



NATIONAL
CHARTER SCHOOL
RESOURCE CENTER

High-Quality Charter Authorizing Policy Profiles: New York

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RESOURCE CENTER

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New York: Overview of State Law and Snapshot of Quality Authorizing Practices

Introduction and Methodology

The National Charter School Resource Center (NCSRC) created the [Policy Framework for High-Quality Charter Authorizing Practices \(Framework\)](#) as a tool for assessing a State policy environment’s support for high-quality authorizing practices. The Framework is based on a review of high-quality authorizing practices referenced in the Every Student Succeeds Act (ESSA) and literature by the National Association of Charter School Authorizers (NACSA) and the National Alliance of Public Charter Schools (Alliance).ⁱ NCSRC staff used this review to identify common themes or categories of policies that are essential to State support for high-quality authorizing and incorporated them into the Framework.

NCSRC then created High-Quality Charter Authorizing Policy Profiles (State Authorizing Profiles) that describe states’ authorizing policy contexts based on the Framework. As of winter 2020, NCSRC staff created 19 profiles for the States that were awarded Charter School Programs (CSP) State Entities grants between FY2017 and FY2019, including:

- Alabama
- Arizona
- Arkansas
- Colorado
- Delaware
- Idaho
- Indiana
- Maryland
- Michigan
- Minnesota
- Mississippi
- New Mexico
- New York
- North Carolina
- Oklahoma
- Rhode Island
- Texas
- Washington
- Wisconsin

CSP State Entity (SE) Grants provide funding for State entities to support eligible applicants in planning and preparation for the opening of new charter schools and the replication and expansion of high-quality charter schools. Grant funds must also be used by the State entity to provide technical assistance to eligible applicants and to improve the quality of authorizing.

More State Authorizing Profiles may be added in the future. In addition, NCSRC may publish updated versions of State Authorizing Profiles to reflect changes in State policy.

The State Authorizing Profiles are intended to be used by state policymakers and practitioners to learn about their own authorizing policy environments and those of their peers. They may also be useful to charter school support organizations and charter management organizations that are looking to learn about different states’ policy contexts.

Each State profile includes a (i) Framework Snapshot, which is an assessment of a State’s authorizing practices using the Framework described in the first paragraph above and (ii) a more detailed description of the state context for each practice. The basis for the State Profiles was a review of the charter law and significant State policies for applicable states. Significant

state policies included those issued by the state education agency and/or state board of education. NCSRC used this review to identify whether the authorizing practices specified in the Framework were present in state law or policy. That is, boxes that were checked in the Framework Snapshot indicated that particular aspects of an authorizing practice(s) were included in state law or policy.

The State Authorizing Profiles provide a foundation for understanding authorizing practices in the State. The profiles are not an exhaustive review of the State’s authorizing policies and practices; it is intended to describe the key elements of the State’s policy context for supporting high-quality authorizing practices. Therefore, it is possible that certain State policies are not reflected in the profiles, and that individual authorizers within a state are implementing other practices as well. In addition, the review does not assess the quality of implementation of the policies; it is possible that state policy or statute articulates a quality practice that authorizers do not implement with fidelity.

Finally, state policy is one strategy for advancing high-quality authorizing practices and is the strategy we are focusing on in these profiles. However, there are other strategies and sources of support, including technical assistance and resources provided by state, regional, and local charter support associations. While this report does not address those other strategies, it provides a narrative of the policy context in which authorizers operate. We articulate this context to support authorizers and authorizer support organizations in understanding how to implement quality authorizing practices in their States.

Overview of State Law

The New York State Charter School Act was passed in 1998. The stated purpose of this law is to “authorize a system of charter schools to provide opportunities for teachers, parents, and community members to establish and maintain schools that operate independently of existing schools and school districts” to accomplish certain objectives, including the following: “improve student learning and achievement; increase learning opportunities for all students, with special emphasis on expanded learning experiences for students who are at-risk of academic failure; and encourage the use of different and innovative teaching methods.”ⁱⁱ

Chapter 101 of New York State Laws of 2010 (Senate Bill No. 7990) amended the law and removed the authority of school districts to authorize new charter schools.ⁱⁱⁱ The current authorizers (referred to as charter entities) include the Board of Trustees of the State University of New York (SUNY), and the Board of Regents (BOR), which has limited authority to review all charter schools in the State. In addition, local boards of education continue to have the authority to approve applications for the conversion of existing public schools to charter schools within their respective school districts.

