



GUIDE TO CHARTER REVISIONS

FOR CHARTER SCHOOLS AUTHORIZED BY
THE STATE UNIVERSITY OF NEW YORK BOARD OF TRUSTEES

TABLE OF CONTENTS

1

Definition of Terms

2

Introduction

Material vs. Non-Material Revisions

Delegated vs. Non-Delegated Revisions

3

Revision Request Deadlines

5

Revision Submission Requirements

Non-material Revisions

Material Revisions

DEFINITION OF TERMS

School: A charter school education corporation is a New York not-for-profit charter school education corporation that comes into existence when provided the authority to operate a charter and the subsequent formation of a corporation by the New York state board of Regents (the “Board of Regents.”) An education corporation may operate more than one school as long a charter is issued per school. An education corporation may have the authority to operate more than one school so long as a charter has been issued for each such school. Note that a school may be housed in more than one physical site. A school is its own Local Educational Agency (“LEA”) for federal program purposes except for the education of students with disabilities, and its own accountability unit for purposes of the federal Elementary and Secondary Education Act of 1965 (“ESEA”) as amended by the Every Student Succeeds Act (“ESSA”).

Site: A site is one of a number of facility locations for a single charter school. Sites are grouped by grade range (e.g., Kindergarten – 4th grade site, 5th – 8th grade site, or 9th – 12th grade site). A site would not be its own LEA or ESSA unit. More than one charter school building tightly clustered (i.e., a campus) would also be a “single site” under New York Education Law. Without additional authority, an education corporation may not educate students of the same grade level in more than one site. An education corporation may teach the same grade or grades at an additional site so long as it has obtained additional authority to do so through the issuance of an additional charter. The number of charters issued to an education corporation will determine the maximum number of sites it may have for any particular grade.

Charter School Education Corporation: A charter school education corporation is a New York not-for-profit charter school education corporation that comes into existence through the issuance of a charter and the subsequent formation of a corporation by the New York State Board of Regents (the “Board of Regents”). An education corporation may operate more than one school as long a charter is issued per school.

Charter Management Organization (“CMO”): CMO describes any not-for-profit charter management organization, educational service provider, or partner organization providing a majority of the educational management services at a charter school.

SUNY Charter Schools Committee (the “Committee”): The SUNY Charter Schools Committee is a committee of the State University of New York Board of Trustees (the “SUNY Trustees”) that has been delegated the authority to act on behalf of the full SUNY Board of Trustees regarding approval of items related to charter schools authorized by SUNY.

INTRODUCTION

The New York Charter Schools Act of 1998 (the “Act”) designates the SUNY Trustees as one of two statewide chartering entities, or “authorizers,” along with the New York State Board of Regents. Each authorizer has the authority to grant charters for the purpose of organizing new charter school education corporations to operate one or more independent and autonomous public charter schools and the ability to revise the terms of charter agreements with those education corporations.

The SUNY Charter Schools Institute (the “Institute”) supports the SUNY Trustees’ commitment to the guiding principles of the Act through its rigorous processes for reviewing new charter, charter revision, and renewal applications. The new charter application and any subsequent renewal applications are made part of the charter agreement which provides the terms of operations for which SUNY and the charter school education corporation have agreed. The material revision of terms of the charter agreement must be reviewed and approved by the Committee or its Institute. While charter schools enjoy expanded autonomy to operate programs, they must do so within the parameters of the charter agreement.

The following guidelines provide an overview regarding the process and requirements for submitting a charter revision application. Any questions regarding this guidance may be directed to the Institute’s Legal Department at Charter.Legal@suny.edu.

RESERVES THE RIGHT: SUNY reserves the right to change the following requirements based on the nature of the request and applicable circumstances.

Material vs. Non-Material Revisions

The charter agreement provides an overview of when a revision may be considered material or non-material. Where the charter agreement and this guidance are silent as to materiality, the Institute makes all determinations of whether the proposed revision is material or not. If a school has any questions regarding the materiality of a proposed revision, please contact the Institute’s Legal Department for clarification.

Delegated vs. Non-Delegated Revisions

All material revisions must be approved by the Committee or the Institute. The Committee approves all revision applications to merge charter school education corporations; add a new elementary, middle, or high school program; or to take more than two planning years to open a charter. Most all other material revisions are delegated to the Institute for approval, but the Committee may take up any matter delegated to the Institute per the delegation.

REVISION REQUEST DEADLINES

ACTION	DATE
All material revisions to be implemented for the 2027-28 school year.	December 4, 2026
Schools Under Renewal Consideration	Schools currently under renewal consideration should have submitted any material revision with their renewal application on August 17, 2026.
Non-Material Revisions	Ongoing but at least 30 days before implementation

The Institute reserves the right to waive these deadlines upon a showing of extenuating circumstances which prevent the education corporation from appropriately planning and submitting a timely application.

