



Charter School Revision Guidelines for New York State Board of Regents- Authorized Charter Schools

New York State Board of Regents State Education
Department

Charter School Office

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<https://www.nysed.gov/charter-schools>

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OVERVIEW

A revision is a change to the school design as set forth in the school's charter. These revisions may include, but are not limited to, changes to the academic program, governance structure, mission, key design elements, location of the school, and/or certain policies and procedures.

Revisions to a charter may require the approval of either the Board of Regents (for material revisions) or the Commissioner of Education through the New York State Education Department's Charter School Office (CSO) (for non-material revisions), before the school may implement the change.

There are several changes that do not constitute charter revisions, either material or non-material (including some enrollment changes¹). There are also certain changes that are not considered material revisions but that may require other processes and/or approval by the CSO (e.g., adding members to the Board of Trustees). These guidelines are designed to provide general information about the process for requesting revisions to charters.

SUBMITTING A REVISION REQUEST

1. All charter schools authorized by the Board of Regents have a staff member of the CSO designated as its liaison. **The required first step in this process is to contact your CSO liaison** for guidance and clarification regarding whether the revision request is material, non-material, or neither, and to determine whether there are any significant issues the school should consider and address before submitting the proposal. NYSED, not the school, determines if a revision is material, non-material, or neither. The CSO strongly recommends starting this process as soon as possible in the summer prior to the year of implementation of the proposed revision. The school's CSO liaison is a resource with whom schools should collaborate throughout the charter term, including early on in strategic planning discussions. Strong communication with your liaison throughout the revision process will save your school time. A liaison list is available on the CSO web site at: [Liaisons for BoR-Authorized Schools](#) or by emailing CharterSchools@nysed.gov.
2. Consider all revisions being sought for the upcoming academic year that can be submitted to the CSO. Submitting all revision requests simultaneously (but as separate requests in the NYSED CSO Portal) will result in faster processing time and a more coherent presentation to the Board of Regents. **Submitting revision requests at different times in a single academic year is strongly discouraged.**
3. Prepare and submit the revision request(s) to the charter school's board of trustees for approval and prepare a *separate signed* board resolution on school letterhead that will be submitted with the *final* board meeting minutes for the applicable meeting.
4. Submit the revision request and all required documents set forth in this document via the NYSED CSO Portal: <https://nysed-cso.smaply.io/>. The CSO will **only accept** revision requests, both material and non-material, through the portal. Upon entering the portal, follow all prompts required for the revision and submit all required documents. If a required document does not apply to your revision request, upload a document that explains why the document is not applicable. **If a charter school is requesting multiple revisions, each revision request must be submitted separately in the NYSED CSO Portal.** Follow the directions within the portal to do so.
5. Requests for additional information and documents will be sent from the CSO to the school through

REVISION WINDOW

Charter schools not eligible for renewal in an upcoming cycle are strongly encouraged to plan ahead, no later than the summer prior to an academic year, regarding charter revisions, particularly those of a material nature. **All proposed MATERIAL charter revisions must be submitted to the**

SUBMISSION REQUIREMENTS³ FOR ALL REVISIONS (MATERIAL AND NON-MATERIAL)

MATERIAL REVISIONS

Common Material Revisions and the Additional Required Documents

- A. Revisions that fundamentally alter a school's key design elements or overall school design must include the following:**
1. A line-by-line "redlined" comparison of changes from the NYSED approved version;
 2. A detailed explanation of how the proposed change has been *interwoven throughout the charter* so that it is a fundamental change for the school. For example, a key design change to serve economically

3. An analysis of the projected programmatic and fiscal impact of the relocation on the proposed new school district of location and other public and nonpublic schools in the area (see Appendix E);
4. A copy of the proposed purchasing contract and/or lease agreement, along with a summary detailing the source of funds used for the purchase/lease including, but not limited to public funds, new market tax credits, bonds, donations, and loans;
5. A rationale as to why this building purchase/lease is proposed as opposed to other properties along with any extenuating circumstances regarding the proposed building;
- 6.

C.

D. Any change to grades served must include the following:

1. The approved enrollment chart for the entire current charter term (see Appendix A);
2. A proposed enrollment chart for the entire current charter term (see Appendix A);
3. Identification of the current location of the school and any plans to secure additional or new space to accommodate the increased enrollment or plans to sell or relinquish space to address reduced enrollment¹⁰;
4. Evidence of the demand for additional grades at the school, or a summary explaining why a decrease is necessary;(e)7.0.058 Tw 0.83 (Tc -)Tj 0.739 0.83 (d)2.2 ;

F. Restructuring of the Education Corporation

1. Please refer to the [Guidelines on the Submission of Plans to Restructure an Existing Education Corporation/School At-Risk of Non-Renewal/Closure](#) for complete information.

