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# GUIDE TO CHARTER SCHOOLS IN NEW YORK STATE

## I. Introduction to Charter Schools

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### What is a charter school?

So, you've probably read and heard plenty about charter schools by now, but what exactly *is* a charter school?

In New York State, charter schools are tuition-free public schools that receive money from local, state, and federal funds. They are open to students who are eligible for enrollment in traditional district schools, with a special emphasis on students who reside in a school's district of location. (More information on charter school admission lotteries and enrollment is found in [Section II. Admissions/Enrollment.](#))

Charter schools are completely independent of district school boards. What allows a charter school to provide education to the public is a "charter," a type of contract, between the school's board of trustees and a chartering entity (also known as an authorizer). According to the terms of the charter, a school agrees to meet rigorous academic, operational, financial, and legal standards. The authorizer oversees each charter school to ensure it is meeting the terms of its charter.

A significant difference between charter schools and traditional public schools is that charter schools often focus on innovative curricula, new approaches to school organization or instruction, or another feature that traditional public schools wouldn't be able to accomplish without the flexibility given by a charter.

A comprehensive list of all charter schools in New York State can be found at: <http://www.nysed.gov/charter-schools/charter-schools-directory>

### Why do we have charter schools?

Per New York State law, charter schools are created with the following goals:

- Improve student learning and achievement;
- Increase learning opportunities for students who are at risk of academic failure;
- Encourage the use of different and innovative teaching methods;
- Create new professional opportunities for educators;
- Provide parents and students with expanded choices in the types of educational opportunities that are available within the public school system; and
- Provide schools with a method to change from rule-based to performance-based accountability systems.

## How long have charter schools been in existence?

In 1998, New York became the 35<sup>th</sup> state (including the District of Columbia) to enact charter law. In 1998,

the state's charter schools. However, at this time, the only charter entity/authorizers to which applicants may submit charter school applications are the Board of Regents and SUNY.

The four charter entity/authorizers who oversee charter school performance are:

- The Board of Regents (NYSED Charter School Office): <http://www.nysed.gov/charter-schools>
- The Board of Trustees of the State University of New York (SUNY Charter Schools Institute): <http://www.newyorkcharters.org/>
- The New York City Department of Education Chancellor (NYC DOE Charter School Office): <https://www.schools.nyc.gov/enrollment/enroll-in-charter-schools/learn-about-charter-schools>
- The Buffalo Board of Education: <https://www.buffaloschools.org>



## Do charter schools have to follow the same laws and regulations as other public schools?

Yes, charter schools must follow the same health and safety, civil rights, and student assessment requirements as other public schools, but they are exempt from all other laws and regulations, except for Article 56 of the Education Law.

## II. Admissions/Enrollment

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### **Are charter schools open to all students?**

Yes, any student who is qualified for admission to a public school is qualified for admission to a charter school. Students may apply to attend any charter school within the state, although charter schools have admissions preferences for, among other things, students residing in the school's district of location. Students are generally admitted to a charter school through an impartial and random lottery.

Are charter schools required to enroll children with special needs or English language learners/multilingual learners?

Yes, a charter school is required to enroll and retain students with disab



<https://nyccharterschools.schoolmint.net/welcomeback>

- Rochester Common Online Charter Application:  
<https://goodschoolsroc.schoolmint.net/welcomeback>

Charter schools give enrollment preferences to:

- Returning students;
- Siblings of students already enrolled; and
- Students living in the same district (or community school district, in New York City) as the school.

Charter schools may also give preferences to the following groups, among others (if law and the school's authorizer allow):

- English language learners;
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### III. Creating a Charter School

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#### Who can apply to open a charter school in New York?

An application to establish a charter school may be submitted by teachers, parents, school administrators, community residents, or any combination thereof. Such an application may be filed in conjunction with a college, university, museum, educational institution, or not-for-profit corporation, but may also b





## IV. Academic Program

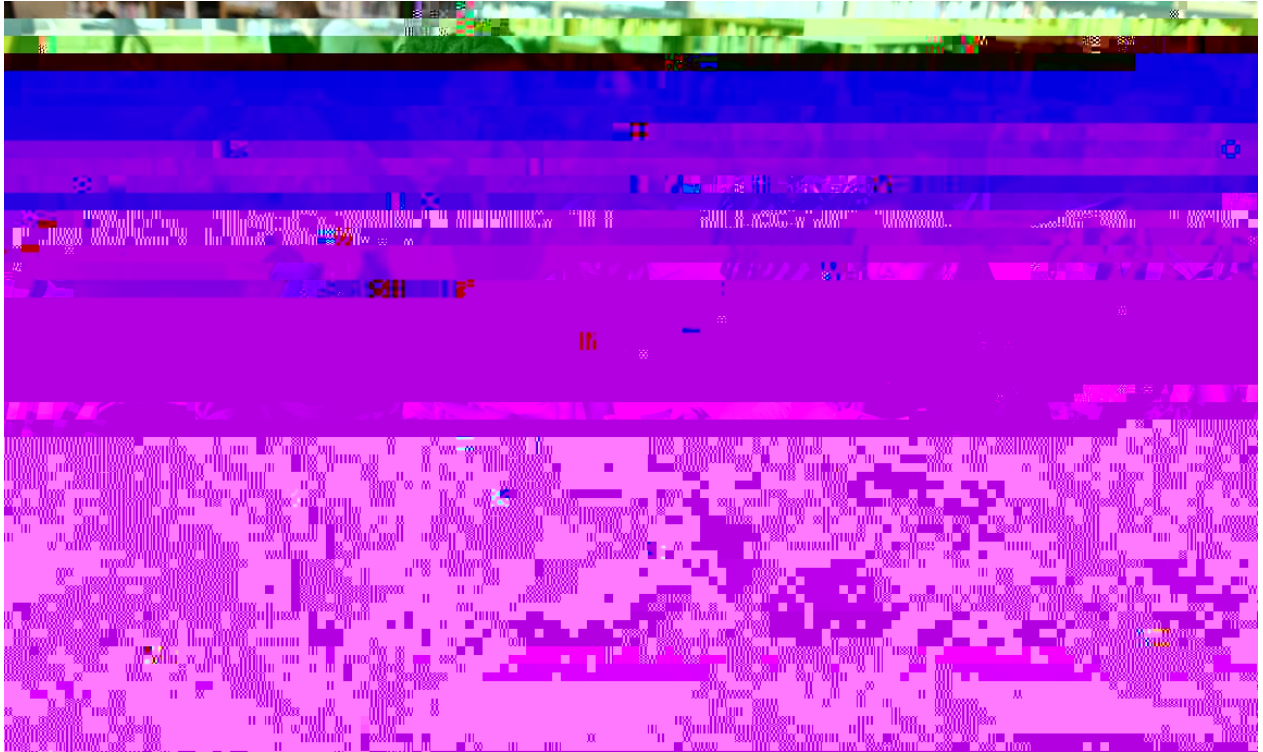
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Do charter schools have to address the [state's learning standards](#) and administer state assessments?

