



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

New York State Board of Regents

New York State Education Department

Charter School Office

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

January 2025

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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. **The CSO, on behalf of the Commissioner and the Board of Regents, may require you to submit additional information not included in the lists below prior to consideration of the revision request.**

Please Note: Where redlined documents are required, 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 from the current NYSED-approved document with your tracked changes, not a summation of revised text. This can be limited to the relevant sections of any lengthy documents (that are in excess of 10 pages, like the charter²), but should then include the entirety of those sections.

Changes to the school's charter, whether they are material or non-material, may not be implemented until approved by the CSO or the Board of Regents, whichever is applicable. Do not assume that approval has been granted because a denial has not been received. Any proposed revisions or portions thereof that are not specifically approved by the CSO or the Board of Regents are deemed denied.

¹ Schools may go below their authorized enrollment for a given year without CSO or Regents approval, as long as they do not fall below 85% of the authorized enrollment for that year. Keep in mind that a school may not exceed its authorized enrollment, may not go below 85% of its authorized enrollment for a particular year, and may not make any changes to the grades or enrollment served without prior written CSO or Regents approval.

² Unlike changes to policy documents, redlined changes to the text of the school's charter are designed to give the CSO and/or the Regents a more thorough understanding of the school's request and its implications. While the school's charter may be revised upon approval of the revision request, specific language used by the school as set forth in the redlined document may not be approved. Proposed revisions to charter text that are not specifically approved by the CSO or the Board of Regents are deemed denied. Please consult with your liaison for additional information.

Submitting a Revision Request

1. All charter schools authorized by the Board of Regents have a staff member of the CSO designated as their 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.smapply.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 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, requiring full resubmission at a later date.**
6. The State Education Department Reference File (SEDREF) must be updated to reflect certain NYSED-approved material and non-material revisions. To determine which revisions require SEDREF updates and to learn how to make those updates, please follow the instructions on our website for [updating your school's SEDREF information](#). A screenshot of the approval message received from the CSO should be included with any update request as proof that the revision has been authorized.

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 [NYSED CSO Portal](#) between September 1 and December 1 of the year prior to the academic year in which the proposed revision will commence.** For example, if a school wishes to implement a material charter revision in the 2030-2031 school year, the proposed material charter revision request must be submitted to the CSO between September 1, 2029 and December 1, 2029. In the **rare** instance that extenuating circumstances preclude the submission of a proposed charter revision between September 1 and December 1 (e.g., severe damage from a natural disaster that interrupts operation of the school or leadership changes due to an unexpected medical issue or emergency), the school should promptly contact its CSO liaison to discuss the need for the charter revision and the possibility of an alternative timeline for submitting the revision request. The CSO reserves the sole right to determine if a material revision request will be accepted for consideration outside of the September 1 through December 1 revision window, and schools should not rely on revisions submitted outside of that window being approved. **Schools are asked to submit NON-MATERIAL revision requests at least 60 days prior to the proposed implementation date,** with the exception of revision requests to change a school's admissions policy or enrollment processes, which must be submitted within the September 1 to December 1 deadline for material revisions, to ensure the school has ample time to finalize the approved revisions to the policy and application and provide notice to the public regarding the changes after CSO review and approval.

If the charter school is in a renewal year, requests for material and non-material revisions are **required** to be submitted with the school's application for charter renewal. Schools in a renewal year should use these revision guidelines to inform the inclusion of any revision requests in the renewal application, as directed in [the renewal application guidelines](#).

Understanding Material versus Non-Material Revisions

NYSED is the sole determinant in identifying a revision request as a material or non-material change. The CSO liaison will review the school's request(s) and determine if a revision meets the criteria for a material revision as specified in the Rules of the Board of Regents ([8 NYCRR § 3.16\(c\)](#)). Although there are exceptions, material revisions are considered to be those revisions that result in a significant change to the school's key design elements that are inconsistent with those approved in the current charter. Material revisions also include a change in location (if such revision results in relocation to another school district or borough in New York City), changes to the maximum authorized enrollment in excess of 15% or 200 students (whichever is less) during the charter term, grade levels served, and the number of schools operated by the education corporation (due to [merger or consolidation](#)).