NON-MATERIAL REVISIONS

Common Non-Material Revisions and Additional Documents Required

A. Temporary or permanent relocations of the school, or acquisitions of a new facility or building, within the same school district, or same borough in New York City, must include the following:¹²

1. A table identifying the current school facility/facilities (including the district or CSD of location), grades served at each location, and the number of students served therein, for each year of the charter term (see Appendix B);
2. A table identifying the proposed school facility/facilities (including the district or CSD of location), grades served at each location, and the number of students served therein, starting with the current year, and continuing for at least five years (see Appendix B);
3. An analysis of the projected programmatic and fiscal impact of the relocation on the proposed new school district of location, and other public and nonpublic schools in the area (see Appendix E);
4. A copy of the proposed purchasing contract and/or lease agreement, along with a summary detailing the source of funds used for the purchase/lease including but not limited to public funds, new market tax credits, bonds, donations, and loans;
5. A rationale as to why this building purchase/lease is proposed as opposed to other properties along with any extenuating circumstances regarding the proposed building;
6. A market analysis showing that the purchase or lease terms are at or below market rate;
7. A revised budget for each year through the end of the charter term, using the NYSED CSO budget template (see Appendix D). If the charter term ends less than three years after the proposed revision implementation date, the budget must include these additional years (i.e., the budget must include at least three years of financial information, starting with the year of proposed implementation);
8. A transportation plan to ensure that existing and future students are able to get to the newly proposed location;

9. Evidence of engagement with parents/guardians of children enrolled in the school as well as the community in the new area of location; and
10. Certificate of Occupancy and Fire Inspection (see [NYSED guidance regarding the Fire Inspection](#))

8. A letter from legal counsel retained by the Education Corporation stating that the Management Contract meets such council's approval. Such counsel shall not also represent the entity that provides comprehensive management services.

E. Discontinuing a contract with an entity that provides comprehensive management services must include the following:

1. A copy of any amended contracts or agreements with the entity that provides comprehensive management services (may require separate CSO approval);
2. A line-by-line "redlined" version of the revised by-laws;
3. Evidence that the school has the capacity to operate independently of the entity that provides comprehensive management services; and
4. A revised budget for each year through the end of the charter term, using the NYSED budget template (see Appendix D). If the charter term ends less than three years after the proposed revision implementation date, the budget must include these additional years (i.e., three years after implementation).

F. Changing the name of the school must include the following: ¹⁶

1. The rationale for the proposed name change.

Please note:

- i. If the school has the name of a community in its name and is seeking approval to relocate outside of that community, the request for a name change should be made at the same time the request is made to relocate ()JJ-0a1, (te ()5.9 (ng)-8.3 (i)-8 (e)43 (a)2.7 (d)5.3 (e t)1)A98e.7 (ge)

G. Changing the name of the company

I. **Changes or corrections to a school’s mission or vision, curriculum model, educational philosophy or program, or minor changes to key design elements or overall school design must include the following:**¹⁸

1. A line-by-line “redlined” comparison of changes. Use the track changes feature in your word processing software to show the modified text (creating a redlined version in Microsoft Word format for CSO review). Please submit actual pages with your tracked changes, not a summation of revised text. This can be limited to the relevant section(s).

Please note: Charter schools that wish to increase the chances of at-risk students obtaining an enrollment offer at their school should first consider their enrollment efforts. Authentic community-

The NYSED CSO Portal for adding members to the board of trustees is located at: [Add a Board Member Portal Application](#)

N. Requesting a Planning Year (New Schools Only).

Charter schools are strongly encouraged to submit planning year requests as soon as possible.
All planning year requests

4. Two or more planning years have already been granted; or
5. If the nature of the request, and/or the circumstances under which the request is made suggests poor governance, a lack of organizational knowledge, or insufficient capacity to effectively open, maintain, and oversee a high-quality charter school.