REVISION PROCESS TIMELINE

		TIMELINE
Submission	A charter school education corporation submits its Application for Charter Revision to the Institute. If the education corporation requires more time for completion, the Institute will review on a case-by-case basis. If the education corporation is anticipating delays in completing the application, then it should reach out to Institute staff members as soon as possible.	December 4, 2026
Notice and Opportunity for Public Comment	Pursuant to the Act, within 30 days of receipt of a material Application for Charter Revision, the Institute notifies the district of location about receipt of the application, when the SUNY Trustees may act on it, and the district's obligation to hold a public hearing. The Institute also posts the notice on its website and invites and considers written comments from the public. The Institute considers all district and public comments. In some cases, the Institute may ask the education corporation to respond to such comments. Within 30 days of the above notice, the district of location holds a hearing to solicit comments from the community.	December- January
Application Review	The Institute reviews the Application as well as the existing data and records in its files collected over the history of the education corporation.	December- March
Application Revision (Request for Amendment Process)	The Institute may ask for amendments to parts of the Application, to clarify documentation provided.	December- March
Application Interview	The Institute, at its discretion, may request an interview with the education corporation's board of trustees and school leadership to discuss the Application.	February- March ¹
Action by SUNY	Where applicable, the SUNY Charter Schools Committee will act on material revisions recommended by the Institute. Where a material revision is delegated to the Institute, the Institute will act.	February- March
Action of the Board of Regents	The Institute sends a proposed revision to the charter agreement to the education corporation for signature and then forwards it to the Board of Regents for action (consisting of either approval or return to the SUNY Trustees for further consideration). The Board of Regents has 90 days to review the proposed charter revision. If the Board of Regents takes no action on the proposed revision, it will be approved by operation of law and the charter will be revised. If the Board of Regents returns the proposed revision, the Committee or the Institute, on behalf of the SUNY Trustees, may either resubmit the proposed revision (with or without modification) or abandon the proposed revision. The education corporation must agree to any modification in writing. If SUNY resubmits the proposed revision, the Board of Regents has 30 days in which to act. If the Board of Regents does not vote to approve the resubmitted revision, the revision will be deemed approved and issued by operation of law on the 31 st day.	Within 90 days of the submission by the Institute

1. Please note: If the merger application is for a Non-SUNY authorized charter school to merge into a SUNY authorized charter school education corporation, the SUNY Charter Schools Committee will not act upon the application until the Board of Regents have decided. For more information regarding the timing of merger please refer to the Institute's Guide to Merging Education Corporations under "Merging Education Corporations" on its [Legal Compliance website](#).

REVISION SUBMISSION REQUIREMENTS

All revisions must be submitted to the Institute's Legal Department at Charter.Legal@suny.edu. The following provides the submission requirements by area. If the education corporation is proposing a revision that does not appear in this guide, please contact the Institute's Legal Department for further direction.

I. SUBMISSION REQUIREMENTS FOR NON-MATERIAL REVISIONS

For non-material revisions, please submit:

1. A cover letter with a description, rationale, and timeline for implementation of the proposed revision;
2. Evidence of the board of trustees' approval (finalized board meeting minutes or board resolution); and,
3. A copy of the updated document, policy, etc., if applicable.

The following provides additional information or documents required for common non-material revisions.

A. Relocation Within the District or Borough

If the education corporation wishes to temporarily locate/incubate or permanently relocate to a building within the school district or borough (New York City), as currently approved, no additional information is required except for the above and the typical documents required for the approval of any facility. For more information regarding newly acquired facilities, please refer to the Institute's [Facility Guidance](#).

For temporary or permanent relocation of one or more school facilities outside the school district or borough (New York City), as approved, please contact the Institute for further direction.

B. Revisions to Mission, Key Design Elements, or Educational Program

If the education corporation wishes to make changes to the mission, key design elements, or educational programs of its schools including, but not limited to, the curriculum, pedagogical approach, and staffing structure as provided in the original or most recent renewal application and such changes do not fundamentally change the mission, key design elements, or design of the school, and are generally consistent with the terms of operation and applicable law, then the education corporation has the autonomy to make those changes and no additional information is required. If the revision to the mission, key design elements, or educational program do fundamentally change, then please proceed to the material revision process. If you have a question as to the fundamental nature of the proposed change, please contact the Institute's Legal Department.

Please note that any changes made to the mission statement must be approved by the education corporation's board of trustees and shall be generally consistent with the key design elements set forth in the Terms of Operation of the charter agreement. All such changes should be reported as part of the school's Annual Report as required by section 6.1 of the Charter Agreement.