Non-material revisions are generally changes to the school's educational philosophy, mission or vision, governance or leadership structure, the curriculum model, and hiring or termination of a management company. Non-material revisions may also include CSO-requested changes to the school's calendar or

schedule, the school's by-laws, code of conduct, and/or major policies and procedures, a change in school name, a change in location (if such revision does not result in relocation to another school district or borough in New York City), enrollment decreases, and enrollment increases below the 15% or 200 students threshold during the charter term.

Submission Requirements³ for ALL Revisions (Material and Non-Material)

All required revision documents must be submitted through the [NYSED CSO Portal](#). The following information is required for each revision:

1. A completed cover letter form including:
 - a) The name and main address of the charter school;
 - b) The name, position, and contact information of the person submitting the revision request;
 - c) A summary containing the general details of the revision;
 - d) A justification for the revision, including the educational need and benefits; and
 - e) A proposed timeline for implementation.
2. Finalized board meeting minutes;
3. A signed board resolution on school letterhead declaring the board's approval of the revision request;
4. A plan to solicit meaningful feedback on the proposed revision from school staff, parents/guardians and community stakeholders, and also a plan to share the CSO/Board of Regents determination on the revision request with those same stakeholders; and;
5. Any other information that the school deems relevant to the proposed charter revision.

³ After the initial submission, the CSO may determine that additional materials and/or information not outlined in this document are required.

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 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;
3. A brief narrative detailing whether the revision is expected to have any budgetary implications and if those implications will increase or decrease the school’s budget. If a budgetary change is anticipated, a revised budget using the NYSED budget template (see Appendix D) for each year through the end of the charter term must be included. 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); and
4. A revised staffing plan, if applicable, including a summary of the roles and responsibilities for the school’s administrative and leadership staff.

B. Temporary or permanent relocation of the school to another school district or a different borough in New York City, or acquisitions of a new facility or building, must include the following:^{4 5 6}

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);

⁴ Notice of the revision will be provided to the current school district and the proposed school district of location in the case of relocations. Hearings will take place in both districts.

⁵ Charter schools located in New York City Department of Education (NYCDOE) public school buildings must also coordinate with the NYCDOE on any proposal to expand within a current facility or relocate to another NYCDOE facility.

⁶ Even after the relocation of the school has been approved, schools are not permitted to operate in a new facility until the CSO has provided a written statement granting “consent to open,” which is only issued after a CSO inspection of the facility. Consent to Open will not be granted absent a valid Certificate of Occupancy from the Authority Having Jurisdiction.

3. For charter schools located outside of the New York City School District which were chartered after July 31, 2010, evidence that a Letter of Intent and all project documents have been submitted to the NYSED Office of Facilities Planning (OFP).⁷ ⁸ These requirements apply to all buildings occupied by the school – not just those used for instruction. For questions regarding submissions to OFP please contact Michael.Kosar@nysed.gov or EMSCFP@nysed.gov.
 - i. If the charter school proposes to begin occupancy in the new space less than six (6) months from the date of the revision request, and project documents have not yet been submitted to OFP, provide an explanation as to why the submission has not yet been made to OFP, when it will be made, and why it is necessary to commence occupancy in less than six (6) months.
4. 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);
5. 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;
6. 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;
7. A market analysis showing that the purchase or lease terms are at or below market rate;
8. 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);
9. A transportation plan to ensure that existing and future students are able to get to the newly proposed location;
10. Evidence of engagement with parents/guardians of children enrolled in the school, as well as the community in the new area of location; and
11. Certificate of Occupancy and Fire Inspection (see [NYSED guidance regarding the Fire](#)

⁷ Charter schools located in the New York City School District and charter schools located outside of the New York City School District which were chartered prior to July 31, 2010 do not fall under the jurisdiction of the NYSED Office of Facilities Planning. These schools should consult with their local authority having jurisdiction for any facility related issues.