O. Other minor changes to the school's charter must include the following:

1. A summary of the changes;
2. A brief narrative detailing whether the revision is expected to increase or decrease the school's budget. If a budgetary change is anticipated, a revised budget for each year through the end of the charter term must be included, using the NYSED budget template (see Appendix D). If the charter term ends less than three years after the proposed revision implementation date, the budget must include these additional years (i.e., three years after implementation);
3. A staffing plan for implementation of the proposed change; and
4. Any other information that the school deems

OTHER CHANGES NOT CONSIDERED REVISIONS¹⁹

Charter schools should always work with the school's CSO liaison to determine which revision type a proposed change falls under or if it is considered a revision at all. There are several changes that do not constitute charter revisions, either material or non-material (including some enrollment changes²⁰)

COMMON REASONS REVISION REQUESTS ARE DENIED

1. The individual submitting the request has failed to review this Revision Guidelines document in its entirety.
2. The school has mixed or poor academic results or little to no academic data at the time of the request to support the proposed revision.²¹
3. The material revision request is submitted outside of the September 1 to December 1 revision request window, and there are no exigent circumstances warranting an extension of time.
4. The request does not include all required information (i.e., justification, board meeting minutes, board resolution, enrollment charts, at least three years of financial information), and the school fails to respond to requests for additional information and/or documents within 30 days of receiving the request through the [NYSED CSO Portal](#).²²
5. The request did not utilize required budgetary, enrollment and other templates (see appendices).
6. Documents submitted did not include redlined changes in Microsoft Word format.
7. The school fails to enroll and retain students with disabilities, English language learners, and economically disadvantaged students in percentages comparable to the district of location and fails to engage in extensive efforts to recruit and retain such students.²³
8. The request violates the law, regulations, or CSO policy (e.g., adding a board member employed by the school in violation of the General Municipal Law).
9. Material changes to the school's key design elements, mission or vision, curriculum model, educational philosophy, or overall school design are not interwoven throughout the charter and/or do not reflect innovative ways of serving the school community. For example, a key design change to serve economically disadvantaged students might include all of the following: free services and amenities for students in the budget, daily counseling and supports, family educational opportunities and resources, professional development to staff regarding the impact of poverty on learning, and partnership with community-based organizations.
10. The school has submitted multiple revision requests at different points in the academic year. To the greatest extent possible, charter revisions should be submitted simultaneously as separate submissions within the [NYSED CSO Portal](#) in order to best streamline the process. Please note, the [NYSED Application for Charter Renewal](#) and the [Guidelines for Submitting an Application for Merger/Consolidation](#) both contain sections for revision requests. Schools are strongly encouraged to submit revision requests during renewal and/or merger or consolidation and to limit revisions submitted during the course of the charter term.
11. The school is in its initial charter term, and requests revisions that would substantially alter the educational design or enrollment plan.
12. The school fails to submit evidence of meaningful community and family (or stakeholder) engagement), which includes sharing and soliciting feedback regarding the proposed revision

²¹ Refer to the [Charter School Performance Framework](#) for a delineation of minimum academic performance standards expected of all Regents-authorized schools.

²² All such requests will be sent to the school through the portal. If the school fails to respond to such requests and submit all required items within 30 days, the revision request will be considered withdrawn and will be deleted from the portal.

²³ If the school is requesting an enrollment increase or grade expansion, this concern may be addressed by demonstrating the school will couple the admission of additional students with a policy of providing weighting or preferencing to student subgroups. In this case, a redlined version of the revised enrollment policy in Microsoft Word format must be submitted for review and approval.

REVISION REQUEST BEST PRACTICES

1. Contact your CSO liaison to discuss the revision request prior to submission. Please see the "Submitting a Revision Request" section in this document.
2. Be sure that all documents that require a signature have been signed and that any documents required to be on school letterhead are provided in that format.
3. Be sure to provide only the finalized, approved board minutes, not draft minutes. If only draft minutes are available, wait until you have finalized minutes before submitting the request.
4. The required board resolution document must be signed on school letterhead and separate and apart from the minutes and any other documents submitted with the revision request.
5. Be sure to include all documents required in the revision guidelines. If a particular item does not apply, include a document explaining the reason(s) why it does not apply to your request.
6. Be sure that all board members voting to approve a revision have received CSO approval to serve on the board and that the meeting was noticed and held in accordance with all legal requirements.
7. Pay attention to detail. For example, if a monthly tally of hours and instructional days is requested for the calendar, be sure to include that.
8. Proofread submitted documents for errors before submitting.
9. While it is required that a plan has been developed to share the proposed revisions with the school, parents/guardians, and community stakeholders, it is best practice to solicit school community feedback for all revisions *prior to* submission of the revision request, even if this is not specifically required per the guidelines set forth herein.
10. Property-related requests must include a preliminary purchase agreement, lease agreement, contract of sale, or similar document, in addition to a market analysis and/or appraisal/valuation.
11. If the lease is with the school's "Friends of" organization, explain why, the benefit(s) to the school, and how the arrangement will work logistically.
12. If you are submitting an organizational chart as part of your revision, be sure to include new staff titles and position descriptions, as necessary, and ensure that the organizational chart clearly shows all reporting relationships. Also keep in mind that the proposed change, like all revisions, cannot be implemented prior to approval by the CSO and/or the Regents.
13. Renewal schools must submit the revision request by the due date of the renewal application in the year prior to implementation and non-renewal schools must submit by December 1st of the year prior to implementation.

