

To: Charter School Leaders
From: New York City Charter School Center
Date: July 11, 2017
Re: The 2017-18 State Legislative Session and Charter Schools

As part of the agreement to extend mayoral control in New York City for two years, the following provisions and commitments by the State Education Department and the New York City Department of Education will affect charter schools in New York City.

I. Clarifying the Number of Available Charters in NYC

In 2015, the Charter Schools Act was amended to increase the charter school sub-cap in New York City to 50. Additionally, the legislation revived a subset of charters previously issued and revoked prior to 2015, effectively increasing the statewide charter school cap of 460 by 22 charters. At the time, it was not clear whether these 22 charters were available in addition to the 50 allocated to New York City. All parties, including the New York State Education Department, are now in agreement that these 22 charters are available for issuance in New York City *in addition* to the 50 that were more explicitly reserved for New York City. Along with the 23 charters currently available under the sub-cap, there are now 45 charters available to open in New York City.

II. Alleviating Operational Burdens

The New York City Department of Education (NYC DOE) agreed to take additional steps to alleviate some operational challenges charter schools currently face.

1. **Transportation reimbursement for schools operating an extended school year.**

Currently, the NYC DOE provides transportation benefits to all charter school students during the traditional school year. Many charter schools, however, operate an extended school year, in some cases starting the first day of classes weeks before district schools open. During this time charter students and/or schools bear the cost of transportation until the start of the traditional school year. The NYC DOE has now agreed to provide transportation reimbursement via Metrocards to all charter schools for the period between a charter's start date and the NYC DOE's first day of school.

2. **Timely rental assistance reimbursement for eligible charters.**

Given the statutory change that resulted from this year's budget negotiations increasing the maximum amount of rental assistance from 20% to 30% of per pupil tuition, the NYC DOE has agreed to make timely reimbursement payments to all eligible charters using the new maximum ceiling. In other words, a charter school that previously had successfully appealed for rental assistance and has an actual rental cost that exceeds the former 20% ceiling will receive such increased rental assistance (up to the new 30% rental assistance) without having to file an additional appeal to the Commissioner and receiving a new order pursuant to that appeal.

3. **Streamlining the rental assistance process.**

The NYC DOE has agreed to shorten the amount of time it takes to deny a request for public space for any charter school *that indicates a preference for rental assistance* when requesting space under the facilities access law (Education Law § 2853(3)). The NYC DOE will now deny the space request within five business days, and submit a joint request with the charter, within 10 business days, to the State Education Department for a decision in favor of rental assistance reimbursement. Until details on this streamlined process are announced, contact the [Charter Center](#) with questions.

4. Accommodating single site space requests.

The NYC DOE will now ensure that a charter school's grades are not split across multiple co-located sites without its express consent. In the event that a charter school's grades are split, the NYC DOE will make good faith efforts to reunite the multiple sites within two years.

5. Timely approval of building upgrade requests.

The NYC DOE will approve all requests for building upgrades in co-located facilities within 45 days, unless the requests are demonstrably unreasonable.