⁸ Please be advised that NYSED's Office of Facilities Planning (OFP) requires a minimum six (6) month lead time for any applications for new buildings (including leases), purchases of leased space, lease extensions, changes in usage, expansions or construction projects requiring a Building Permit. Please note that this requirement applies to all buildings the school occupies, not just those used for instruction. Letters of Intent should be submitted to OFP as early as possible and all project documents should be submitted at least six (6) months prior to planned occupancy.

[Inspection](#)) documents for the facility. For charter schools located outside the New York City School District which were chartered after July 31, 2010, and which lease their space the school must obtain two Certificates of Occupancy – one from the local jurisdiction and one from the Office of Facilities Planning. For buildings where this is not yet available, the school should submit a detailed timeline as to when these required documents will be obtained which must be prior to occupancy of this building by staff or students. **NYSED will not grant consent to open without these documents, and all others required in the NYSED CSO Walkthrough Checklist.**

C. Increases to the school’s enrollment that result in a total increase of more than 15% above the currently authorized enrollment or that result in the addition of 200 or more seats to the currently authorized enrollment, whichever is lesser, as set forth in the current charter during the charter term⁹ 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 enrollment¹⁰;
4. Evidence of the demand for additional seats at the school, or a summary explaining why an increase is necessary;
5. A description of whether and how the revised enrollment would affect the distribution of students across grades in the school;
6. 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);
7. An analysis of the projected programmatic and fiscal impact of the proposed enrollment increase on the charter school and on other public and nonpublic schools in the area (see Appendix E);
8. A revised staffing plan, including a summary of the roles and responsibilities for the school’s administrative and leadership staff, if applicable; and
9. If organizational changes are necessary to complement the revised staffing plan (e.g., new reporting positions or administrative positions) provide current and proposed organizational charts (which must clearly show all reporting relationships) with redlined changes in Microsoft Word format for review.

⁹ Board of Regents-Authorized charter schools are not permitted to exceed the approved maximum enrollment of the school and may not enroll less than 85% of the approved projected enrollment in a given year.

¹⁰ If there are plans to secure a new space to accommodate the increased enrollment, an additional revision request is required for the acquisition of a new facility or building.

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 enrollment¹¹;
4. Evidence of the demand for additional grades at the school, or a summary explaining why a decrease is necessary;
5. A description of whether and how the revised grade span would affect the distribution of students across grades in the school;
6. A plan for developing curriculum-related information for any new grades being proposed, consistent with what was required in the original application for the charter;
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);¹²
8. An analysis of the projected programmatic and fiscal impact of the proposed grade span change on the charter school and other public and nonpublic schools in the area (see Appendix E);
9. A revised staffing plan, including a summary of the roles and responsibilities for the school's administrative and leadership staff, if applicable; and
10. If organizational changes are necessary to complement the revised staffing plan (e.g., new reporting positions or administrative positions) provide current and proposed organizational charts (which must clearly show all reporting relationships) with redlined changes in Microsoft Word format for review.

E. Merger/Consolidation of Education Corporation

1. Please refer to the [Guidelines for Submitting an Application for Merger/Consolidation](#) for complete information.

¹¹ If there are plans to secure a new space to accommodate the grade expansion an additional revision request is required for the acquisition of a new facility or building.

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:¹³¹⁴

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. For charter schools located outside of the New York City School District which were chartered after July 31, 2010, evidence that a Letter of Intent and all project documents have been submitted to the NYSED Office of Facilities Planning.^{15 16} These requirements apply to all buildings occupied by the school – not just those used for instruction. For questions regarding submissions to OFP please contact Michael.Kosar@nysed.gov or EMSCFP@nysed.gov.
 - i. If the charter school proposes to begin occupancy in the new space less than six (6) months from the date of the revision request, and project documents have

¹³ Even after the relocation of the school has been approved, schools are not permitted to operate in a new facility until the CSO has provided a written statement granting “consent to open,” which is only issued after a CSO inspection of the facility. Consent to Open will not be granted absent a valid Certificate of Occupancy from the Authority Having Jurisdiction.