**FOR ADDITIONAL RESOURCES, PLEASE CONTACT YOUR CSO
LIAISON OR EMAIL CHARTERSCHOOLS@NYSED.GOV.**

APPENDIX A: SAMPLE ENROLLMENT/GRADE REVISION CHARTS²⁴

**Table 1: Sample Charter School
Approved Enrollment/Grade Configuration**

	20XX-20XX	20XX-20XX	20XX-20XX	20XX-20XX	20XX-20XX
Grade Configuration	K-Grade 3	K-Grade 4	K-Grade 5	K-Grade 5	K-Grade 5
Total Approved Enrollment	100	200	300	300	300

**Table 2: Sample Charter School
Proposed Enrollment/Grade Configuration**

	20XX-20XX	20XX-20XX	20XX-20XX	20XX-20XX	20XX-20XX
Grade Configuration	K-Grade 3	K-Grade 4	K-Grade 5	K-Grade 5	K-Grade 5
Total Proposed Enrollment	100	200	300	400	500

²⁴ List grade and enrollment configurations for each year in the current charter term, even if those years have passed.

APPENDIX B: SAMPLE FACILITIES TABLE²⁵

Table 1: Sample Current Facilities Table

20XX - 20XX	Address	School District /CSD	Grade Levels	Enrollment
1. 2.				
20XX - 20XX	Address	School District /CSD	Grade Levels	Enrollment
1. 2.				
20XX - 20XX	Address	School District /CSD	Grade Levels	Enrollment
1. 2.				
20XX - 20XX	Address	School District /CSD	Grade Levels	Enrollment
1. 2.				
20XX - 20XX	Address	School District /CSD	Grade Levels	Enrollment
1. 2.				

Table 2: Sample Proposed Facilities Table²⁶

20XX - 20XX	Address
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APPENDIX C2: FINAL PLANNING YEAR STATEMENT OF ASSURANCE

I, _____ (Print Name of the Chair of the Board of Trustees) am the Chair of the _____ (Print Charter School Name) Board of Trustees. In the event that the school's _____ (date) request for a _____ [e.g., **third**] and final planning year for the **20__ - 20__ academic year** is granted, the charter school's Board of Trustees will continue to engage in all pre-opening activities, including but not limited to:

1. Monthly board of trustee meetings in accordance with the Open Meetings Law;
2. Continued participation in all NYSED CSO pre-opening conference calls;
3. All required fiduciary responsibilities, included but not limited to audits; and
4. Any other activities required by the pre-opening checklist and the New York State Education Department.

The board further understands and agrees that in the event that the final planning year request is granted, if the school does not open in the 20__ - 20__ academic year, whether due to an event outside of the board's control, failure to satisfactorily complete NYSED pre-opening requirements, or for any other reason, NYSED will not grant any additional planning years. If the school will not open in the 20__ - 20__ academic year as required, regardless of the reason, the Board will formally and immediately surrender the charter. Failure to open and/or surrender the charter as required will be grounds for termination, revocation, and dissolution of the charter.

The board also understands and agrees that in the event that the final planning year request for 20__ to 20__ is *denied*, the school will open in 20__ - 20__, in accordance with the originally approved timeline. If the school will not open as required, the Board will formally and immediately surrender the charter. Failure to open and/or surrender the charter as required will be grounds for termination, revocation, and dissolution of the

APPENDIX D: NYSED BUDGET TEMPLATE

[Link to Budget Template](#)

APPENDIX E: FISCAL IMPACT TABLE

[Link to Fiscal Impact Table Template](#)