



The State University  
of New York

Office of the  
Board of Trustees

State University Plaza  
Albany, New York 12246

[www.suny.edu](http://www.suny.edu)

## **MEMORANDUM**

**January 5, 2017**

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

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

**Subject: Approval of the Application for Renewal of Authority to Operate Explore Empower Charter School (Brooklyn)**

### **Action Requested**

The proposed resolution authorizes the renewal of the authority of Explore Charter Schools of Brooklyn, a charter school education corporation authorized to operate six schools, to operate one of its schools, Explore Empower Charter School, for a short term of approximately three 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 Explore Charter Schools of Brooklyn (the "Education Corporation") the authority to operate six charter schools including Explore Empower Charter School (the "School"), which is located in Brooklyn; and

Whereas the Education Corporation requested renewal of the authority to operate the School pursuant to Subdivision 2851(4); and

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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 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 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 renewal of the authority to operate the School, be, and hereby is, approved to the extent and as limited, restricted and described in the Institute's Renewal Report (copies available in the Office of the Secretary of the University and in the Albany office of the Institute), for a short term through and including July 31, 2020; and be it further

Resolved that: 1) the School, as described in the Education Corporation's application for renewal of authority to operate the School, as limited and restricted, meets the requirements of the New York Charter Schools Act of 1998 (as amended) and applicable laws, rules and regulations; 2) as limited and restricted, the Education Corporation can demonstrate the ability to operate the School in an educationally and fiscally sound manner; and, 3) approving the application to renew the authority to operate the School, as limited and restricted, 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 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 education corporations it has authorized, and to renew such corporations' authority to operate charter schools. 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: <http://www.newyorkcharters.org/category/operational-resources/renewal/>), the SUNY 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 Explore Empower Charter School (the "School"), which was distributed to the Board of Trustees, the Institute conducted a renewal review of the School, which is operated by Explore Charter Schools of Brooklyn (the "Education Corporation"). As a result of this review, the Institute recommends that the Education Corporation's application to extend its authority to operate the School be granted only for a short term of approximately three years without conditions. If this resolution is approved, the Education Corporation's authority to operate the School will be renewed through July 31, 2020.

For the school listed above, the Institute properly notified the school district in which the school is located regarding the receipt of an application to renew the above education corporation's authority to operate the school. As of December 21, 2016, no comments were received.