The 2010 amendments also increased the cap on charter school growth to 460 and enacted several accountability and oversight enhancements to ensure quality and integrity.^{iv} One example of increasing accountability was requiring charter school applicants to include a “procedure for conducting and publicizing monthly board of trustee meetings at each charter school” in their application.^v Accordingly, “in March 2014, State law was changed to grant a subset of New York City charter schools a statutory right to facilities assistance. Education Law §2853(3).”^{vi} In 2015, the law was amended to limit the number of charters issued in New York City on or after July 1, 2015 to no more than 50.^{vii}

Lastly, New York law requires charter school applications to be “submitted by teachers, parents, school administrators, community residents or any combination thereof,” and that applications can be filed in conjunction “with a college, university, museum, educational institution, not-for-profit ... or for-profit business or corporate entity authorized to do business in New York State.”^{viii}

State Authorizing Profile: New York

Framework Snapshot¹

Authorization

- Does not cap charter school growth
- Provides for more than one authorizing pathway

Application includes the following:

- Specific application criteria
- Timelines
- Evaluation review process
- Process for denied applications

Performance-based contract includes and provides for the following:

- Separate post-application agreement
- Rights and responsibilities of authorizer and school
- Academic, financial, and operational performance expectations for schools
- Initial term of not more than five years
- Fiscal, legal, and programmatic autonomy for schools
- Independent charter school governing boards

Performance Monitoring

- Provides for annual authorizer evaluation of schools based on the performance goals and expectations set forth in performance-based contract
- Establishes a comprehensive accountability/monitoring system that includes performance expectations and compliance requirements
- Minimizes schools' administrative and reporting burden
- Articulates authorizer action for schools that fail to meet performance expectations (e.g., probation, sanction, or turnaround)

Renewal/Revocation

- Establishes a clear renewal process and decision-making criteria
- Requires that decisions to renew/revoke be based on student academic achievement
- Requires clear school closure procedures (e.g., parent notification, student enrollment, student record transfer, and disposition of assets)

Authorizer Accountability

- Provides for a registration process for eligible authorizing entities
- Requires the State entity to review authorizers' performance
- Requires authorizers to adhere to standards for high-quality authorizing

Authorizer Leadership, Student Access, and Student Services

- Requires a mission or strategic vision for authorizing
- Promotes quality authorizing by requiring technical assistance or professional development for authorizers and/or charter school applicants
- Ensures equitable access to all students
- Requires appropriate services for educationally disadvantaged students (e.g., students with special needs, English learners, students in foster care, or unaccompanied homeless youth)

Authorizer Funding

- Provides a mechanism for guaranteed access to authorizer funding
- Includes a process for holding authorizers accountable for how funding is used

Source(s): New York Education Law, Article 56: Charter Schools.

¹ As noted in the Introduction and Methodology section, boxes checked in the framework snapshot indicate that aspects of an authorizing practice(s) were included in State law or policy. If individual authorizers create and follow a certain policy that is not in State statute or policy, then the box will not be checked for the entire State.

Authorization

- Does not cap charter school growth
- Provides for more than one authorizing pathway

No caps on charter school growth

The law caps overall charter school growth in the State at 460 schools, and new charters issued in New York City at 50 schools since 2015.

