

## 2023 LEGISLATIVE PRIORITIES

# We Support Governor Hochul's Proposals for Charter School Growth

### What's the Charter School Cap?

The charter school cap is the statutory limit on the number of charter schools that can open in New York State, which currently stands at 460 with a smaller sub-cap for New York City. Under the current cap, the state's two authorizers, the New York State Board of Regents (Regents) and the SUNY Board of Trustees (SUNY Trustees), may issue charters so long as the total number does not exceed the sub-cap established for NYC or the statewide cap.\*

### How Many Charters Are Available for New York City?

None. Currently there are no charters available to be issued in NYC. Under legislation passed in the 2015 state legislative session, the charter school sub-cap for New York City increased to a maximum of 50 new charters, of which 0 remain.

### Is There a Demand for More Charter Schools in NYC?

Yes. Charter school enrollment continues to climb, even in the midst of the pandemic: over the last two school years, charter schools saw a nearly 9% increase in overall enrollment (notably, charter enrollment of English language learners increased by more than 38%).

There are currently a dozen new and existing educators and community-based organizations that have been on hold to open or replicate a successful charter school. These schools conducted extensive community outreach to determine interest and need – families are waiting for these schools to open.

#### GOVERNOR HOCHUL'S RECOMMENDATIONS:

### Remove the NYC Sub-Cap

Governor Hochul's proposal leaves New York's charter cap intact but allows the 84 charters left under the statewide cap to be given to groups starting schools in New York City. The demand for charters is greater in NYC and this policy shift will enable talented educators, including leaders of color and representatives from community-based organizations, to start and locate new schools where they are needed and wanted.

### "Reviving" Charters

Governor Hochul proposes allowing charters that have been previously issued and then were surrendered, revoked, or terminated (23 at this point) to be reissued to new, high-capacity educators or community-based organizations. These charters are typically referred to as "zombie" charters. This approach maintains NY's cap on charters but provides incentives for low performing charters to be closed and replaced by new, high quality charter schools. There is precedent for this policy; in 2015, legislators "revived" the 22 charters that had closed prior to July 2015.

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\*Charter schools that are "conversions" from district schools do not count against the cap.