¹⁴ Charter schools located in New York City Department of Education (NYCDOE) public school buildings must also coordinate with the NYCDOE on any proposal to expand within a current facility or relocate to another NYCDOE facility.

¹⁵ Charter schools located in the New York City School District and charter schools located outside of the New York City School District which were chartered prior to July 31, 2010 do not fall under the jurisdiction of the NYSED Office of Facilities Planning. These schools should consult with their local authority having jurisdiction for any facility related issues.

¹⁶ Please be advised that NYSED’s Office of Facilities Planning (OFP) requires a minimum six (6) month lead time for any applications for new buildings (including leases), purchases of leased space, lease extensions, changes in usage, expansions or construction projects requiring a Building Permit. Please note that this requirement applies to all buildings the school occupies, not just those used for instruction. Letters of Intent should be submitted to OFP as early as possible and all project documents should be submitted at least six (6) months prior to planned occupancy.

not yet been submitted to OFP, provide an explanation as to why the submission has not yet been made to OFP, when it will be made, and why it is necessary to commence occupancy in less than six (6) months.

4. 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);
5. 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;
6. 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;
7. A market analysis showing that the purchase or lease terms are at or below market rate;
8. 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);
9. A transportation plan to ensure that existing and future students are able to get to the newly proposed location;
10. Evidence of engagement with parents/guardians of children enrolled in the school as well as the community in the new area of location; and
11. Certificate of Occupancy and Fire Inspection (see [NYSED guidance regarding the Fire Inspection](#)) documents for the facility. For charter schools located outside the New York City School District which were chartered after July 31, 2010, and which lease their space the school must obtain two Certificates of Occupancy – one from the local jurisdiction and one from the Office of Facilities Planning. For buildings where this is not yet available, the school should submit a detailed timeline as to when these required documents will be obtained which must be prior to occupancy of this building by staff or students. **NYSED will not grant consent to open without these documents, and all others required in the NYSED CSO Walkthrough Checklist.**

B. Enrollment decreases or enrollment increases that do not result in an increase of more than 15% above the currently authorized enrollment or the addition of 200 seats to the currently authorized enrollment during the charter term must include the following:¹⁷

¹⁷ Board of Regents-Authorized charter schools are not permitted to exceed the approved maximum enrollment of the school and may not enroll less than 85% of the approved projected enrollment in a given year.

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 revised enrollment;
4. A summary explaining why the change is necessary;
5. A description of whether and how the revised enrollment would affect the distribution of students across grades in the school;
6. 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);
7. An analysis of the projected programmatic and fiscal impact of the proposed enrollment change on the charter school, the school district of location, and other public and nonpublic schools in the area (see Appendix E);
8. A revised staffing plan, including a summary of the roles and responsibilities for the school's administrative and leadership staff, if applicable; and
9. If organizational changes are necessary to complement the revised staffing plan (e.g., new reporting positions or administrative positions) provide current and proposed organizational charts (which must clearly show all reporting relationships) with redlined changes in Microsoft Word format for review.

C. Changes in the organizational/leadership structure of the school must include the following:

1. A summary of the changes to organizational/leadership structure;
2. The current organizational chart, which must clearly show all reporting relationships;
3. The proposed organizational chart, highlighting any changes;
4. A revised staffing plan, including a summary of the roles and responsibilities for the school's administrative and leadership staff; and
5. A revised budget, using the NYSED budget template (see Appendix D).