Provides for more than one authorizing pathway

The current authorizers (referred to as charter entities) include the Board of Trustees of the State University of New York (SUNY), and the Board of Regents (BOR).^{ix} However, the BOR is the only entity authorized to issue a charter.^x

Application includes the following:

- Specific application criteria
- Timelines
- Evaluation review process
- Process for denied applications

Specific application criteria

Under New York law, the BOR is required to distribute information on the availability of the charter school process to each local school district and public postsecondary educational institution.^{xi} The law also requires the authorizer/charter entity and the BOR to notify school districts in which a charter school is located and to public and nonpublic schools in the same geographic area as the proposed charter school at each stage of the chartering process.^{xii}

The application requirements include, but are not limited to: (i) the school's mission statement, and description of an educational program that implements one or more of these purposes; (ii) a description of student achievement schools for the school's educational program and the chosen methods of evaluating students have attained the skills and knowledge specified for those goals; (iii) proposed governance structure; and (iv) admission policies and procedures, a proposed budget.^{xiii} Applicants must also submit a full set of fingerprints to the authorizer for a State and federal criminal records check.^{xiv}

Timelines

The law requires authorizers or charter entities to act on each application for approval of a charter school received by July 1 of the calendar year on or before January 1 of the succeeding calendar year.^{xv} The charter or contract for approved applicants must be executed by February 1.^{xvi}

Evaluation review process

Under State law, authorizers can only approve applications that (i) meet the requirements stated in the law, (ii) demonstrate the applicant's ability to operate the school in an educationally and fiscally sound manner, and (iii) are likely to improve student learning and achievement. Applicants proposing to open a new charter school must also demonstrate that the new

school will be located in a school district in which the total enrollment of resident students attending charter schools in the base year is greater than five percent of the school district's total public school enrollment in the base year, and that granting the application would either have a significant educational benefit to the students expected to attend the proposed charter school, or that the school district in which the charter school will be located consents to such application.^{xvii} Authorizers are also “encouraged to grant preference to applications that demonstrate the capability to provide comprehensive learning experiences to students identified by the applicants as at risk of academic failure,” and can also require an applicant to modify or supplement an application.^{xviii}

In addition, the law requires the school district in which the charter school is located to hold a public hearing to solicit comments from the community before an authorizer revises, renews, or issues a new charter.^{xix}

Process for denied applications

If an authorizer denies an application, it is required to state the reasons for the denial in writing; the denial is final and not subject to review by any court or administrative body.^{xx}

Performance-based contract includes and provides for the following:

- Separate post-application agreement
- Rights and responsibilities of authorizer and school
- Academic, financial, and operational performance expectations for schools
- Initial term of not more than five years
- Fiscal, legal, and programmatic autonomy for schools
- Independent charter school governing boards

Separate post-application agreement

The law requires that an applicant and authorizer enter into a proposed agreement or charter to organize and operate a charter school once the application is approved.^{xxi} The authorizer is then required to submit a copy of the charter, application, and supporting documentation to the BOR for final approval and issuance.^{xxii} Once the BOR approves the charter, it incorporates the charter as an education corporation; it is then the duty of the school's board to “obtain federal tax-exempt status no later than one year following approval.”^{xxiii} The proposed charter must include the contents of the application, any other terms/conditions required by applicable laws, rules, and regulations or agreed upon by the application and authorizer, and the specific commitments of the authorizer relating to its obligations to oversee and supervise the charter school.^{xxiv}

“Within five days after entering into a proposed contract, the authorizer must submit a copy of the proposed contract, the application, and supporting documentation to the BOR for final approval and issuance by the BOR.”^{xxv} The BOR is then required to review the proposed charter and either approve and issue the charter as proposed or return it to the authorizer for reconsideration with written comments and recommendations.^{xxvi}

Rights and responsibilities of authorizer and school

As mentioned above, a charter school's proposed contract (submitted to the BOR after the authorizer approves the school's application) must include the “specific commitments of the

authorizer relating to its obligations to oversee and supervise the school.”^{xxvii} The application, which is incorporated into the contract, must “demonstrate the ability to operate the school in an educationally and fiscally sound manner.”^{xxviii}

Academic, financial, and operational performance expectations for schools

The application must also include (i) a “description of student achievement goals for the school’s educational program and the chosen methods of evaluating that students have attained the skills and knowledge specified for those goals,” and (ii) the “requirements and procedures for programmatic and independent fiscal audits at least once annually.”^{xxix} In addition, the educational program must meet or exceed the student performance standards adopted by the BOR.

