

# The Cap on NYC Charter Schools

2018  
2019

## What's the charter school cap?

The charter school cap is the statutory limit on the number of charter schools that can open in New York State, which currently stands at 460 with a smaller sub-cap for New York City. Under the current cap, the state's two existing authorizers, the New York State Board of Regents ("Regents") and the SUNY Board of Trustees ("SUNY Trustees"), may issue charters so long as the total number does not exceed the sub-cap established for NYC or the statewide cap.<sup>1</sup>

## How many charters are left under the cap for NYC?

Currently, there are 8 charters available to be issued in NYC. Under legislation passed in the 2015 state legislative session, the charter school sub-cap for New York City increased to a maximum of 50 new charters, of which 0 remain and revived 22 charters that had been previously issued and then were surrendered, revoked, or terminated prior to July 1, 2015. As of November 5, 2018 only 8 of the 22 revived charters remain to be issued by either authorizer.

## Is a cap needed to prevent "unchecked growth"?

No. Both the Regents and the SUNY Trustees employ an extensive application process through which most applications are rejected. New York authorizers only approve those applications that can clearly demonstrate the capacity to establish and operate a high quality school.

## Is there precedent for eliminating or raising a charter school cap?

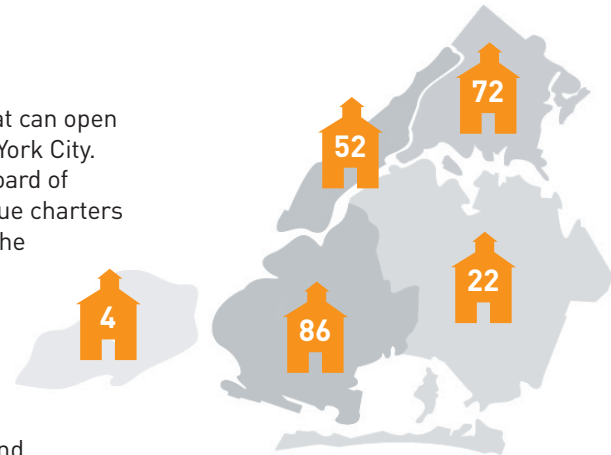
Yes, 16 other states have eliminated or raised charter school caps since 2009. New York State has raised the statewide cap twice (in 2007 and in 2010).

## What would happen if the cap were eliminated altogether?

Without an arbitrary cap, Regents and SUNY Trustees would continue to apply rigid application standards to proposed public charter schools, as required by law. But students on charter school waiting lists — including 52,700 in NYC alone — would face one less barrier to a great public education.

Eliminating the cap would help address the increasing number of applicants who weren't selected into their preferred school.

<sup>1</sup> Charter schools that are "conversions" from district schools do not count against the cap.



**236**  
charter  
schools  
operating  
in NYC

**8**  
charters  
available  
to be  
issued  
for NYC