



New York State Education Department

Definition of an Entity that Provides Comprehensive Management Services

July 2016

The Regents of The University of the State of New York
Charter School Office
89 Washington Avenue
Albany, New York 12234
charterschools@nysed.gov
(518) 474-1762

Purpose

The purpose of this document is to provide guidance on factors used by the NYSED Charter School Office to determine whether a school has engaged an entity that provides comprehensive (all, or a substantial portion, of the) services necessary to manage and operate the Charter School, pursuant to a contract between such entity and the Charter School. In such a case, the school must be given express approval by the Board of Regents to enter into that contract, and the contract between the school and the entity must align with the requirements set forth in 2.13, 2.14 and Exhibit C of the Charter Agreement. This document is solely meant to provide clarity and guidance to the field.

Definition of an Entity that Provides Comprehensive Management Services

An entity will be deemed an educational service provider (ESP), charter management organization (CMO), education management organization (EMO), Professional Employer Organization (PEO), or other entity that provides comprehensive management services by the New York State Education Department if:

1. The entity provides three or more of the following management services necessary to manage and operate the charter school:
 - A. Academic – including but not limited to curriculum and/or instruction
 - B. Fiscal (including but not limited financial management, forecasting, payment processing, fiscal pass-throughs, fiscal sponsors, budgeting, and auditing services)
 - C. Operational – development and/or implementation of systems to manage the day to day running of the school (including but not limited to school food, transportation, information technology, student recruitment and/or enrollment, asset management, and building management)
 - D. Human Resources – including but not limited to assisting in or directly hiring of staff, training of staff, professional development, staff benefits and/or payroll
 - E. Data Management – including but not limited to providing student information systems, data entry, data analysis, and providing interim assessments
 - F. Preparation and/or Submission of Required Documents (including but not limited to renewal application, revision requests, and annual reporting)
 - G. Public Relations
 - H. Advocacy, including legal advocacy and/or legal representation
 - I. Policy and Procedure Development
 - J. Fundraising, Grant Writing and Development
 - K. Governance Support

And **one** or more of the following:

2. The total expenses charged by the entity represent greater than or equal to 5% of the total annual per pupil revenue for all students received by the charter school for any year of the charter term. This may be considered regardless of the payment categorization (e.g., the payment is categorized as rent, but represents 5% or more of the total annual per pupil revenue)

OR

3. The entity oversees the management of two or more schools with a shared vision, mission, or design.

OR

4. The entity's purpose, as described in its incorporation documents, is to provide management support services.

For further information about this document, and whether your school's MOU/contract would be defined as a contract for that provides comprehensive management services, please contact your Charter School Office liaison at charterschools@nysed.gov or via phone at (518) 474-1762.