Charter schools are also subject to “(i) the financial audits, the audit procedures, and the audit requirements defined in law and set forth in the charter, including an annual independent audit, (ii) the audits of the comptroller of the city school district of the city of New York for charter schools located in New York City, and (iii) the audits of the comptroller of the State of New York for charter schools located in the rest of the State.”^{xxx}

Initial term of not more than five years

The law mandates that a charter school’s initial term not exceed five years.^{xxxi}

Fiscal, legal, and programmatic autonomy for schools

Once the BOR approves a school’s charter, it is required to incorporate the school as an education corporation; such corporation “shall have all corporate powers necessary for carrying out a charter school program ... and those powers granted under the provisions of the not-for-profit corporation law made applicable to charter schools.”^{xxxii} In addition, under State law “a charter school shall be deemed an independent and autonomous public school ... [and] the board of trustees of the charter school shall have final authority for policy and operational decisions of the school.”^{xxxiii} The law also exempts charter schools from “the state and local laws, rules, regulations or policies governing public or private schools, boards of education, school districts and political subdivisions not specified in the school’s contract.”^{xxxiv}

Independent charter school governing boards

The law requires charter schools to be governed by independent boards that have final authority for policy and operational decision of the school.^{xxxv} As such, applicants must include the “proposed governance structure of the school, including a list of members of the initial board of trustees, a description of the qualifications, terms and method of appointment or election of trustees, and the organizational structure of the school...”^{xxxvi}

Performance Monitoring

- Provides for annual authorizer evaluation of schools based on the performance goals and expectations set forth in performance-based contract
- Establishes a comprehensive accountability/monitoring system that includes performance expectations and compliance requirements
- Minimizes schools' administrative and reporting burden
- Articulates authorizer action for schools that fail to meet performance expectations (e.g., probation, sanction, or turnaround)

Provides for annual authorizer evaluation of schools based on the performance goals and expectations set forth in performance-based contract

The law requires charter schools to submit an annual report to its authorizer and the BOR by August 1 for the preceding school year in a form established by the Commissioner.^{xxxvii} The report must include the school's basic educational data, a report of academic performance, a report of fiscal performance, and measures of per pupil expenditures.^{xxxviii}

Establishes a comprehensive accountability/monitoring system that includes performance expectations and compliance requirements

The BOR and charter entity are required to provide “oversight sufficient to ensure that the charter school is in compliance with all applicable laws and charter provisions,” which include performance benchmarks.^{xxxix} The BOR and SUNY have collaborated on the creation of performance frameworks; however, these are not codified in the law.^{xl}

Minimizes schools' administrative and reporting burden

Though State law does not expressly address minimizing charter schools' administrative and reporting burden, charter schools are exempt from most State education laws and regulations which provides some relief from regulatory burden.^{xli} In addition, in its 2018 CSP application, the New York State Education Department (NYSED) proposed strengthening the overall quality of the New York State charter authorization and CSP grant administrative infrastructure by eliminating redundant review and reporting processes and strengthening the collaborative working relationships between active authorizers in the State.^{xlii}

Articulates authorizer action for schools that fail to meet performance expectations (e.g., probation, sanction, or turnaround)

As stated below, the law permits charter entities and/or the BOR to “place a charter school falling within these provisions on probationary status to allow the implementation of a remedial action plan” if the school fails to meet the criteria.^{xliii} Additionally, SUNY has “delineated clear policies for remediation plans and when necessary recommendations for formal probation” for schools with persistent legal and/or financial compliance issues.^{xliv}

Renewal/Revocation

- Establishes a clear renewal process and decision-making criteria
- Requires that decisions to renew/revoke be based on student academic achievement
- Requires clear school closure procedures (e.g., parent notification, student enrollment, student record transfer, and disposition of assets)

Establishes a clear renewal and decision-making criteria

The law indicates a charter school can be renewed for a term of up to five years. A school must submit its renewal application to the authorizer “no later than six months prior to the contract’s expiration” and must include “a report of the progress of charter school in achieving the educational objectives set forth in the charter, a detailed financial statement, copies of annual report, indications of parent and student satisfaction, the means by which the charter school will meet or exceed enrollment and retention rates as applicable to students with disabilities English learners and students who are eligible applicants for free and reduced price lunch as prescribed by the BOR and the SUNY Board of Trustees.”^{xlv}

