



The State University
of New York

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M E M O R A N D U M

March 15, 2023

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 and East Harlem Scholars Academy Charter School II (Manhattan)**

Action Requested

The proposed resolution, pursuant to New York Education Law § 2851(4) authorizes: 1) renewal of East Harlem Scholars Academy Charter School Education Corporation, a charter school education corporation with the authority to operate two charters for a full term of five years; and 2) renewal of East Harlem Scholars Academy Charter School Education Corporation's authority to operate East Harlem Scholars Academy Charter School and East Harlem Scholars Academy Charter School II each for a full term of five years with conditions.

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 Education Corporation (the “Education Corporation”) the authority to operate two charters, East Harlem Scholars Academy Charter School and East Harlem Scholars Academy Charter School II (individually, the “School,” collectively, the “Schools”); and

Whereas the Education Corporation has requested full-term, five year renewals of its charter and its authority to operate the Schools; 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 applications for renewal, the means by which the Schools 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 applications, 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 through and including July 31, 2028; and

Resolved that the Education Corporation’s applications for authority to operate the Schools be, and hereby are, approved to the extent, and as limited and restricted herein, for a full term through and including July 31, 2028 subject to the following conditions:

- By the end of the 2026-27 school year, each School must meet targets on certain student performance measures to be set forth in the accountability plan for each School in the renewal charter agreement, and agreed upon by the Education Corporation and the Institute (the “Academic Conditions”);
- If the School(s) fulfills the Academic Conditions, and otherwise meets the requirements of renewal as set forth in the SUNY renewal policies in effect at the time, the Education Corporation shall be eligible to apply for renewal of the authority to operate such School(s);
- If the School(s) does not meet the Academic Conditions, the Education Corporation shall not be eligible to apply for any type of renewal as to such School(s) and its authority to operate such School(s) shall not be renewed;

and, be it further

Resolved that: 1) each School, as described in the Education Corporation’s application for renewal of authority to operate each School, meets the requirements of the New York Charter Schools Act of 1998 (as amended) and applicable laws, rules, and regulations; 2) the Education Corporation, as limited and

restricted, can demonstrate the ability to operate each School in an educationally and fiscally sound manner; and, 3) approval of the application for charter renewal, and each application to renew the authority to operate a 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, on behalf of 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, submit the proposed renewal charter to the New York State Board of Regents for 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 charters. 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: [https://www.newyorkcharters.org/
wp-content/uploads/SUNY-Renewal-Policies.pdf](https://www.newyorkcharters.org/wp-content/uploads/SUNY-Renewal-Policies.pdf)), the SUNY Charter Schools Institute (the "Institute") generally 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 charter 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](http://www.suny.edu/about/leadership/board-of-trustees/meetings/meetingNotices.cfm). Copies of applications for charter 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 and East Harlem Scholars Academy Charter School II (collectively, the "Schools"), which was distributed to the Board of Trustees, the Institute, pursuant to the SUNY Renewal Policies, conducted a renewal review of the Schools, which are operated by East Harlem Scholars Academy Charter School Education Corporation (the "Education Corporation"). As a result of this review, the Institute recommends that the Education Corporation's application for charter renewal and to extend its authority to operate the Schools be granted for a full term of five years with conditions in order to apply for renewal of authority to operate either School as stated herein. If this resolution is approved, the Education Corporation's charter and authority to operate the Schools will be renewed through June 31, 2028 to the extent and as limited and restricted by the terms as approved herein.

For the charters and education corporation listed above, the Institute properly notified the school district in which the charters are located regarding the receipt of applications for charter renewal and renewal of authority to operate the charters. As of March 7, 2023, no comments were received.