



Charter School Revision Guidelines

**New York State Board of Regents
State Education Department**

Charter School Office

**89 Washington Avenue
Albany, New York 12234
www.nysed.gov/charter-schools**

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3. Written confirmation signed by the chair of the board of trustees, stating that the school will maintain all pre-opening activities, as set forth in **Appendix C**;
4. Written notice to school applicants and staff regarding the pending request for a planning year. The notice must explain the school's plans in the event that the request is granted, and in the event the request is denied. The applicant must also post the notice on the admissions/enrollment page of the school's website, and provide a link to the same; and
5. Any other information that the school deems relevant to the proposed request and any additional information that the CSO may require.

Planning year approvals will not be unreasonably withheld. However, the request for a planning year may be denied if:

1. It does not sufficiently demonstrate the need for a planning year;
2. It is submitted close to the scheduled start of the school year and there are no exigent circumstances warranting a planning year;
3. Two or more planning years have already been granted;²¹ or
4. If the nature of the request, or the circumstances under which the request is made suggests a lack of organizational knowledge and/or capacity to effectively open, maintain, and oversee a high-quality charter school.

I. Other changes to the school's charter²² must include the following:

1. A summary of the changes;
2. A brief narrative detailing whether the revision is expected to increase or decrease the school's budget. If a budgetary change is anticipated, a revised budget for each year through the end of the charter term must be included, using the NYSED budget template (see Appendix D). If the charter term ends less than three years after the proposed revision implementation date, the budget must include these additional years, i.e., three years after implementation;
3. A staffing plan for implementation of the proposed change; and
4. Any other information that the school deems relevant to the proposed request and any

²¹ In very limited circumstances, NYSED may grant a third and final planning year. If the school is requesting a third and final planning year, the school must submit the Assurance in Appendix C2 instead of the Assurance in Appendix C.

²² This includes instituting a temporary summer school program lasting not more than one summer.

additional information that the CSO may require.

Other Changes Not Considered Revisions

Charter schools should always work with the school's CSO liaison to determine which revision type a proposed change falls under or if it is considered a revision at all. There are several changes that do not constitute charter revisions, either material or non-material (including some enrollment changes²³) but which should still prompt a conversation with the school's CSO liaison. Your CSO liaison is a resource that schools should utilize when making the determination of whether or not a change is a revision, and whether or not that revision is material or non-material.

What to Expect After Submission

The CSO, the NYSED Commissioner, and the Board of Regents, where applicable, will consider all relevant information when evaluating a proposed charter revision, including but not limited to: evidence of the success of the school's academic program, viability of the school as an organization, faithfulness of the school to the terms of its charter, capacity of the school to successfully implement the proposed charter revision, and the parent/guardian and community engagement conducted along with any feedback received.

To the extent that the proposed charter revision request provides clear and complete information that addresses the requirements enumerated in this guidance document, the evaluation of a charter revision request will be facilitated and expedited, if possible. The need to request additional information from the school and/or clarify information that has been submitted may occur and could result in prolonging the approval process.

For material charter revisions, the CSO compiles the relevant information on behalf of the Department. The CSO will make a decision on whether or not to recommend the proposed material revision to the Board of Regents and the Board of Regents will make a final decision on whether or not to approve the recommendation. Decisions on non-material revisions are made solely by the CSO.

The Charter Schools Act does not specify a deadline by which the CSO and/or the Board of Regents must consider and/or make a decision regarding a proposed charter revision. However, every effort will be made to provide schools with timely decisions. Ongoing and proactive communication with the school's CSO liaison is critical. Material revisions, which require the approval of the Board of Regents, are only considered by the Regents at its regularly scheduled

²³ Schools may go below their authorized enrollment for a given year without CSO or Regents approval, as long as they do not fall below 85% of the authorized enrollment for that year. Keep in mind that a school cannot exceed its authorized enrollment, cannot go below 85% of its authorized enrollment for a particular year, and cannot make any changes to the grades served without prior written approval.

monthly meetings, a schedule of which can be found at <https://www.regents.nysed.gov/meetings/dates>. The CSO will communicate with the school when a decision has been made about a proposed charter revision.

