Legislation Details (With Text)

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Title: Resolution calling upon the New York State Legislature to amend the State Education Law, in relation to charter schools, by limiting the number of charter schools that can be operated by a single organization to no more than 10% of the charters in the state and by requiring that no more than 10% of the organization's charters may be located in any one school district, or alternatively to pass legislation allowing New York City to enact local limits.

Sponsors:

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6/30/2009	*	City Council	Referred to Comm by Council	
12/31/2009	*	City Council	Filed (End of Session)	

Res. No. 2052

Resolution calling upon the New York State Legislature to amend the State Education Law, in relation to charter schools, by limiting the number of charter schools that can be operated by a single organization to no more than 10% of the charters in the state and by requiring that no more than 10% of the organization's charters may be located in any one school district, or alternatively to pass legislation allowing New York City to enact local limits.

By Council Members Dickens, Fidler, Jackson, James, Liu, Palma, Reyna and Mark-Viverito

Whereas, The New York Charter Schools Act ("the Act") of 1998, also known as Article 56 of the State Education Law, authorized the creation of charter schools "that operate independently of existing schools and school districts;" and

Whereas, As stated in the Act, one of the primary objectives for creation of charter schools is to "provide parents and students with expanded choices in the types of educational opportunities that are available within the public school system;" and

Whereas, Charter schools are publicly financed through local, state and federal funds; and

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Whereas, The authority for a charter school to operate and provide education services is through a contract or "charter" issued by the State Board of Regents; and

Whereas, Charters may be issued for a term of up to five years and, upon application, may be renewed for additional five-year periods; and

Whereas, The Act also states that an application to establish a charter school may be submitted by teachers, parents, school administrators, community residents or any combination thereof; and

Whereas, In addition, such application may be filed in conjunction with a college, university, museum, educational institution, not-for-profit corporation or corporate entity authorized to do business in New York State; and

Whereas, The Act further specifies that, for charter schools established in conjunction with a for-profit business or corporate entity, the charter shall specify the extent of the entity's participation in the management and operation of the school; and

Whereas, The Act is silent on the issue of how many charter schools can be established or operated by a single organization or entity; and

Whereas, Initially, the Act authorized the creation of no more than 100 charter schools statewide; and

Whereas, Subsequently, as part of budget legislation enacted on April 1, 2007, the Act was amended, increasing the cap on new charter schools allowed to open in the state from 100 to 200; and

Whereas, The amendment to the Act further provided that at least 50 of the new charters be reserved for New York City; and

Whereas, According to the Charter Schools Institute of the State University of New York, there are currently 115 charter schools operating statewide, comprising less than 2% of all public schools in the state; and

Whereas, The New York City Department of Education (DOE) reports that, as of September 2008, there are 78 charter schools, approximately 5% of all public schools, operating in the City; and

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Whereas, The vast majority of the state's charter schools, more than two-thirds, are located in New York City; and

Whereas, Some communities in the City have a high concentration of charter schools, such as Harlem which has 24, according to a recent *New York Times* article; and

Whereas, A number of operators have established multiple charter schools in New York City, including Achievement First, KIPP, Icahn and Success Charter Network among others; and

Whereas, According to news reports, several of these operators plan to further expand their chain of charter schools in the City, including the Success Charter Network which plans to expand from the present four Harlem Success Academies to 40 over the next decade; and

Whereas, Establishing limits on the number of charter schools that can be operated by a single organization will maximize choices and educational opportunities for students while preventing domination by one group's philosophy and methods in any community; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to amend the State Education Law, in relation to charter schools, by limiting the number of charter schools that can be operated by a single organization to no more than 10% of the charters in the state and by requiring that no more than 10% of the organization's charters may be located in any one school district, or alternatively to pass legislation allowing New York City to enact local limits.

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