



TO: P-12 Education Committee

FROM: Angelique Johnson-Dingle *Angelique Johnson-Dingle*

SUBJECT: Charter Schools: Initial Applications for Charters Authorized by the Trustees of the State University of New York

DATE: December 4, 2025

AUTHORIZATION(S): *Betty M...*

SUMMARY

Issue for Decision

Should the Board of Regents approve the Department's recommendation concerning the following charter schools proposed to be authorized by the Trustees of the State University of New York:

1. **The Academy Charter School Brentwood Elementary** (proposed to be located in the Brentwood Union Free School District)
2. **The Academy Charter School Brentwood Middle** (proposed to be located in the Brentwood Union Free School District)
3. **The Academy Charter School Central Islip Regional High** (proposed to locate in the Central Islip Union Free School District)

Reason(s) for Consideration

Required by State statute and review of policy.

Proposed Handling

This issue will come before the P-12 Education Committee for recommendation to the Full Board for action at its December 2025 meeting.

Procedural History

On **October 15, 2025**, the Trustees of the State University of New York (“the Trustees” or “SUNY”) approved the proposed charter actions being presented to the Board of Regents pursuant to Article 56 of the Education Law.¹

Over the past few years, the Board of Regents has voted several times to send proposed charters back with comments for SUNY’s reconsideration (see “Related Regents Items”), and on most, but not all, occasions, SUNY has voted to resubmit the items to the Board of Regents without modification.

Background Information

The Department is forwarding these proposed charter actions for the above charter schools, as proposed by SUNY as a charter school authorizer under Article 56 of the Education Law.

Pursuant to Education Law §2852, the Board of Regents has the authority to issue charters to all charter schools in New York State. The process for schools authorized by SUNY is as follows:

- SUNY recommends that the Board of Regents issue a charter implementing the proposed charter actions and send the proposed charter to the Board of Regents through the Department. In this case, SUNY sent the proposed charters for **The Academy Charter School Brentwood Elementary, The Academy Charter School Brentwood Middle, and The Academy Charter School Central Islip Regional High** to the Department on **October 28, 2025**.
- Once a complete proposed charter is received by the Department from SUNY, the Board of Regents has two options:
 1. If the Board of Regents takes no action on the proposed charter, the proposed charter typically goes into effect by operation of law 90 days after the initial complete submission to the Department. However, proposed new charters that are submitted before November 1st in the calendar year, without further action, would go into effect on the first business day of the following calendar year. Therefore, if the Board of Regents takes no action, the proposed charters for **The Academy Charter School Brentwood Elementary, The Academy Charter School Brentwood Middle, and The Academy Charter School Central Islip Regional High** will go into effect by operation of law on **January 2, 2026**.

¹ See materials regarding these approvals and a recording of the SUNY Trustee Charter School Committee meeting at <https://www.suny.edu/about/leadership/board-of-trustees/meetings/meetingNotices.cfm?archivedPage=Y>.

2. Consider the proposed charter and vote on it with one of the following outcomes:
 - a. If the vote is affirmative, the action is effective immediately, or as otherwise recommended by SUNY.
 - b. If the vote is to send the proposed charter back to SUNY with comments, SUNY must reconsider the recommendation and can choose to resubmit the proposed charter to the Board of Regents with modifications, provided that the applicant consents in writing to such modifications; resubmit the proposed charter to the Board of Regents without modifications; or abandon the proposed charter. **This is the Department's recommendation to the Board of Regents for the current proposed charter actions.**
 - c. If the proposed charter is resubmitted to the Board of Regents, for SUNY-authorized charter schools only, the Board of Regents must approve and issue the proposed charter within 30 days of resubmission. If the Board of Regents does not do so, and absent further legal action, the charter shall be deemed approved and issued at the expiration of such period.

The Education Law requires² the charter entity to make certain specific findings prior to the issuance of a charter. For the reasons detailed below, the Department believes these findings cannot be made by the Regents.

The Academy Charter School Brentwood Elementary,

The Academy Charter School Brentwood Middle, and

The Academy Charter School Central Islip Regional High

The Department's recommendation to return the proposed charters for **The Academy Charter School Brentwood Elementary, The Academy Charter School Brentwood Middle, and The Academy Charter School Central Islip Regional High** to SUNY is based on significant community opposition to the proposed schools which SUNY has not adequately addressed, and the inability to make the required findings that granting the application 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.

A summary of public comments received by SUNY in conjunction with the application for **The Academy Charter School Brentwood Elementary and The Academy Charter School Brentwood Middle** is in Appendix A of [the SUNY Summary of Findings and Recommendations](https://www.suny.edu/about/leadership/board-of-trustees/meetings/webcastdocs/2025%20Summary%20of%20Findings%20The%20Academy%20Charter%20School%20Brentwood.pdf) at [https://www.suny.edu/about/leadership/board-of-trustees/meetings/webcastdocs/2025 26 Summary of Findings The Academy Charter School Brentwood.pdf](https://www.suny.edu/about/leadership/board-of-trustees/meetings/webcastdocs/2025%20Summary%20of%20Findings%20The%20Academy%20Charter%20School%20Brentwood.pdf).

² Education Law §2852(2).

A summary of public comments received by SUNY in conjunction with the application for **The Academy Charter School Central Islip Regional High** is in Appendix A of [the Academy Charter School Central Islip Regional High](https://www.suny.edu/about/leadership/board%20of%20trustees/meetings/webcastdocs/2025_26_Summary_of_Findings_The_Academy_Charter_School_Central_Islip.pdf) at [https://www.suny.edu/about/leadership/board of trustees/meetings/webcastdocs/2025_26 Summary of Findings The Academy Charter School Central Islip.pdf](https://www.suny.edu/about/leadership/board%20of%20trustees/meetings/webcastdocs/2025_26_Summary_of_Findings_The_Academy_Charter_School_Central_Islip.pdf).

