

The Board must submit an original and two copies of a petition for dissolution, duly executed and acknowledged before a notary public, three certified copies (including at least one original), prepared by the secretary of the corporation, of a resolution of a resolution passed by a majority of the affirmative vote of not less than three-fourths of the whole number of trustees, and the original and two copies of a sworn statement that all debts of the corporation have been paid and that all outstanding shares of stock (if any) have been surrendered for cancellation. The originals of all documents issued by the Regents, and of any extensions or amendments, (if in the possession of the Education Corporation) must be submitted for cancellation. All documents should be submitted to the State Education Department, Office of the General Counsel, Room 148, E. 9th Street, Albany, New York 12244. In addition to sending hardcopies as set forth above, an electronic copy of the petition for dissolution must be sent to [CharterSchools@nysed.gov](mailto:CharterSchools@nysed.gov) with a cc to [Karonye.JarrettWatson@nysed.gov](mailto:Karonye.JarrettWatson@nysed.gov).

When an education corporation is dissolved, it is important that its records be preserved. All records must be maintained with the State Education Department or at some location approved by the Department. When dissolution is sought by the trustees by petition to the Regents, the petition should seek approval of the proposed disposition of the records. When an order of the Supreme Court directing the disposition of assets is sought, the petition to the Regents should include the proposed disposition of the records. The proposed disposition of the records of the Education Department is provided.

PLEASE NOTE THIS IS A SAMPLE DOCUMENT ONLY. PLEASE FOLLOW THIS FORMAT AND THE INSTRUCTIONS IN PARENTHESES ( ) WHEN DRAFTING YOUR OWN PETITION. Depending on the unique circumstances of each case, additional information may be sought or desired. The petition must include the name and address of the notary public including a complete track, printed or typed, of the signatures on the petition, including an acknowledgment statement such as that on page 5 and his/her stamp and signature. Each acknowledgment must include the statement, stamp and signature.

SAMPUEL  
PETITION FOR DISSOLUTION OF A CHARTER SCHOOL AND  
IN THE ALTERNATIVE, FOR CONSENT TO JUDICIAL DISSOLUTION  
PURSUANT TO ARTICLE 11  
THE STATE NOT-FOR-PROFIT CORPORATION

TO THE REGENTS OF THE UNIVERSITY OF THE STATE OF NEW YORK

I, the undersigned, being one of the members of the Board of Directors of the [redacted] (a corporation) hereby petition the Board of Regents for an order for the voluntary dissolution of the corporation pursuant to the provisions of New York State Education Law § 210, said dissolution to be effective on [redacted] or in the alternative for an order consenting to the judicial dissolution of the corporation pursuant to the provisions of New York State Education Law § 210-a(4)(d)(12) and Article 11 of the New York State Not-for-Profit Corporation Law. I make the following statements:

1. The name of the corporation is [redacted].
2. A provisional charter was granted to the corporation on [redacted], which provisional charter was (list history of charter, including any amendments, extensions, renewals, or other provisions), [redacted].
3. The purposes of the corporation are [redacted] the charter under any subsequent amendments and/or extensions thereof (e.g., to operate a charter school pursuant to Article 11 of the New York State Education Law).

4. On \_\_\_\_\_ (date that Board of Trustees voted to voluntarily dissolve the corporation, and seek the Regent's consent for a judicial dissolution), the corporation's board of trustees (board) held an authorized meeting at which it authorized and approved the voluntary dissolution of the Corporation and resolved to seek the Regent's consent for the Corporation pursuant to Article 11 of the New York State Not-for-Profit Corporation Law in the alternative. Of the corporation's \_\_\_\_\_ (total number of trustees) trustees voted in favor of such consent and dissolution in the alternative and \_\_\_\_\_ voted against. (If applicable, please also indicate the number of trustees that abstained.) \_\_\_\_\_ as Exhibit A. (NOTE: In the event that the corporation's trustees, a verified resolution is not required.

5. Accordingly, it is hereby requested that the Regent order the voluntary dissolution of the Corporation in compliance with the provisions of New York State Education Law §219 or consent to the dissolution of the Corporation pursuant to New York State Corporation Law §1102(a).

6. The voluntary dissolution of the corporation, and Regent's consent to the Judicial Dissolution, \_\_\_\_\_ (provide an explanation of why voluntary dissolution/Regent's consent is being sought, e.g., on \_\_\_\_\_, the \_\_\_\_\_ denied the corporation's application for renewal of its provisional charter and the assets of the Corporation are not in its liabilities).



12. Any and all taxes payable by the corporation are now due or accrued from the corporation. An affidavit regarding taxes to this

13. The names and post office addresses of the entire board of trustees of the corporation are as follows: (give names in full using either first initial in all cases; if necessary, attach a separate sheet).

14. (Choose one) I have transferred to the school district in which the corporation is located all student records of the corporation, the copies have been transferred to the school district when and as the student records were transferred to the school district.

15. All student records have been transferred to the State Education Department's Client's Channel Office in Albany, New York.

16. No pension or other benefits are payable to any person under the New York State Pension Law.



**SAMPLE  
CERTIFIED RESOLUTION**

(NOTE: This is not necessary if not less than three-fourths of all the corporation's trustees sign the petition.)

I, \_\_\_\_\_, here certify that I am the \_\_\_\_\_  
\_\_\_\_\_ (name of corporation), that the following resolutions

were adopted by the \_\_\_\_\_ of the whole \_\_\_\_\_  
corporation on \_\_\_\_\_  
such resolutions remain in full force and effect.

RESOLVED that the education corporation  
(corporation), should cease operations and should not  
year beginning \_\_\_\_\_  
further

RESOLVED that the corporation should dissolve and that the officers and directors  
and authorized to take all acts necessary and proper for such dissolution in  
Education Department, and in the absence of such action, to petition the  
Regents for an order of dissolution, and in the alternative, for its consent to the  
judicial dissolution pursuant to Article 11 of the New York State  
Corporation Law.

Signature: \_\_\_\_\_  
(Typed Name of Signer and Title)

**SAMPLE**  
**AFFIDAVIT REGARDING TAXES**

STATE OF NEW YORK )

) ss.:

COUNTY \_\_\_\_\_

\_\_\_\_\_ and \_\_\_\_\_, after having been duly sworn,  
depose and say:

1. They are the President and Secretary of \_\_\_\_\_  
of education corporation.

2. Any and all taxes due or accruing from the corporation.

Signature: \_\_\_\_\_  
(Typed name/title/address of officer)

Signature: \_\_\_\_\_  
(Typed name/title/address of officer)

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(Typed name)