Yes, charter schools must design their educational programs to meet or exceed the New York State Learning Standards. Charter schools may also supplement their instruction with additional materials or standards. Charter schools must also give the [same student assessments](#) as other public schools.

Do charter school students have to take Regents exams?

Yes, students attending a charter school are required to take Regents examinations that are required of other public school students. A charter school offering instruction in the high school grades may grant Regents and local diplomas to the same extent as other public schools.



## Do charter schools have to provide a minimum number of days of instruction and a minimum number of hours per day?

Most charter schools provide more instruction time than is required. Charter schools are required to provide at least as much time dedicated to instruction as is required of other public schools.

## Do charter schools have to meet specific student achievement goals?

Yes, charter schools must have specific measurable student achievement goals as identified in the school's charter.

## V. Student Services

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Do charter schools have to enroll students who are eligible for the free and reduced-price lunch program?

Yes, a charter school must serve a comparable percentage of economically disadvantaged



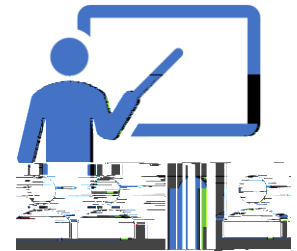


## VI. Discipline

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### What kind of discipline plan must charter schools have?

Charter schools may have their own standards for student behavior within the school. However, certain components are required, such as rules and due process procedures for disciplining, suspending, or expelling students, the process for providing students with alternative instruction, and rules and procedures for disciplining students with disabilities.



### How are students with disabilities disciplined?

Charter schools must have methods and strategies in place for assuring that students with disabilities are provided with appropriate due process and a free appropriate public education in accordance with the requirements of federal and state law.



## VII. Finances

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### Can charter schools charge their students tuition and/or fees?

No, charter schools are by law tuition-free for students in New York State. They can only charge fees that traditional public schools can charge.

### How much taxpayer/public money do charter schools receive?

The amount of public money a charter school receives depends on the number of students the charter school enrolls. This is called "per pu

Charter schools receive funding based on each day a student is enrolled in the charter school. If a student enrolls in another school, no matter when in the school year, the charter school no longer receives funding for that student.





## IX. Accountability

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### Who oversees charter schools?

The charter entity/authorizer that approved the charter school and the Board of Regents exercise oversight over charter schools.

Charter schools in New York are more autonomous than traditional public schools, and, in exchange for that freedom, they are held to a higher accountability standard for prod(igh)m3(f)-4(or)-3()-33(p

## What reporting requirements do charter schools have to meet?

Charter schools are required to make an annual report to the charter entity/authorizer and the Board of Regents. They may also be asked by authorizers to provide information at any time.

## May a charter be revoked?

A charter may be revoked by the Board of Regents or by the SUNY Board of Trustees for student achievement that falls below the level that would allow revocation of the registration of another public school, or for serious violations of law or the charter, including fiscal mismanagement. This results in dissolution of the charter school. Each charter school must follow its charter entity/authorizer's agreed upon in the school's charter that outlines the standards it needs





Complainants should work with the school and/or the charter entity/authorizer when handling a complaint informally. Complainants may reach out to the NYSED Charter School Office and/or



## XI. Additional Questions

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### Where can I obtain additional information about charter schools?

The New York State Education Department Charter School Office website offers additional information and resources regarding charter schools. The office can also be contacted by email at [CharterSchools@nysed.gov](mailto:CharterSchools@nysed.gov) or by phone at (518) 474-1762.

### What resources can I use to learn more about charter schools?

This NPR article goes into the basics of what a charter school is:

<https://www.npr.org/sections/ed/2017/03/01/511446388/just-what-is-a-charter-school-anyway>

The National Association of Charter School Authorizers is another resource:

<https://www.qualitycharters.org/>

The National Alliance for Public Charter Schools conducts studies that track charter school performance records:

<https://www.publiccharters.org/about-charter-schools>