Requires that decisions to renew/revoke be based on student academic achievement

An authorizer or the BOR may terminate a charter upon any of the following grounds:

- (i) if a school’s outcome on student assessment measures falls below the level that would allow the Commissioner to revoke the registration of another public school and student achievement measures has not shown improvement over the preceding school years;
- (ii) there are serious violations of the law, material and substantial violation of the charter; including fiscal mismanagement;
- (iii) if the public employment relations board makes a determination that the charter school demonstrates a practice and pattern of egregious and intentional violations of the civil service law involving interference with or discrimination against employee rights under article fourteen of the civil service law; or
- (iv) a school’s repeated failure to comply with the requirement to meet or exceed enrollment and retention targets for students with disabilities, English learners, and students who are eligible for free and reduced price lunch program.^{xlvi}

The charter entity or the BOR can place a charter school falling within these provisions on probationary status to allow the implementation of a remedial action plan.^{xlvii} The failure of a charter school to comply with the terms and conditions of a remedial action plan may result in summary revocation of the school’s charter.^{xlviii}

The authorizer must “provide written notice of its intent to revoke a charter to the school’s board of trustees at least 30 days prior to the effective date of the proposed revocation, and include a statement of reasons for the proposed revocation.”^{xlix} The school then has at least 30 days to correct the problems associated with the proposed revocation, and must also have the opportunity to be heard, consistent with the requirements of due process. Upon the termination of a charter, “the charter school shall proceed with dissolution pursuant to the procedures of the charter and direction of the charter entity and the BOR.”^l

Requires clear school closure procedures (e.g., parent notification, student enrollment, student record transfer, and disposition of assets)

An applicant must include procedures to be followed in the case of the closure or dissolution of the proposed school in its application, and include “provisions for the transfer of students and student records to the school district in which the school is located and for the disposition of the school’s assets to the school district in which the charter school is located or another charter school located within the school district.”^{li}

Authorizer Accountability

- Provides for a registration process for eligible authorizing entities
- Requires the State entity to review authorizers' performance
- Requires authorizers to adhere to standards for high-quality authorizing

Provides for a registration process for eligible authorizing entities

State law does not permit additional entities to authorize charter schools, thus there is no registration process.

Requires the State entity to review authorizers' performance

The law requires the BOR to issue an annual report to the governor, the temporary President of the Senate, and the Speaker of the Assembly, and include the following information: “(i) the number, distribution, and a brief description of new charter schools established during the preceding year; (ii) a list including the number of charter schools closed during the preceding year, and a brief description of the reasons therefor including, (iii) the NYSED’s assessment of the current and projected programmatic and fiscal impact of charter schools on the delivery of services by the school districts; (iv) the academic progress of students attending charter schools, as measured against comparable public and nonpublic schools with similar student population characteristics wherever practicable; (v) a list of all actions taken by a charter entity on charter application[s] and the rationale for the renewal or revocation of any charters; and (vi) any other information regarding charter schools that the board of regents deems necessary.”^{lii} The BOR must also provide school districts the best educational practices employed by charter schools each year.^{liii}

Requires authorizers to adhere to standards for high-quality authorizing

While the law does not require authorizers to adhere to standards for high-quality authorizing, the BOR and SUNY have an extensive history of working with the National Association of Charter School Authorizers (NACSA).^{liv}

Authorizer Leadership, Student Access, and Student Services

- Requires a mission or strategic vision for authorizing
- Promotes quality authorizing by requiring technical assistance or professional development for authorizers and/or charter school applicants
- Ensures equitable access to all students
- Requires appropriate services for educationally disadvantaged students (e.g., students with special needs, English learners, students in foster care, or unaccompanied homeless youth)

