

NEW YORK

(Law passed in 1998; 6th strongest of the nation's 43 charter laws)



INDEPENDENT OR MULTIPLE AUTHORIZERS - YES (3)

APPROVAL	School boards, state board of education (New York Board of Regents) or the board of trustees of the State University of New York (SUNY.) In New York City, the Chancellor also has direct authorizing power subject to the Board of Regents approval.
APPEAL	None

OPERATIONAL AUTONOMY

STATE	Yes. Blanket waiver from most traditional public school rules and regulations. Virtual schools are not allowed. ESP management contracts restricted to nonprofits for all charters approved after 2010. Additional rules and regulations from the state concerning charter school operations have been imposed.
LOCAL	Limited. Districts impose many local rules and regulations on operations, facilities, etc.
TEACHER FREEDOM	Limited. Schools enrolling fewer than 250 students in the first year are exempt from collective bargaining agreements. Schools enrolling more than 250 students in the first two years must negotiate with all staff as a separate bargaining unit of the local union. Teachers in conversions remain covered by district collective bargaining agreement, but may, by mutual agreement, negotiate waivers from contract provisions. Charter employees may choose to be part of the relevant retirement system.

NUMBER OF SCHOOLS ALLOWED

CAP	Yes. A total of 460 new starts are permitted, of which 114 are reserved for New York City, and 260 are evenly split between SUNY and Board of Regents. SUNY and the Board of Regents are each limited to issuing up to 33 (SUNY) or 32 (Board of Regents) charters per year through 2014, with any used slots rolling to the next year. No cap on conversion schools.
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EQUITY

<p>STUDENT FUNDING</p>	<p>Funds pass through the district. The pupil unit formula counts many students greater than one, which changes the calculations and gives charters less funding (approximately 75 percent.)</p> <p>“The school district of residence shall pay directly to the charter school for each student enrolled in the charter school who resides in the school district the charter school basic tuition, which shall be: for school years prior to the two thousand nine–two thousand ten school year and for school years following the two thousand twelve–two thousand thirteen school year, an amount equal to one an amount equal to one hundred percent of the amount calculated pursuant to paragraph f of subdivision one of section thirty six hundred two of this chapter for the school district for the year prior to the base year increased by the percentage change in the state total approved operating expense calculated pursuant to paragraph t of subdivision one of section thirty six hundred two of this chapter from two years prior to the base year to the base year. The school district shall also pay directly to the charter school any federal or state aid attributable to a student with a disability attending charter school in proportion to the level of services for such student with a disability that the charter school provides directly or indirectly.” [NY CLS Educ § 2856.1]</p>
<p>FACILITIES FUNDS</p>	<p>No Additional Funds.</p>

IMPLEMENTATION POINTS

<p>+ 1</p>	<p>One point awarded for strong accountability measures by the state and by authorizers to ensure that charter schools are being held accountable to outlined performance and operational targets.</p>
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[LINK TO THE NEW YORK CHARTER SCHOOL LAW](#)