D. Contracting with an entity that provides comprehensive management services must include the following:¹⁸

1. A copy of all proposed contracts with the entity that provides comprehensive management services (the contract requires separate CSO approval prior to final execution);
2. A copy of revised by-laws, which must include provisions required by the Charter Agreement. Use the track changes feature in your word processing software to show the modified text (creating a red-lined version for CSO review). Please submit the entirety of the by-laws with your tracked changes, not a summation of revised text;
3. Evidence of a clearly defined, performance-based relationship between the school’s board of trustees and proposed entity that provides comprehensive management services;
4. Evidence that the proposed entity that provides comprehensive management services is a not-for-profit entity;
5. Evidence that the proposed entity that provides comprehensive management services is registered with the NY Department of State;
6. Evidence that the proposed entity that provides comprehensive management services has a demonstrated track record of positive academic results and responsible fiscal management;
7. 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); and
8. A letter from legal counsel retained by the Education Corporation stating that the Management Contract meets such counsel’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

¹⁸ Please refer to the NYSED [Definition of an Entity That Provides Comprehensive Management Services](#).

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:¹⁹

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 the school; or
- ii. If the school has the name of a particular grade band in its name (e.g., ABC Charter Middle School) and is seeking approval to add to or remove the named grade band. In those cases, the request for a name change should be made at the same time the request is made to add to or remove the grade band; or
- iii. If the school's name reflects an entity that provides comprehensive management services, a Charter Management Organization (CMO), or other partnership relationship that is being added or terminated. In those cases, the request for a name change should be made at the time the request to add or terminate the CMO/partnership relationship is made.

G. Changing the name of the education corporation must include the following:²⁰

1. The rationale for the proposed name change.

Requests for changes to the name of education corporations authorized by the Board of Regents **will not be considered or recommended** for approval by the Board of Regents except as part of an application for charter renewal or merger/consolidation. The only exceptions to this requirement will be:

- i. If an education corporation has the name of a community in its name and is seeking approval to relocate outside of that community. In those cases, the request for a name change should be made at the same time the request is made to relocate the school; or
- ii. If an education corporation has the name of a particular grade band in its name (e.g., ABC Charter Middle School) and is seeking approval to add to or remove the named

¹⁹ The proposed name must include the words "charter school" and shall not include the name or identification of a for-profit business or corporate entity.

²⁰ The proposed name must include the words "charter school" and shall not include the name or identification of a for-profit business or corporate entity.

grade band. In those cases, the request for a name change should be made at the same time the request is made to add to or remove the grade band; or

- iii. If an education corporation's name reflects an entity that provides comprehensive management services, a Charter Management Organization (CMO), or other partnership relationship that is being added or terminated. In those cases, the request for a name change should be made at the time the request to add or terminate the CMO/partnership relationship is made.

H. Adding or removing a summer school program must include the following:

1. Evidence of demand or need for the program;
2. A description of whether the program will be optional or mandatory, how many students will participate in the program each year, and how those students will be selected;
3. A staffing plan for the program; 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).

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:²¹

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 sections of any lengthy documents (over 10 pages, like the charter), but should then include the entirety of those sections;
2. Evidence of demand or need for the revision;
3. A revised staffing plan, including a summary of the roles and responsibilities for the school's administrative and leadership staff, if applicable;

²¹ The CSO will only approve career and technical education (CTE) program revisions if the school can demonstrate that it has consulted with the [NYSED Career and Technical Education Team](#), and has met the requirements of that team (if any) in accordance with the guidelines located at [NYSED CTE Policy and Guidance](#).

4. If organizational changes are necessary to complement the revision, provide current and proposed organizational charts (which must clearly show all reporting relationships) with redlined changes for review; and
5. A brief narrative detailing whether the revision is expected to have any budgetary implications and if those implications will 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 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).