C. Revisions to School Policies

If the education corporation wishes to make changes to any school policies, including but not limited to bylaws, the code of ethics, conflicts of interest policy, codes of conduct, personnel policies, handbooks, complaint policy, etc., and such changes do not fundamentally change such policy and are generally consistent with the Terms of Operation and applicable law, then the education corporation has the autonomy to make those changes and no additional information is required.

D. Revisions to the School Schedule or Calendar

If the education corporation wishes to make a change to the school schedule or calendar and such changes still allow all grade levels to meet the minimum number of instructional hours and days, then the education corporation has the autonomy to make those changes and no additional information is required. Charter schools are required to provide at least as much instructional time as the district public schools. While district public schools must provide at least 180 instructional days, district public schools may use up to four superintendent conference days to count toward the 180 day minimum. Therefore, as long as the charter school provides at least 176 instructional days and a minimum of 900 instructional hours for grades K-6 or 990 instructional hours for grades 7-12, the charter school is in compliance. Please see Education Law §§ 2851(2)(n), 3604(7)-(8); 8 NYCRR § 175.5.

II. SUBMISSION REQUIREMENTS FOR MATERIAL REVISIONS

For all material revisions, please submit:

1. A cover letter with a description, rationale, and timeline for implementation of the requested revision;
2. Evidence of the board of trustees' approval (finalized board meeting minutes or board resolution);
3. A copy of the updated document, policy, etc., if applicable; and,
4. The **additional information** provided below as to specific subject area.

A. Revisions to the Admissions Policy – At-Risk Preferences

Per the charter agreement, the education corporation has the authority to make changes to the admissions policy without SUNY approval except with regard to at-risk preference factors. Please note that any changes to the admissions policy must be consistent with applicable law and regulations. All changes to the admissions policy must be made well in advance of the lottery so families are aware of the policy that applies when applying for enrollment.

If the education corporation would like to add or delete an at-risk preference to its admissions policy, please submit a draft copy of the admissions policy incorporating the requested at-risk preference and provide a

rational for selecting the at-risk preference and research based evidence why the defined student population is at-risk of academic failure.

B. Revisions to Educational Program

While the education corporation has the right to make any modifications to the educational programs of its schools as it deems necessary including, but not limited to, the curriculum, pedagogical approach, and staffing structure, if such modifications are not consistent with the Terms of Operation of the charter agreement or modify the approved key design elements of the school, then the education corporation must seek SUNY approval. In addition to the required elements of a material revision outlined above, the education corporation should also include a rationale for the proposed changes and a summary of the timing for implementation.

C. Enrollment Revisions

i. Enrollment Revision to the Number of Students Served or Complete Currently Approved Elementary, Middle, or High School Program

An enrollment revision to the number of students being served in the chartered grades or to add additional grades to complete an already approved elementary, middle, or high school configuration, while a material revision, is delegated to the Institute for approval. In addition to the elements of a material revision outlined above, the education corporation must submit the following:

1. An updated enrollment chart for the remainder of the charter term;
2. An updated staffing plan for the remainder of the charter term; and,
3. An updated budget for the remainder of the charter term.

Please use this [template](#) for these additional items.

ii. Enrollment Revision to the Grades Served

An enrollment revision to add additional grades wherein the school would serve a new set of grades (i.e. an elementary program, a middle school program, or a high school program) is to be approved by the Committee. In addition to the material revision requirements outlined above, the education corporation must submit the following:

1. Community Analysis: A narrative analysis of the community and target population for the school including:
 - a. A description of the community from which the proposed expanded program intends to draw students;
 - b. Community demographics;
 - c. Performance of local schools serving the proposed expanded grade levels in meeting the community's need;
 - d. How the proposed expanded program would provide a needed alternative for the community; and,
 - e. If there are existing charter schools in the area serving the proposed expanded grade levels, the response should explain how the proposed expanded program is different and how it will provide greater educational benefit to students who would attend the proposed expanded program.

