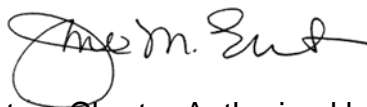





**TO:** P-12 Education Committee

**FROM:** Jhone M. Ebert 

**SUBJECT:** Merger Revision to a Charter Authorized by the Board of Regents

**DATE:** June 1, 2017

**AUTHORIZATION(S):** 

**SUMMARY**

**Issue for Decision**

Should the Board of Regents approve the merger of Syracuse Academy of Science Charter School (an education corporation authorized by the Board of Regents), Syracuse Academy of Science and Citizenship Charter School (an education corporation authorized by the Board of Regents), and Utica Academy of Science Charter School (an Education Corporation authorized by the Board of Regents), with Syracuse Academy of Science Charter School as the surviving education corporation under the amended name "Science Academies of New York Charter Schools"?

**Reason(s) for Consideration**

Required by State Statute.

**Proposed Handling**

This issue will be before the Board of Regents P-12 Education Committee and the Full Board for action at the June 2017 Regents meeting.

**Procedural History**

The May 2010 amendments to Education Law §2853(1)(b-1) eliminated language that prohibited education corporations in New York from operating more than one charter school, and now allows charter schools and the families they serve to realize the many potential benefits of governance and operational merger.

## **Background Information**

The merger of existing charter school governing boards requires revisions to each of the charters of the merging schools, which must be approved by the respective chartering entity or entities involved. This means that, in situations where schools that wish to merge have different chartering entities, the approval of all parties – the boards of trustees of the schools and each chartering entity – is required before any such merger may occur.

The New York State Education Department forwards the merger recommendations for the following charter schools.

### **Merger of Syracuse Academy of Science Charter School, Utica Academy of Science Charter School and Syracuse Academy of Science and Citizenship Charter School**

#### **Syracuse Academy of Science Charter School**

**Table 1: School Summary**

<b>Name of Charter School</b>	Syracuse Academy of Science Charter School
<b>Board Chair</b>	Dr. Fehmi Damkaci
<b>District of Location</b>	Syracuse City School District
<b>Opening Month/Year</b>	September 2003
<b>Current Charter Term</b>	July 1, 2012 to June 30, 2017 (Full Term)
<b>Management Company</b>	N/A
<b>Partner(s)</b>	N/A
<b>Approved Grade Levels/ Number of Students</b>	K-12 / 975 Students
<b>Proposed Revision</b>	<b>To merge Syracuse Academy of Science Charter School, Syracuse Academy of Science and Citizenship Charter School, and Utica Academy of Science Charter School, with Syracuse Academy of Science Charter School as the surviving education corporation under the amended name Science Academies of New York Charter Schools. The name of each charter school would remain the same.</b>
<b>Timetable for Revision Implementation</b>	The Regents action for Syracuse Academy of Science Charter School would take effect on July 1, 2017.

**Table 2: Syracuse Academy of Science Charter School Academic Achievement**

All Students	ELA					Math				
	SASCS	Syracuse CSD	Variance to Syracuse CSD	NYS	Variance to NYS	SASCS	Syracuse CSD	Variance to Syracuse CSD	NYS	Variance to NYS
2014-2015	24%	8%	+16%	31%	-7%	32%	9%	+23%	38%	-6%
2015-2016	31%	11%	+20%	38%	-7%	34%	10%	+24%	39%	-5%

**Table 3: Syracuse Academy of Science Charter School Demographics Compared to District of Location**

	2014 -2015			2015 -2016		
	SASCS	Syracuse CSD	Variance	SASCS	Syracuse CSD	Variance
<b>Economically Disadvantaged</b>	69%	77%	-8%	72%	79%	-7%
<b>English Language Learners</b>	6%	15%	-9%	5%	16%	-11%
<b>Students with Disabilities</b>	8%	20%	-12%	7%	20%	-13%

## Utica Academy of Science Charter School

### Table 1: School Summary

<b>Name of Charter School</b>	Utica Academy of Science Charter School
<b>Board Chair</b>	Dr. Fehmi Damkaci
<b>District of Location</b>	Utica City School District
<b>Opening Month/Year</b>	September 2013
<b>Current Charter Term</b>	September 5, 2013 to June 30, 2018 (Initial Term)
<b>Management Company</b>	N/A
<b>Partner(s)</b>	N/A
<b>Approved Grade Levels/ Number of Students</b>	6-12 462 Students
<b>Proposed Revision</b>	<b>To merge Utica Academy of Science Charter School, Syracuse Academy of Science and Citizenship Charter School, and Syracuse Academy of Science Charter School, with Syracuse Academy of Science Charter School as the surviving education corporation under the amended name Science Academies of New York Charter Schools. The name of each charter school would remain the same.</b>
<b>Timetable for Revision Implementation</b>	The Regents action for Utica Academy of Science Charter School would take effect on July 1, 2017.

