



**TO:** P-12 Education Committee

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

**SUBJECT:** Revision Recommendations for Charter Schools Authorized by the New York City Department of Education

**DATE:** February 29, 2024

**AUTHORIZATION(S):**

**SUMMARY**

**Issue for Decision**

Should the Board of Regents approve the proposed merger of **Bedford Stuyvesant New Beginnings Charter School** (an education corporation authorized by the New York City Department of Education Chancellor), with and into **Bedford Stuyvesant New Beginnings Charter School 2** (an education corporation authorized by the SUNY Board of Trustees), with **Bedford Stuyvesant New Beginnings Charter School 2** as the surviving education corporation under the amended name “**Bedford Stuyvesant New Beginnings Charter Schools**”?

**Reason(s) for Consideration**

Required by State statute.

**Proposed Handling**

This issue will come before the P-12 Education Committee and recommendation to the Full Board for action at its March 2024 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.

The Chancellor of the New York City Department of Education made the revision recommendation being presented to the Board of Regents for approval as required by Article 56 of the Education Law.

## **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.

Mergers have no impact on the number of charters available under the statutory charter cap. Mergers are generally administrative/governance related revisions. The merger does not abridge the obligations of each of the applicable charter schools from meeting all authorizer standards and each school continues to be held accountable to such standards separately.

## **Related Regents Items**

### **Bedford Stuyvesant New Beginnings Charter School**

January 2010: [Summary of the January 2010 Meeting of the Board of Regents](http://www.regents.nysed.gov/Summaries/0110summary.htm)  
(<http://www.regents.nysed.gov/Summaries/0110summary.htm>)

January 2015: [Summary of the January 2015 Meeting of the Board of Regents](http://www.regents.nysed.gov/common/regents/files/meetings//215bra2.pdf)  
(<http://www.regents.nysed.gov/common/regents/files/meetings//215bra2.pdf>)

March 2018: [Charter Schools: Renewals to Charters Authorized by the New York City Department of Education Chancellor](https://www.regents.nysed.gov/common/regents/files/318p12a3revised.pdf)  
(<https://www.regents.nysed.gov/common/regents/files/318p12a3revised.pdf>)

March 2023: [Renewal Recommendation for a Charter School Authorized by the New York City Department of Education](https://www.regents.nysed.gov/sites/regents/files/323p12a1.pdf)  
(<https://www.regents.nysed.gov/sites/regents/files/323p12a1.pdf>)

## **Recommendation**

The Chancellor of the New York City Department of Education recommends that the Board of Regents take the following action(s):

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

1. **Bedford Stuyvesant New Beginnings Charter School** be and hereby is merged with **Bedford Stuyvesant New Beginnings Charter School 2**, with **Bedford Stuyvesant New Beginnings Charter School 2** as the surviving education corporation under the amended name “**Bedford Stuyvesant New Beginnings Charter Schools.**”

2. **Bedford Stuyvesant New Beginnings Charter School 2**, 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 **Bedford Stuyvesant New Beginnings Charter School** and **Bedford Stuyvesant New Beginnings Charter School 2** hereby ceases, and **Bedford Stuyvesant New Beginnings Charter School 2**, the surviving corporation under the amended name **Bedford Stuyvesant New Beginnings 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 **Bedford Stuyvesant New Beginnings Charter School 2**, the surviving corporation under the amended name **Bedford Stuyvesant New Beginnings 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 **Bedford Stuyvesant New Beginnings Charter School 2** under the amended name **Bedford Stuyvesant New Beginnings Charter Schools**, which is hereby amended to authorize the operation of two public charter schools as follows:
  - i. Bedford Stuyvesant New Beginnings Charter School; and
  - ii. Bedford Stuyvesant New Beginnings Charter School 2
5. The merger herein shall take effect July 1, 2024; and it is further

VOTED: That the Board of Regents finds that: (1) **Bedford Stuyvesant New Beginnings Charter Schools** meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) **Bedford Stuyvesant New Beginnings 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 **Bedford Stuyvesant New Beginnings 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 the above-named charter school(s) will become effective July 1, 2024.