J. Changes in the school's by-laws, code of conduct, discipline policy, personnel policy, complaint policy, student/family handbook, promotion policy, teacher/staff handbook, or other policies subject to NYSED approval in accordance with the [Oversight Plan](#) must include the following:

1. A line-by-line "redlined" comparison of changes from the NYSED approved version.

K. Changes in the school's admissions policy or enrollment process must include the following:

1. A line-by-line "redlined" comparison of changes from the NYSED approved version; and
2. A redlined version of the school's enrollment application, which must align with the revised policy.

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-based outreach efforts that foster direct connections between prospective parents and the school have been shown to be the most effective for schools across the state. If these do not yield satisfactory results, the school may want to consider a weighted lottery. In the revision request, the school should specify the specific methodology by which the weighting will be determined each year. This should include the timeframe that, for the purposes of transparency, sets the weight being applied each year no later than 30 days prior to the lottery deadline. The specific weight applied each year does not need to be included in the non-material revision request if the methodology for determining the weight each year is included. The school will need to request a new non-material revision regarding lottery weighting only if the methodology by which the weighting is determined each year changes.

Charter schools receiving Charter Schools Program (CSP) funds that choose to employ lottery weighting are required by the conditions of NYSED's grant agreement with the USDOE to use the NYSED Weighted Lottery Generator found at [Policies, Procedures & Resources for All Charter Schools](#). Schools not receiving CSP funds are not required to use the mandated weighted lottery methodology, but must have their own methodology approved by the CSO.

In addition to utilizing a weighted lottery, schools that have a specific school design that targets a particular population can request approval to employ a lottery preference. Schools that do not have a specific school design, but that wish to add one to utilize a lottery preference instead of a

weighted lottery, must submit a material school design revision request (see item C under the Material Revisions section) by the December 1 deadline, along with the non-material enrollment policy revision. Please keep in mind that material revisions to add a specific school design targeting a particular population must include 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 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.

Note: Revision requests to change a school's admissions policy or enrollment processes must be submitted no later than December 1, in the year that the lottery will be held. The school must have ample time to finalize the approved revisions to the policy and application and provide notice to the public regarding the changes after CSO review and approval.

L. Changes in the school's schedule that are consistent with the charter must include the following:

1. A line-by-line "redlined" comparison of changes from the NYSED approved version .

M. Adding a board member to an existing charter school.

Please refer to the guidance for adding members to the board of trustees posted on the CSO website at: [Adding a Board of Trustee Member](#)

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 should be submitted to the Charter School Office no later than July 15 of the year in which the school has been approved to open. For example, if a school is scheduled to open in September 2030, the planning year request must be submitted to the CSO no later than July 15, 2030.

In the rare instance that extenuating circumstances preclude the submission of a proposed charter revision by July 15 (e.g., severe facilities damage from fire or flood, an extremely low applicant pool despite substantial recruitment efforts), the school should promptly contact its CSO liaison to discuss the need for the planning year.

Documentation submitted must include the following:

1. A date certain for opening, including a timeline detailing the planning activities to be conducted during each month of the planning year;
2. An updated and revised budget, and month-to-month cash flow projections for the pre-opening period, using the NYSED CSO budget template (see Appendix D). The budget must

ensure start-up funds are sufficient to support the school until the first per-pupil payment arrives;

3. Written confirmation signed by the chair of the board of trustees, stating that the school will maintain all pre-opening activities, as set forth in Appendix C;
4. Written notice to school applicants and staff regarding the pending request for a planning year. The notice must explain the school's plans in the event that the request is granted, and in the event the request is denied. The applicant must also post the notice on the admissions/enrollment page of the school's website, and provide a link to the same;
5. Any other information that the school deems relevant to the proposed request and any additional information that the CSO may require.

Planning year approvals will not be unreasonably withheld. However, the request for a planning year may be denied if:

1. All requirements set forth above are not met;
2. It does not sufficiently demonstrate the need for a planning year;
3. It is submitted close to the scheduled start of the school year and there are no exigent circumstances warranting a planning year;
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 relevant to the proposed request and any additional information that the CSO may require.