PLEASE NOTE
ANY PROPOSED REVISIONS OR PORTIONS THEREOF
THAT ARE NOT SPECIFICALLY APPROVED ARE DEEMED DENIED.

Common Reasons Revisions Are Denied

1. The school has mixed or poor academic results, or little to no academic data at the time of the request to support the proposed revision.²⁴
2. The material revision request is submitted after the December 1st deadline, and there are no exigent circumstances warranting an extension of time.
3. The request does not include all required information (e.g., justification, board meeting minutes, board resolution, enrollment charts, NYSED budget template, etc).
4. Documents submitted did not include redlined changes.
5. The school fails to enroll and retain students with disabilities, English language learners, and economically disadvantaged students, in percentages comparable to the district of location, and fails to engage in extensive efforts to recruit and retain such students.²⁵
6. The request violates the law, regulations, or CSO policy (e.g., adding a board member employed by the school in violation of the General Municipal Law; adding preferences for student subgroups without a specific school design pursuant to Commissioner’s Regulation §119.5).
7. Material changes to the school’s key design, mission, vision, or educational philosophy are not interwoven throughout the charter and/or do not reflect innovative ways of serving the school community. For example, a key design change to serve economically disadvantaged students might include all of the following: free services and amenities for students in the budget, daily counseling and supports, family educational opportunities and resources, professional development to staff regarding the impact of poverty on learning, and partnership with community-based organizations.

²⁴ Refer to the [Charter School Performance Framework](#) for a delineation of minimum academic performance standards expected of all Regents-authorized schools.

²⁵ If the school is requesting an enrollment increase or grade expansion, this concern may be addressed by demonstrating the school will couple the admission of additional students with a policy of providing weighting or preferencing to student subgroups. In this case, a redlined version of the revised enrollment policy must be submitted for review and approval.

8. The school has submitted multiple revisions at different points in the academic year. To the greatest extent possible, charter revisions should be submitted simultaneously as separate submissions within the NYSED CSO Portal, in order to best streamline the process. Please note, the [NYSED Application for Charter Renewal](#) and the [Guidelines for Submitting an Application for Merger/Consolidation](#) both contain sections for revision requests. Schools are strongly encouraged to submit revision requests during renewal and/or merger or consolidation, and to limit revisions submitted during the course of the charter term.
9. The school is in its initial charter term, and requests revisions that would substantially alter the educational design or enrollment plan.
10. The school fails to conduct sufficient community and family engagement regarding the proposed revision.

Revision Best Practices

1. Contact your CSO liaison to discuss the revision request. Please see the “Submitting a Revision Request” section in this document.
2. Be sure that all documents that require a signature have been signed, and that any documents required to be on school letterhead are provided in that format.
3. Be sure to provide only the finalized, approved board minutes, not draft minutes. If you have only draft minutes, wait until you have finalized minutes before submitting the request.
4. The required board resolution document must be separate and apart from the minutes or any other documents submitted with the revision request.
5. Be sure to include all documents required in the revision guidelines. If a particular item does not apply, include a document explaining why it does not apply to your request.
6. Be sure that all board members have received CSO approval.
7. Pay attention to detail. For example, if a monthly tally of hours and instructional days is requested for the calendar, be sure to include that.
8. Proofread and check submitted documents for errors before submitting.
9. Be sure to solicit school community feedback, in some way, for all revisions. Information about the community feedback received will be required as part of your portal submission.

10. Property-related requests must include a preliminary purchase agreement, lease agreement, contract of sale, or similar document.
11. If the lease is with the school's "Friends of" organization, explain why, the benefit(s) to the school, and how the arrangement will work logistically.
12. If you are submitting an organization chart as part of your revision, be sure to include new staff titles and position descriptions, as necessary. Also keep in mind that the proposed change cannot be implemented prior to approval by the CSO.
13. Submit the revision well enough in advance to get an approval decision before you need to implement.

FOR ADDITIONAL RESOURCES, PLEASE CONTACT YOUR CSO LIAISON
OR EMAIL CHARTERSCHOOLS@NYSED.GOV