### Table 2: Utica Academy of Science Charter School Academic Achievement

All Students	ELA					Math				
	UASCS	Utica CSD	Variance to Utica CSD	NYS	Variance to NYS	UASCS	Utica CSD	Variance to Utica CSD	NYS	Variance to NYS
2014-2015	14%	15%	-1%	31%	-17%	31%	22%	+9%	38%	-7%
2015-2016	19%	21%	-2%	38%	-19%	24%	24%	0%	39%	-15%

**Table 3: Utica Academy of Science Charter School Demographics Compared to District of Location**

	2014 -2015			2015 -2016		
	UASCS	Utica CSD	Variance	UASCS	Utica CSD	Variance
<b>Economically Disadvantaged</b>	48%	85%	-37%	75%	87%	-12%
<b>English Language Learners</b>	14%	17%	-3%	11%	17%	-6%
<b>Students with Disabilities</b>	7%	16%	-9%	7%	16%	-9%

**Syracuse Academy of Science and Citizenship Charter School**

**Table 1: School Summary**

<b>Name of Charter School</b>	Syracuse Academy of Science and Citizenship Charter School
<b>Board Chair</b>	Dr. Fehmi Damkaci
<b>District of Location</b>	Syracuse City School District
<b>Opening Month/Year</b>	September 2017
<b>Current Charter Term</b>	September 1, 2017 to June 30, 2022
<b>Management Company</b>	N/A
<b>Partner(s)</b>	N/A
<b>Approved Grade Levels/ Number of Students</b>	K-6 525 Students
<b>Proposed Revision</b>	<b>To merge Syracuse Academy of Science Charter School, Syracuse Academy of Science and Citizenship Charter School, and Utica Academy of Science Charter School, with Syracuse Academy of Science Charter School as the surviving education corporation under the amended name Science Academies of New York Charter Schools. The name of each charter school would remain the same.</b>
<b>Timetable for Revision Implementation</b>	The Regents action for Syracuse Academy of Science and Citizenship Charter School would take effect on July 1, 2017.

In December 2002, the Board of Regents approved and chartered the Syracuse Academy of Science Charter School ("SASCS"), which operates in the Syracuse City School District. In November 2012, the Board of Regents approved and chartered the Utica Academy of Science Charter School ("UASCS"), which operates in the Utica City School District. In November 2016, the Board of Regents approved and chartered the Syracuse Academy of Science and Citizenship Charter School ("SASCCS"), which also operates in the Syracuse City School District, and which is scheduled to begin instruction in the 2017-2018 school year. SASCS will be the surviving education corporation, and will be renamed Science Academies of New York Charter School ("SANY"). All schools will continue to be authorized by the Board of Regents after this merger, and the individual school names will not change.

The Schools expect the following benefits to result from the merger:

*Generally:* The schools and their education corporations are currently operating as separate entities but under a board with same members and bylaws. The merger will allow the schools, which already have an informal partnership, to: 1) formalize that partnership; 2) share resources and staff; 3) enhance the educational programs; and 4) lessen the financial and administrative costs of having staff across different unmerged entities.

*School Leadership and Staff:* SASCS and UASCS already share key leaders and staff members. The merger will allow SANY employees to serve different schools without having a service agreement or a separate contract. On the other hand, instead of hiring new individuals for each school, the SANY district office will provide better and more focused quality of service to the staff of both schools with its experienced members. The merged education corporation would be able to achieve economies of scale in purchasing products and services. Those savings would be redirected toward hiring additional instructional staff to support students. Another advantage of merging, for the staff, is that one Education Corporation would be able to provide more professional-development opportunities. A single Education Corporation would be able to secure better rates for conferences or trainers because of the volume needed. In addition, the unified Education Corporation would be able to secure better rates on health care and other employee benefits.

The Board will have one board meeting instead of multiple back-to-back meetings. Paperwork and compliance burdens will be reduced, due to elimination of one Education Corporation and consolidated Board meetings. The meeting times will also be shortened because the Board will remove the redundancy of having different meetings. The Board will still focus on the oversight of each individual school.

*School Resources:* The merger would create efficiencies in operations and finance, which ultimately translate into more resources for teaching and learning (both in terms of dollars and staff time). After the merger, as one Education Corporation, SANY would be able to achieve economies of scale in the purchase of products and services, such as school materials, technology, and insurance. Monies saved would be redirected toward hiring

additional instructional staff and buying instructional materials to benefit students. Contracting, procurement, and insurance would all be streamlined with a single legal entity, with the savings reinvested to support the academic programs. The merger will enable the schools to conserve funds to help meet financial obligations. The merger will enable the improvement of the schools' financial management, fiscal soundness, and organizational success.