Requires a mission or strategic vision for authorizing

The law does not require authorizers to have a mission or strategic vision. However, the mission of the NYSED’s Charter School Office is “to foster high quality public education options for all students, families, and communities,” and its vision is to “create a diverse portfolio of innovative charter schools that produce strong outcomes through a rigorous new school process, strong performance oversight and accountability, and model authorizing practices. The charter schools authorized by the BOR will serve as exemplars for all public schools here in New York State and

across the country.”^{lv} In addition, SUNY is “committed to the creation and operation of highly successful charter schools throughout New York State.”^{lvi}

Promotes quality authorizing by requiring technical assistance or professional development for authorizers and/or charter school applicants

Though the law does not promote quality authorizing by requiring technical assistance or professional development, the BOR and SUNY collaborate on the following: (i) improving their capacity to monitor schools in their portfolios by identifying best practices and expanding their knowledge of fiscal oversight (e.g., utilizing financial audit diagnostics), and (ii) providing technical assistance and professional development to charter schools on topics such as fiscal board governance and supporting students with special education needs.^{lvii}

Ensures equitable access to all students

Charter schools are open admissions schools.^{lviii} They are also prohibited by law from discriminating against any student, employee, or any other person on the basis of ethnicity, national origin, gender, or disability or any other grounds that would be unlawful if done by a school.^{lix} In addition, the law requires charter schools to “demonstrate good faith efforts to attract and retain a comparable or greater enrollment of students with disabilities and limited, English proficient language learners, and students who are eligible applicants for the free and reduced price lunch program when compared to the enrollment figures for such students in the school district in which the charter school is located.”^{lx}

Requires appropriate services for educationally disadvantaged students (e.g., students with special needs, English learners, students in foster care, or unaccompanied homeless youth)

The law states that “special education programs and services shall be provided to students with a disability attending a charter school in accordance with the individualized education program recommended by the committee or subcommittee on special education of the student’s school district of residence” and a charter school “may arrange to have such services provided by such school district of residence, by the charter school directly, or by contract with another provider.”^{lxi}

Authorizer Funding

- Provides a mechanism for guaranteed access to authorizer funding
- Includes a process for holding authorizers accountable for how funding is used

Provides a mechanism for guaranteed access to authorizer funding

The law does not provide a mechanism for guaranteed access to authorizer funding.

Includes a process for holding authorizers accountable for how funding is used

The law does not include a process for holding authorizers accountable for how funding is used.

Endnotes

ⁱ Language in ESSA Framework Details section below was taken directly and adapted from Title IV, Part C of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA), §§ 4301 to 4311 (20 U.S.C. §§ 7221 to 7221j)—<https://oese.ed.gov/offices/office-of-discretionary-grants-support-services/charter-school-programs/state-entities/funding-and-legislation/>; Language in the NACSA: Framework Details section below were taken directly or adapted from the following resources: National Association of Charter School Authorizers: Quality Authorizing Practices; Reinvigorating the Pipeline; Authorizer Accountability Model Language; Higher Education Institution Authorizers; Leadership, Commitment, Judgment: Elements of Successful Charter School Authorizing; Findings from the Quality Practice Project; Principles and Standards for Quality Charter School Authorizing; Putting an End to Authorizer Shipping; Language in the Alliance: Framework Details section below were taken directly or adapted from the following resources: National Alliance for Public Charter Schools: 2019 State Charter Law Ranking—<https://www.publiccharters.org/ranking-state-public-charter-school-laws-2019>; 2016 Model Charter School Law—<https://www.publiccharters.org/sites/default/files/migrated/wp-content/uploads/2016/10/2016ModelCharterSchoolLaw.pdf>

ⁱⁱ New York Education Law § 2850.

ⁱⁱⁱ See New York State Senate Bill S7990; Legislative Review of Charter Schools and SUNY’s Designation as a Charter School Authorizer. Retrieved from https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjBy9_AnLDtAhWSGkFHRZQDYsQFjAAegQIBBAC&url=https%3A%2F%2Fwww.suny.edu%2Fabout%2Fleadership%2Fboard-of-trustees%2Fmeetings%2Fwebcastdocs%2FLegislativeReviewHistoryofSUNYAuthorizing.pdf&usg=AOvVaw1fGuqbfAD8aH_uHDfVnADK

^{iv} *Id.*

^v *Id.*

^{vi} New York City Charter School Center website, Facilities Access Guide: New York City Charter Schools. Retrieved from <https://www.nyccharterschools.org/facilities>

^{vii} New York State Education Department website, Charter School Facts. Retrieved from <http://www.p12.nysed.gov/psc/facts/csfacts.html>

^{viii} New York Education Law § 2851(1).

