



## **MEMORANDUM**

**December 15, 2022**

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

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

**Subject: Approval of Planning Years for Uncommon New York City Charter School #1**

### **Action Requested**

The proposed resolution approves up to two additional planning years for Uncommon New York City Charter School #1, a school operated by Uncommon New York City Charter Schools, a not-for-profit, charter school education corporation with the authority to operate more than one charter, pursuant to section 3.1 of the education corporation's charter agreement.

### **Resolution**

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

Whereas the Charter Schools Committee, acting on behalf of the Board of Trustees, approved planning years on March 10, 2020 as requested by Uncommon New York City Charter Schools (the "Education Corporation") for Uncommon New York City Charter School #1 (the "School") allowing the School to extend the date to commence instruction to the beginning of the 2022/23 school year (Committee Resolution No. 22-2020); and

Whereas the State University of New York Charter Schools Institute (the "Institute") reviewed the Education Corporation's request for up to two additional planning years; now, therefore, be it

Resolved that the Education Corporation's request to extend the date to commence instruction for the School be, and hereby is, approved, which will require the School to open by September of the 2024/25 school year on a date determined in accordance with section 3.1 of the Charter Agreement between the Board of Trustees and the Education Corporation, subject to the following condition:

- If the Education Corporation is unable to open the School by September of the 2024/25 school year, the Education Corporation shall cooperate with the Trustees and take reasonable actions to revise the charter to convey the authority to operate the School to another SUNY authorized education corporation or proposed education corporation, as the case may be and arise.

### **Background**

Pursuant to Resolution No. 2012-038, dated June 12, 2012, the Board of Trustees delegated authority to extend a charter for a period of greater than two school years to the Charter Schools Committee.

This resolution provides for the extension of the date by which an education corporation must open a charter school. The SUNY charter agreement, not state statute, requires each charter to open its school by a date certain, which may be extended by the SUNY Charter Schools Institute for up to two years. Thereafter, a Board of Trustees' delegation requires the Charter Schools Committee to approve additional planning years. Extra time to open may be needed when facilities, staffing, leadership, or other elements key to the successful launch of a school are not in place during the planning period permissible under the SUNY charter agreement.

Uncommon New York City Charter Schools (the "Education Corporation") previously delayed the opening of Uncommon New York City Charter School #1 (the "School") until the 2022/23 school year due to delays in facility acquisition and enrollment uncertainties caused by the COVID-19 pandemic. The Education Corporation has made requests for space for the School in public facilities as planned and has met with the New York City Department of Education's Office of District Planning but has been consistently denied public space.

If the resolution is approved, the School will receive up to two additional planning years.