OTHER CHANGES NOT CONSIDERED REVISIONS²²

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 changes²³) but which should still prompt a conversation with the school's CSO liaison. Your CSO liaison is a resource with whom schools should collaborate when making the determination of whether a change is a revision, and whether or not that revision is material or non-material.

WHAT TO EXPECT AFTER SUBMISSION

The CSO, the NYSED Commissioner, and the Board of Regents, where applicable, will consider all relevant information when evaluating a proposed charter revision, including, but not limited to: evidence of the success of the school's academic program, viability of the school as an organization, faithfulness of the school to the terms of its charter, capacity of the school to successfully implement the proposed charter revision, and the parent/guardian and community engagement conducted, along with any feedback received.

To the extent that the proposed charter revision request provides clear and complete information that addresses the requirements enumerated in this guidance document, the evaluation of a charter revision request will be facilitated and expedited, if possible. The need to request additional information from the school and/or clarify information that has been submitted may occur and could result in prolonging the approval process.

For material charter revisions, the CSO compiles the relevant information on behalf of the Department. The CSO will make a decision on whether or not to recommend the proposed material revision to the Board of Regents and the Board of Regents will make a final decision on whether or not to approve the recommendation. Decisions on non-material revisions are made solely by the CSO on behalf of the Commissioner.

The Charter Schools Act does not specify a deadline by which the CSO and/or the Board of Regents must consider and/or make a decision regarding a proposed charter revision. However, every effort will be made to provide schools with timely decisions. Ongoing and proactive communication with the school's CSO liaison is critical. Material revisions, which require the approval of the Board of Regents, are only considered by the Regents at its regularly scheduled monthly meetings, a schedule of which can be found at [Board of Regents Upcoming Meetings](#). The CSO will communicate with the school when a decision has been made about a proposed charter revision. However, schools should reach out to their liaison as soon as possible following the Regents meeting to learn which portion of their request(s) were approved.

²² In the event that a revision requested does not fall into one of categories enumerated in this document, the CSO will determine what additional materials, if any, are needed from the school. Please consult with your CSO liaison for guidance before submission of the revision request.

²³ Schools may go below their authorized enrollment for a given year without CSO or Regents approval, as long as they do not fall below 85% of the authorized enrollment for that year. Keep in mind that a school may not exceed its authorized enrollment, may not go below 85% of its authorized enrollment for a particular year, and may not make any changes to the grades served without prior written approval.

Common Reasons Revision Requests Are Denied

1. The individual submitting the request has failed to review and follow 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.²⁴
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](#).²⁵
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.²⁶
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.

²⁴ Refer to the [Charter School Performance Framework](#) for a delineation of minimum academic performance standards expected of all Regents-authorized schools.

²⁵ 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.

²⁶ 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 Charts²⁷

**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

²⁷ List grade and enrollment configurations for each year in the current charter term, even if those years have passed.

Appendix B: Sample Facilities Table²⁸

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 Table²⁹

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.				

²⁸ List facility information for each year in the current charter term, even if those years have passed.

²⁹ List proposed facility information for at least five years, beginning with the current year.

Appendix C: 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 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.

In the event that the planning year request 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 charter.

_____, Board Chair
of _____ Charter School

STATE OF _____)

: ss.:

COUNTY OF _____)

On the _____ day of _____ 20__, before me, the undersigned, a Notary Public in and for said state, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within **Planning Year Statement of Assurance** and acknowledged to me that s/he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public - State of _____

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 charter.

_____, Board Chair
of _____ Charter School

STATE OF _____)

: ss.:

COUNTY OF _____)

On the ____ day of _____ 20__, before me, the undersigned, a Notary Public in and for said state, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within **Planning Year Statement of Assurance** and acknowledged to me that s/he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public - State of _____

Appendix D: NYSED Budget Template

[Link to Budget Template](#)

Appendix E: Fiscal Impact Table

[Link to Fiscal Impact Table Template](#)