*School Community:* After the merger, there will be more collaboration across schools, which will result in implementation of best practices to increase the success of students, teachers, and leaders. SANY will be able to hire subject-specific curriculum experts to work across the network. Students will also be able to benefit from some extracurricular activities organized by both schools, especially during weekends, holidays, and summer. It's not always feasible to offer extracurricular activities to students in a single school, due to limited student interest and finding students of similar ages. With the merger, schools will be better equipped to create joint, extracurricular enrichment programs, activities, and national and international trips.

### **Summary of Public Comment**

As required by the Charter School Act, the Syracuse City School District held a public hearing about the proposed revision to the charters of Syracuse Academy of Science and Citizenship Charter School and Syracuse Academy of Science Charter School on March 7, 2017. There was one attendee present at the hearing. There was one comment in support and there were no public comments made in opposition to the proposed charter revision.

As required by the Charter School Act, the Utica City School District held a public hearing about the proposed revision to the charter of Utica Academy of Science Charter School on January 31, 2017. There were 15 attendees present at the hearing – all of whom were members or administrators of the Utica City School District Board of Education. Six of said attendees had comments that focused on general questions about charter schools including the cost of funding to the district; the need for funding from the State; the cost of busing; the management of the charter school's budget; and charter school accountability. No members of the public attended.

### **Related Regents Items**

#### **Syracuse Academy of Science Charter School**

First Renewal

<http://www.regents.nysed.gov/meetings/2007Meetings/December2007/1207emscvesida1.htm>

Second Renewal

<http://www.regents.nysed.gov/common/regents/files/documents/meetings/2012Meetings/March2012/312p12a1.pdf>

### **Utica Academy of Science Charter School**

Initial Charter

<http://www.regents.nysed.gov/common/regents/files/documents/meetings/2012Meetings/November2012/1112p12a3.pdf>

### **Syracuse Academy of Science and Citizenship Charter School**

Initial Charter

<http://www.regents.nysed.gov/common/regents/files/1116p12a1.pdf>

## **Recommendation**

### **Science Academies of New York Charter Schools**

VOTED: That pursuant to the authority contained in Education Law §§223 and 2853(1)(b-1)

1. Syracuse Academy of Science Charter School and Syracuse Academy of Science and Citizenship Charter School be and hereby are merged with Utica Academy of Science Charter School, with Syracuse Academy of Science Charter School as the surviving education corporation under the amended name Science Academies of New York Charter Schools.
2. Syracuse Academy of Science Charter School, the surviving corporation, shall continue to administer the educational operations and purposes of the constituent corporations in the same manner as they presently exist.
3. The separate existence of Syracuse Academy of Science Charter School, Syracuse Academy of Science and Citizenship Charter School, and Utica Academy of Science Charter School hereby ceases, and Syracuse Academy of Science Charter School, the surviving corporation under the amended name Science Academies of New York Charter Schools is hereby vested with all the rights, privileges, immunities, powers and authority possessed by or granted by law to each of the constituent corporations. All assets and liabilities of the respective constituent corporations are hereby assets and liabilities of such surviving corporation. All property, real, personal and mixed and all debts to each of the corporations on whatever account are hereby attached to Syracuse Academy of Science Charter School, the surviving corporation under the amended name Science Academies of



New York Charter Schools, and may be enforced against it to the same extent as if the debts, liabilities and duties had been incurred or contracted by it.

4. The merged corporation shall operate under the provisional charter granted to Syracuse Academy of Science Charter School under the amended name Science Academies of New York Charter Schools, which is hereby amended to authorize the operation of three public charter schools as follows:

- i. Syracuse Academy of Science and Citizenship Charter School;
- ii. Utica Academy of Science Charter School; and
- iii. Syracuse Academy of Science Charter School

5. The merger herein shall take effect on July 1, 2017; and it is further

VOTED: That the Board of Regents finds that: (1) **Science Academies of New York Charter Schools** meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) **Science Academies of New York Charter Schools** can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to revise the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the request to revise the charter would have a significant educational benefit to the students expected to attend the schools operated by **Science Academies of New York Charter Schools**, and the Board of Regents therefore approves the charter revision and amends the provisional charter accordingly.

### **Timetable for Implementation**

The Regents action for Syracuse Academy of Science Charter School, Syracuse Academy of Science and Citizenship Charter School, and Utica Academy of Science Charter School will become effective on July 1, 2017.