SUNY does not address the significant opposition to these schools anywhere in their Summary of Findings and Recommendations or in their Resolution. Although SUNY acknowledges receipt of the comments, letters, and petitions in opposition, it does not respond to the concerns raised other than to summarily state that “the Institute carefully reviews and considers all district and public comments received prior to finalizing its recommendation.” SUNY provides a limited response to the concerns regarding the fiscal impact on the district by concluding that the impact will be limited because the district of location has received a rating of “no designation” for the past two years by the New York State Comptroller’s Fiscal Stress Monitoring System, the lowest possible designation, and because the district will be eligible for transitional aid for charter school payments. While community opposition to the proposals is not necessarily determinative, the Department recommends that SUNY provide a substantive response to the concerns raised.

After considering the statutory requirements, the Department recommends that the Board of Regents return the proposed charters for **The Academy Charter School Brentwood Elementary, The Academy Charter School Brentwood Middle, and The Academy Charter School Central Islip Regional High** to the SUNY Trustees for reconsideration, with the following comment and recommendation:

The Regents are unable to make the required findings in accordance with Education Law §2852(2), including, but not limited to, the findings that granting the applications 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. The Regents encourage the SUNY Trustees to re-examine and consider the comments presented in the SUNY Summary of Findings and Recommendations for these applications, many in opposition to these charter applications, and to provide a substantive response to the concerns raised. These proposed charter actions should be abandoned.

Related Regents Items

[April 2017: Charter Schools: Renewals to Charters Authorized by the Trustees of the State University of New York](https://www.regents.nysed.gov/common/regents/files/417p12a5.pdf)
(<https://www.regents.nysed.gov/common/regents/files/417p12a5.pdf>)

[July 2017: Charter Schools: Renewals to Charters Authorized by the Trustees of the State University of New York](https://www.regents.nysed.gov/common/regents/files/717p12a1.pdf)
(<https://www.regents.nysed.gov/common/regents/files/717p12a1.pdf>)

[June 2019: Charter Schools: Renewals to Charters Authorized by the Trustees of the State University of New York](https://www.regents.nysed.gov/common/regents/files/619p12a1.pdf)

(<https://www.regents.nysed.gov/common/regents/files/619p12a1.pdf>)

[January 2020: Charter Schools: Renewals to Charters Authorized by the Trustees of the State University of New York](http://www.regents.nysed.gov/common/regents/files/120p12a2.pdf)

(<http://www.regents.nysed.gov/common/regents/files/120p12a2.pdf>)

[March 2020: Charter Schools: Renewals to Charters Authorized by the Trustees of the State University of New York](https://www.regents.nysed.gov/common/regents/files/320p12a2.pdf)

(<https://www.regents.nysed.gov/common/regents/files/320p12a2.pdf>)

[April 2021: Charter Schools: Renewals to Charters Authorized by the Trustees of the State University of New York](https://www.regents.nysed.gov/common/regents/files/421p12a5.pdf)

(<https://www.regents.nysed.gov/common/regents/files/421p12a5.pdf>)

[July 2021: Proposed Charter Actions for Charters Authorized by the Trustees of the State University of New York](https://www.regents.nysed.gov/sites/regents/files/721p12a1.pdf)

(<https://www.regents.nysed.gov/sites/regents/files/721p12a1.pdf>)

[December 2021: Charter Schools: Initial Applications to be Authorized by the Trustees of the State University of New York](https://www.regents.nysed.gov/sites/regents/files/1221p12a1.pdf)

(<https://www.regents.nysed.gov/sites/regents/files/1221p12a1.pdf>)

[June 2022: Renewal Recommendations for Charter Schools Authorized by the Trustees of the State University of New York](https://www.regents.nysed.gov/sites/regents/files/622p12a7.pdf)

(<https://www.regents.nysed.gov/sites/regents/files/622p12a7.pdf>)

[June 2023: Renewal Recommendations for Charter Schools Authorized by the Trustees of the State University of New York](https://www.regents.nysed.gov/sites/regents/files/623p12a4revised.pdf)

(<https://www.regents.nysed.gov/sites/regents/files/623p12a4revised.pdf>)

[May 2024: Renewal Recommendations for a Charter School Authorized by the Trustees of the State University of New York](https://www.regents.nysed.gov/sites/regents/files/524p12a2.pdf)

(<https://www.regents.nysed.gov/sites/regents/files/524p12a2.pdf>)

[June 2024: Renewal Recommendations for Charter Schools Authorized by the Trustees of the State University of New York](https://www.regents.nysed.gov/sites/regents/files/624p12a3.pdf)

(<https://www.regents.nysed.gov/sites/regents/files/624p12a3.pdf>)

Recommendation

It is recommended that the Board of Regents take the following action:

VOTED: That the Board of Regents return the proposed charters for **The Academy Charter School Brentwood Elementary, The Academy Charter School Brentwood Middle, and The Academy Charter School Central Islip Regional High** to the Trustees of the State University of New York for reconsideration, with the following comment and recommendation, “The Regents are unable to make the

required findings in accordance with Education Law §2852(2), including, but not limited to, the findings that granting the applications 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. In addition, there is significant community opposition to the proposed schools that must be considered. The Regents encourage the SUNY Trustees to re-examine and consider the comments presented in the SUNY Summary of Findings and Recommendations for these applications, many in opposition to these charter applications, and to provide a substantive response to the concerns raised. These proposed charter actions should be abandoned.”

Timetable for Implementation

The Board of Regents action for the above-named charter school will become effective immediately.