

New York Charter School Fact Sheet

The New York Charter Schools Act of 1998 (the Act) and its amendments in 2007, 2010, 2015 and 2023 established limits (caps) on the number of charters that may be issued. As set forth in the Act, charter entities are certain school districts, the Board of Trustees of the State University of New York (SUNY) and the Board of Regents (BOR) (see Education Law §2851[3]).

- In **1998**, the numerical limit was 100, with 50 charters to be issued by the BOR on the recommendation of SUNY and 50 to be issued on the recommendation of the other charter entities described in the Act. All authorizers reached the 1998 cap. Conversion of an existing public school to a charter school or the renewal or extension of a charter approved by any charter entity is not counted toward the numerical limits.
- Pursuant to the **2007** amendments, the limit on the number of charters was increased to 200, with 100 to be issued by the BOR on the recommendation of SUNY and 100 to be issued on the recommendation of the other charter entities described in the Act. Up to 50 of the additional charters were reserved for New York City. SUNY has one remaining charter under the 2007 cap; the other charter entities reached the 2007 cap.
- Pursuant to the **2010** amendments, the limit on the number of charters to be issued was set at 460 - 200 from the 2007 cap plus an additional 260, with 130 to be issued on the recommendation of SUNY and 130 to be issued by the BOR. Limits were placed on the number of charters issued to charter schools in New York City.
- The **2015** amendments retain the numerical limit of 460 charters, provide that the charters be issued on the recommendation of SUNY or the BOR, and limit to no more than 50 the number of charters that can be issued to charter schools in New York City on or after July 1, 2015. After the 2015 amendments to the Education Law, there are 84 remaining charters that may be issued.
- The **2015** amendments also provide for the reissuance on the recommendation of the BOR or SUNY of up to 22 charters that have been surrendered, revoked, terminated or not renewed.
- The **2023** amendments retain the numerical limit of 460 charters but provides for the reissuance on the recommendation of the BOR or SUNY of up to 22 charters that have been surrendered, revoked, terminated or not renewed after January 1, 2015 and before July 1, 2022. No more than 14 of the 22 charters may be issued to charter schools in New York City, and new charters shall not be approved in a New York City geographic district where 55 percent or more students are enrolled in charter schools.

New York State Charter School Fact Sheet September 2023

Charters Authorized in New York State

| Charter Authorizer | Open with Students in SY2023-24 | Scheduled to Open in SY2024-25 or Later | Closed | Total Authorized |
|--------------------|---------------------------------|---|-------------|------------------|
| Board of Regents | 93 | 2 | 14 | 109 |
| SUNY | 210 | 10 | 27 | 247*** |
| NYCDOE | 38 | 0 | 11 | 49 |
| Buffalo BOE | 2 | 0 | 0 | 2 |
| Total | 343 | 12 | 52** | 407* |

* Nine of the 407 authorized to date were conversion charter schools.

** Four of the 52 charter schools closed were conversion charter schools.

*** SUNY-authorized charter schools that have been approved by SUNY but have not gone into effect via operation of law are not included in this figure.

Charters Authorized in New York City

| Charter Authorizer | Open with Students in SY2023-24 | Scheduled to Open in SY2024-25 or Later | Closed | Total Authorized |
|--------------------|---------------------------------|---|-------------|------------------|
| Board of Regents | 61 | 2 | 6 | 69 |
| SUNY | 175 | 10 | 11 | 196 |
| NYCDOE | 38 | 0 | 11 | 49 |
| Total | 274 | 12 | 28** | 314* |

* Eight of the 314 authorized to date were conversion charter schools.

** Four of the 28 charter schools closed were conversion charter schools.

Charters to be Issued

| Total Number of Charters Permitted Statewide Under 2015 Legislation | Total Number of Charters Permitted in New York City Under 2015 Legislation | Charters Remaining Under 2015 Legislation** | |
|---|--|---|--------------|
| | | Outside of NYC | NYC |
| 460* | 50 | 84 | 0 (of 50)*** |

* A conversion of an existing public school to a charter school is not counted toward the numerical limits established by Article 56 of Education Law.

** This is exclusive of the 22 "reissued" charters in 2015 and the 22 "reissued" charters in 2023.

*** Of the 50 charters to be issued in New York City pursuant to 2015 amendments to Education Law, to date, 50 have been issued (25 by the BOR and 25 by SUNY).

| Reissued Charters Permitted Under 2015 Legislation | Reissued Charters Remaining to be Issued |
|--|--|
| 22 | 0 |

| Reissued Charters Permitted Under 2023 Legislation | Reissued Charters Remaining to be Issued Statewide | Reissued Charters Remaining to be Issued in NYC |
|--|--|---|
| 22 | 22 | 14 |