2. Demand: Provide a narrative description of student demand including an analysis of evidence indicating that families with age-appropriate students would consider enrolling them in the requested grades. If using existing waitlists as evidence of demand, provide analysis to estimate historical trends in how many waitlist entries it takes to fill a seat. The Education Corporation should provide evidence and analysis to substantiate that community demand exists to justify the proposed enrollment. This should include analysis of local public and nonpublic school enrollment trends, waiting lists, and demographic trends in the community.
Note for Replicators: If using the number of students on the waitlist of an existing school as evidence of demand for an additional school, be sure to clearly explain the relationship between that waitlist and the location of the proposed school.
3. Mission Statement: Updated mission statement, if applicable.
4. Enrollment: Updated five year enrollment chart.
5. Schedules: Daily student and teacher schedule for expanded grades.
6. Key Design Elements: Updated Key Design Elements, if applicable.
7. Organizational Chart: Updated organizational chart.
8. Staffing Plan: Updated staffing plan for each remaining year of the charter period and an overall organization chart (Exhibit 12 of Renewal Charter). The staffing plan should account for all instructional, non-instructional, and administrative positions for each remaining year, demonstrating how the school's staff would grow over time and should be consistent with the updated budget. The organization chart should clearly outline the reporting structure of all major groups of employees and be accompanied by a narrative that describes this structure.
9. Educational Program: A description of the academic program and how it would be similar to and different from the existing school programs, including curricular materials, assessment system, promotion requirements, and strategies for meeting the needs of at-risk student populations (students with disabilities, English language learners, and those generally at-risk of academic failure) within the context of the proposed program and proposed professional development activities. In addition, the response should describe how the school would ensure that the program is seamless from grade to grade, including the articulation of students from elementary to middle school grades. Please note: If another school under the education corporation already serves these grades and plans to implement the same academic program, the applicant may reference the program for this response.
10. Curriculum Development: A detailed description of the process that would be used to develop curricula for additional grades, including but not limited to the timeline for completion, who would oversee and lead the process, how teachers would be involved, and how the school would ensure continued alignment to the New York State Core Curriculum.
11. Accountability Plan: Updated Accountability Plan using the Institute [template](#) for the applicable grades.
12. Budget: Updated five year budget.
13. Facility Plan: A detailed description of the facility plan. This plan should be consistent with the details of the updated budget. If a draft lease is available, it should also be provided.
14. Updated policies (if applicable): Please provide for any updated school policies. For example, if the school is going to have different discipline policies for the middle and high schools, a copy of the revised policy should be included. Further, if the school board is going to change its oversight in any way (e.g., new committee structure), updated bylaws should be included.

E. Change to Charter Management Organization

A revision to the charter management organization, while a material revision, is delegated to the Institute for approval. In addition to the elements of a material revision outlined above, the education corporation must submit the following:

1. Mission Statement: Updated mission statement, if applicable.
2. Key Design Elements: Updated Key Design Elements, if applicable.
3. Proposed CMO Agreement: Please provide a copy of the proposed management agreement with the new entity. If the education corporation is proposing to provide the services of the current CMO within the organization and not partner with a new charter management organization, please provide a narrative of how the education corporation will provide all services previously provided by the CMO.
4. Organizational Chart: Updated organizational chart.
5. Enrollment: If the school will revise the chartered enrollment, please submit an updated five year enrollment chart, budget, and staffing plan using this [template](#).
6. Board Membership: Please provide a list of the updated board, if applicable. If you are proposing any new board members, the Institute will require them to go through the SUNY approval process.
7. Transition Plan: Please provide a summary of how the school(s) will transition to the proposed new program. Please indicate what work has already been completed. Within your response please indicate how the following areas of school structure will be dealt with:
 - a. Curriculum and Educational Program. Please describe any changes to the curriculum or educational program including areas where branded material of the previous CMO were utilized.
 - b. Staffing. Please describe any changes in the staffing structure.
 - c. Professional Development. Please include the onboarding of staff to new programs, policies, and structures.
 - d. School Culture. Please include the onboarding of staff and students to any culture policy shifts including the discipline policy.
8. Communication Plan: Please provide a summary of how changes have been and will be communicated to families, students, staff, and other stakeholders ensuring any transition for students is provided for in the least disruptive manner.
9. Action Plan: Provide a detailed action plan outlining the steps the education corporation will undertake to ensure a successful transition. In a well-organized chart, the action plan should include:
 - a. All projected key steps in the transition period including, but not limited to: staffing transitions, curriculum or educational programming changes, operational system changes, communication planning, staff on-boarding, and changes to financial structures.
 - b. The start date and projected completion date of each task; and,
 - c. The person(s) responsible for each task.

10. Revisions to Charter Agreement: Please review the exhibits and responses incorporated into the current charter agreement for the education corporation. If the education corporation needs a current copy of the exhibits and responses, please contact the Institute's Legal Department. Provide an updated response for each response and exhibit which will change under the new CMO including but not limited to the educational program.
11. Business Plan: If the education corporations will be contracting with a new charter management organization that is not currently associated with a charter school authorized by SUNY, then the organization will have to submit a business plan. The elements of a business plan may be found page 72 of the 2026 [Request for Proposals](#).

For additional resources or any assistance in process a revision request, please contact the Institute's Legal Department at Charter.Legal@suny.edu.



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