## Bedford Stuyvesant New Beginnings Charter School

**Table 1: Charter School Summary**

<b>Name of Charter School</b>	Bedford Stuyvesant New Beginnings Charter School (BSNBCS)
<b>Board Chair</b>	Victor Rivera
<b>District of Location</b>	NYC CSD 16 <sup>1</sup>
<b>Initial Commencement of Instruction</b>	Fall 2010
<b>Charter Term(s)</b>	<ul style="list-style-type: none"> <li>• Initial Charter Term: 01/12/2010- 01/11/2015</li> <li>• First Renewal: 01/12/2015 – 06/30/2018</li> <li>• Second Renewal: 07/01/2018 – 06/30/2023</li> <li>• Third Renewal: 07/01/2023- 06/30/2028</li> </ul>
<b>Comprehensive Management Service Provider</b>	None
<b>Facilities</b>	82 Lewis Avenue, Brooklyn NY, 11206 - Private Space
<b>Innovative and Noteworthy Programs</b>	<ul style="list-style-type: none"> <li>• Extended school day and school year</li> <li>• Afterschool program until 6 PM for all students</li> </ul>
<b>Recommended Material Revisions</b>	<ul style="list-style-type: none"> <li>• Merger of BSNBCS with Bedford Stuyvesant New Beginning Charter School 2, a new charter school opening in the 2024-2025 school year, under the SUNY Board of Trustees as authorizer effective July 1, 2024.</li> </ul>

### Rationale for Revision Recommendation

In accordance with Education Law, Article 56, Sections 2851(4) and 2852(2), the New York City Department of Education (NYCDOE) recommends that the Board of Regents grant the revision described above in the **Issue for Decision** section, for the following reasons.

- The merger is expected to permit more efficient and complete sharing of programming, practices, and resources for the schools’ students with disabilities (SWD) and the schools’ McKinney-Vento, economically disadvantaged (ED), and English language learning (ELL) students.
- The merger is expected to produce additional efficiencies such as common governance and common oversight and handling of finances.
- The requested revision will have no bearing on the number of charters available for issuance in New York City or the State.

The Board of Regents granted an initial charter to BSNBCS in January 2010. BSNBCS commenced instruction in Fall 2010, initially serving 180 students in kindergarten through grade 3. BSNBCS’s charter was subsequently renewed by the Board of Regents in 2015, 2018, and 2023. The charter school was granted a revision to serve grades 9-12 in 2023.

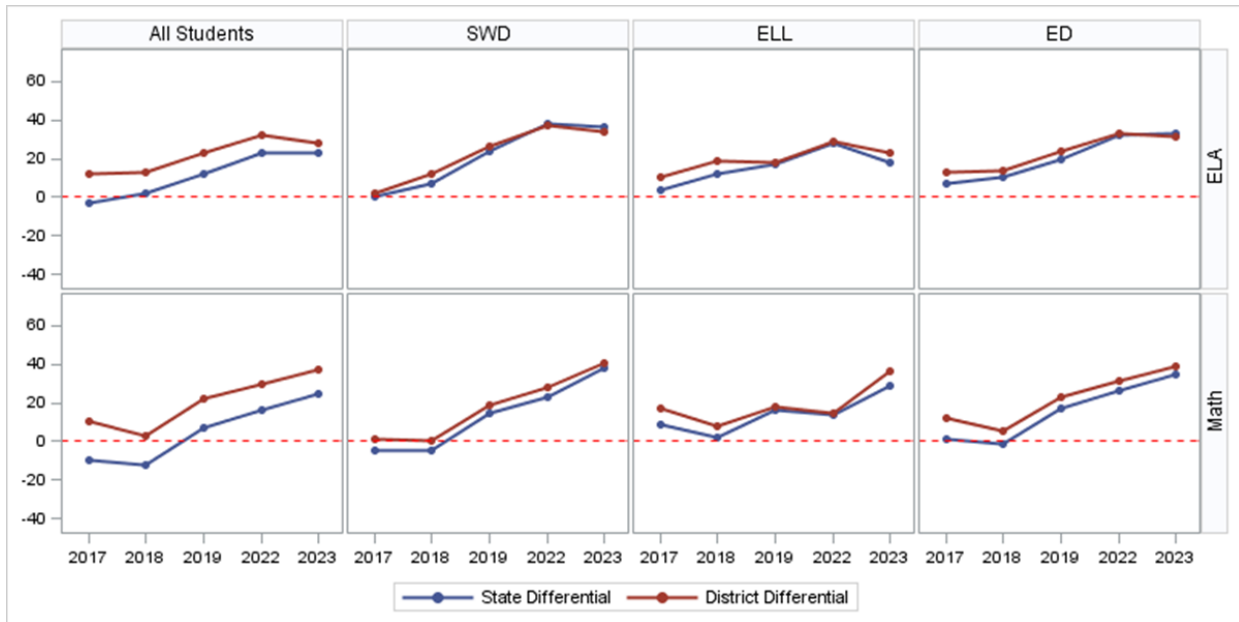
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<sup>1</sup> 26 percent of all students residing in this district attend charter schools.

