 7;
- 2016-17 – 558 students in Kindergarten – 3rd grade and grades 5 – 8;
- 2017-18 – 645 students in Kindergarten – 8th grade;

and be it further

Resolved that the Institute, be, and hereby is, directed to: 1) enter into a proposed extension to the Education Corporation's charter in accordance with this resolution, which extension shall include such assurances and terms as the Institute shall deem necessary and appropriate; and 2) thereafter to submit the proposed extension to the Board of Regents for its review, comment and potential approval.

Background

The New York Charter Schools Act of 1998 permits the Board of Trustees to extend or renew the charters of education corporations it has authorized. Pursuant to Resolution No. 2012-038 dated June 12, 2012, the Board of Trustees delegated authority to extend charters to the Charter Schools Committee.

Pursuant to New York Education Law § 2857(1), the SUNY Charter Schools Institute (the "Institute") notified the school district of location of the charter school regarding the receipt of an application for charter extension (copy on file in the Albany Office of the Institute). As of January 2, 2012, the Board of Trustees did not receive any comments in response.

A charter school renewed through a charter extension will typically operate in accordance with its original charter as supplemented and/or modified by the approved portions of its extension application. Before the end of the additional term, the school must apply for a renewal of up to five years in order to continue to operate. A charter extension allows a school in its first charter term to operate for the same amount of time before renewal as a school which did not take one or more planning years, and, therefore, yields a similar data set upon which to base a renewal decision. The *Practices, Policies and Procedures for the Renewal of Charter Schools Authorized by the State University Board of Trustees* (last amended on June 25, 2012 and available at: <http://www.newyorkcharters.org/schoolsRenewOverview.htm>) describe charter extensions at page 6.

In this case, Leadership Preparatory Charter School 4 was chartered in October of 2008, but has not yet commenced instruction. The school originally planned on taking two planning years prior to opening, but then had difficulty finding a suitable school leader. The Institute twice delayed the opening of the school. Thereafter, the school found a suitable leader but that person required a lengthy leave during a critical time in her leadership training. She currently participates in an Uncommon Schools, Inc. elementary leadership residency and will be available for the 2013-14 school year. In addition, Uncommon Schools Inc. has a suitable pool of middle school leader candidates. Therefore, the

school's request to commence instruction during the 2013-14 school year requires a five year charter extension. The school has already been through the public processes with the New York City Department of Education to site the school in district school space Community School District 18 in Brooklyn.