^{ix} New York Education Law § 2851(3).

^x New York Education Law § 2851(3).

^{xi} New York Education Law § 2857(1).

^{xii} *Id.*

^{xiii} New York Education Law § 2851(2).

^{xiv} New York Education Law § 2852(4).

^{xv} *Id.*

^{xvi} *Id.*

^{xvii} New York Education Law § 2852(2).

^{xviii} *Id.*

^{xix} New York Education Law § 2857(1).

^{xx} New York Education Law § 2852(6).

^{xxi} New York Education Law § 2852(5).

^{xxii} *Id.*

^{xxiii} New York Education Law § 2853(1).

- xxiv New York Education Law § 2852(5).
- xxv *Id.*
- xxvi New York Education Law § 2852(5-a).
- xxvii New York Education Law § 2852(5).
- xxviii New York Education Law §2852(2)(b) and (5).
- xxix New York Education Law § 2851(2).
- xxx New York Education Law § 2854(1).
- xxxi New York Education Law § 2853(1).
- xxxii *Id.*
- xxxiii *Id.*
- xxxiv *Id.*
- xxxv *Id.*
- xxxvi New York Education Law § 2851(2).
- xxxvii New York Education Law § 2857(2).
- xxxviii *Id.*
- xxxix New York Education Law § 2853(2).
- xl Interview on April 4, 2020 with David Frank (Executive Director, New York State Education Department) and Valerie Kowalski (Grant Administrator, New York State Education Department). See also New York State Board of Regents State Education Department, Charter School Office, *Charter School Performance Framework* (2019), retrieved from <http://www.p12.nysed.gov/psc/regentsoversightplan/SectionIIIPerformanceFramework.html>; SUNY Charter School Institute, *Guidelines for Creating an Accountability Plan* (Revised July 2019), retrieved from <http://www.newyorkcharters.org/wp-content/uploads/Accountability-Plan-Guidance-2019.pdf>
- xli Interview on April 4, 2020 with David Frank (Executive Director, New York State Education Department) and Valerie Kowalski (Grant Administrator, New York State Education Department).
- xlii 2018 CSP application.
- xliii New York Education Law § 2855(3).
- xliv Legislative Review of Charter Schools and SUNY’s Designation as a Charter School Authorizer. Retrieved from https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjBy9AnLDtAhWSGlkFHRZQDYsQFjAAegQIBBAC&url=https%3A%2F%2Fwww.suny.edu%2Fabout%2Fleadership%2Fboard-of-trustees%2Fmeetings%2Fwebcastdocs%2FLegislativeReviewHistoryofSUNYAuthorizing.pdf&usg=AOvVaw1fGuqbfAD8aH_uHdfVnADK
- xlv New York Education Law § 2851(4).
- xlvi New York Education Law § 2855(1).
- xlvii New York Education Law § 2855(3).
- xlviii *Id.*
- xlix New York Education Law § 2855(2).
- ¹ *Id.*
- li *Id.*
- lii New York Education Law § 2857(3).
- liii New York Education Law § 2857(5).

^{liv} Interview on April 4, 2020 with David Frank (Executive Director, New York State Education Department) and Valerie Kowalski (Grant Administrator, New York State Education Department).

^{lv} New York State Education Department, Charter School Office website. Retrieved from <http://www.p12.nysed.gov/psc/>

^{lvi} SUNY Charter Schools Institute website. Retrieved from <https://www.newyorkcharters.org/about/>

^{lvii} Interview on April 4, 2020 with David Frank (Executive Director, New York State Education Department) and Valerie Kowalski (Grant Administrator, New York State Education Department).

^{lviii} New York Education Law § 2854(2).

^{lix} *Id.*

^{lx} *Id.*

^{lxi} New York Education Law § 2854(4).