**Table 2: Current Term Grade Levels and Authorized Enrollment**

	Year 1 2023 to 2024	Year 2 2024 to 2025	Year 3 2025 to 2026	Year 4 2026 to 2027	Year 5 2027 to 2028
<b>Grade Configuration</b>	K – 8	K – Grade 9	K – Grade 10	K – Grade 11	K – Grade 12
<b>Total Recommended Enrollment</b>	729	864	999	1134	1269

**Figure 1: Elementary/Middle School Assessment Proficiency State and District Differentials Over Time Comparison to NYC CSD 16**



**Table 3: Elementary/Middle School Assessment Proficiency Outcomes**

		ELA					Math				
		Bedford Stuyvesant New Beginnings CS	NYC CSD 16	District Differential	NYS	NYS Differential	Bedford Stuyvesant New Beginnings CS	NYC CSD 16	District Differential	NYS	NYS Differential
All Students	2016-2017	37%	25%	+12	40%	-3	30%	20%	+10	40%	-10
	2017-2018	47%	34%	+13	45%	+2	33%	30%	+3	45%	-12
	2018-2019	58%	35%	+23	46%	+12	54%	32%	+22	47%	+7
	2021-2022	70%	38%	+32	47%	+23	55%	25%	+30	39%	+16
	2022-2023	71%	43%	+28	48%	+23	76%	39%	+37	51%	+25
SWD	2016-2017	11%	9%	+2	11%	0	9%	8%	+1	14%	-5
	2017-2018	24%	12%	+12	17%	+7	13%	13%	0	18%	-5
	2018-2019	39%	13%	+26	15%	24	33%	14%	+19	18%	+15
	2021-2022	54%	17%	+37	16%	+38	37%	9%	28	14%	+23
	2022-2023	55%	21%	+34	19%	+36	61%	20%	+41	23%	+38
ELL	2016-2017	16%	6%	+10	12%	+4	28%	11%	+17	19%	+9
	2017-2018	37%	18%	+19	25%	12	31%	23%	+8	29%	+2
	2018-2019	42%	24%	+18	25%	+17	47%	29%	+18	31%	+16
	2021-2022	57%	28%	+29	29%	+28	39%	24%	+15	25%	+14
	2022-2023	47%	24%	+23	29%	+18	63%	27%	+36	34%	+29
ED	2016-2017	37%	24%	+13	30%	+7	30%	18%	+12	29%	+1
	2017-2018	46%	32%	+14	36%	+10	33%	28%	+5	34%	-1
	2018-2019	56%	32%	+24	36%	+20	54%	31%	+23	37%	+17
	2021-2022	69%	36%	+33	37%	+32	54%	23%	+31	28%	+26
	2022-2023	71%	40%	+31	38%	+33	75%	36%	+39	40%	+35

**Table 4: Aggregate Enrollment: Reported vs Contracted**

Bedford Stuyvesant New Beginnings CS	Contracted Enrollment	Reported Enrollment	Percent of Contracted Enrollment
2018-2019	729	701	96%
2019-2020	729	717	98%
2020-2021	729	721	99%
2021-2022	729	725	99%
2022-2023	729	730	100%

**Table 5: Subgroup Enrollment: Students with Disabilities, English Language Learners, and Economically Disadvantaged**

	SWD			ELL			ED		
	Bedford Stuyvesant New Beginnings CS	NYC CSD 16	Differential to District	Bedford Stuyvesant New Beginnings CS	NYC CSD 16	Differential to District	Bedford Stuyvesant New Beginnings CS	NYC CSD 16	Differential to District
2018-2019	21%	29%	-8	18%	7%	+11	92%	87%	+5
2019-2020	21%	29%	-8	20%	7%	+13	94%	86%	+8
2020-2021	24%	28%	-4	22%	7%	+15	96%	88%	+8
2021-2022	24%	28%	-4	26%	8%	+18	96%	85%	+11
2022-2023	21%	28%	-7	27%	9%	+18	96%	85%	+11

**Table 6: Student Retention – Aggregate and Subgroup**

	All Students			SWD			ELL			ED		
	Bedford Stuyvesant New Beginnings CS	NYC CSD 16	Differential to District	Bedford Stuyvesant New Beginnings CS	NYC CSD 16	Differential to District	Bedford Stuyvesant New Beginnings CS	NYC CSD 16	Differential to District	Bedford Stuyvesant New Beginnings CS	NYC CSD 16	Differential to District
2018-2019	81%	77%	+4	76%	79%	-3	76%	77%	-1	81%	77%	+4
2019-2020	83%	77%	+6	71%	78%	-7	88%	79%	+9	83%	77%	+6
2020-2021	91%	82%	+9	95%	84%	+11	90%	84%	+6	92%	82%	+10
2021-2022	80%	76%	+4	78%	79%	-1	87%	72%	+15	80%	77%	+3
2022-2023	87%	78%	+9	81%	81%	0	88%	76%	+12	87%	78%	+9

### Summary of Public Comment

The required public hearing was held by the New York City Department of Education on February 1, 2024. Twenty-four people attended the hearing, and twelve spoke. Twelve were in favor of the renewal. No one was opposed.